Journal of the Senate

Number 21—Regular Session **Wednesday, April 30, 2025**

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CALL TO ORDER

The Senate was called to order by President Albritton at 10:00 a.m. A quorum present—37:

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Excused: Senator Sharief

PRAYER

The following prayer was offered by Pastor Curtis Kent, New Church, Panama City:

Heavenly Father, we come before you today with grateful hearts to give you thanks for a new day filled with your mercy and grace. You bless us, gracious God, to know that you have given to us everything that pertains to life and godliness. We say thank you for the privilege of serving the people of this great State of Florida, and we ask that your Holy Spirit rest upon our Senators today.

We ask for you to give them the wisdom of Solomon, the patience of Job, and the compassion of the Good Samaritan. May the Holy Spirit guide the thoughts, the words, and the actions of our Senators, that they may bring honor to you and blessings to those they represent.

Empower them to work efficiently for the common good of all the people. Sustain them, encourage them, protect them, provide for them, and bless them as they work together in the service for all Floridians.

In the strong name of Jesus Christ, my Lord and Savior. Amen.

PLEDGE

Senate Pages, Joseph King of Tallahassee; Mary Ryan Mitchell of Quincy, daughter of Senate employee Bettsy Mitchell; and Reagan Mullins of Tarpon Springs, led the Senate in the Pledge of Allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jay Epstein of Pinellas Park, sponsored by Senator DiCeglie, as the doctor of the day. Dr. Epstein specializes in anesthesiology and critical care medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Burgess—

By Senator Burgess—

SR 646—A resolution honoring and recognizing the victims of Agent Orange during the Vietnam War.

WHEREAS, our nation was founded by individuals willing to sacrifice their personal safety to ensure our collective freedom, and the Sunshine State is proud to be home to many valiant men and women who have performed above and beyond the call of duty, and

WHEREAS, throughout our history, United States citizens have been called upon to take up arms against the enemies of this great nation, risking their lives and leaving their loved ones behind to honorably safeguard the freedoms and liberties guaranteed to all Americans, and

WHEREAS, more than eight million Americans honorably served during the Vietnam War, during which time Agent Orange was widely used by the United States Armed Forces as part of the herbicidal warfare program, Operation Ranch Hand, from 1962 through 1971, and

WHEREAS, Florida is home to more than 423,000 Vietnam-era veterans, and

WHEREAS, nearly 20 million gallons of Agent Orange were sprayed over Vietnam from helicopters and aircraft, destroying vegetation and crops to deprive enemy forces of food and cover and exposing approximately 2.6 million American soldiers to this herbicide and defoliant chemical, and

WHEREAS, Agent Orange is a dioxin and cancer-causing chemical that enters the body through physical contact or ingestion, attacks human genes, and causes numerous serious illnesses, including various forms of cancer, heart disease, and other debilitating conditions, and

WHEREAS, Agent Orange exposure has also resulted in genetic damage, with some children and grandchildren of exposed veterans born with spina bifida and other abnormalities, and

WHEREAS, today, only 800,000 Vietnam veterans exposed to Agent Orange are alive, with approximately 300 deaths occurring among them every day, and

WHEREAS, while fallen comrades are memorialized on The Wall at the Vietnam Veterans Memorial in Washington, D.C., those veterans who are victims of Agent Orange are not recognized as casualties of the Vietnam War, and

WHEREAS, it is most appropriate that we honor these veterans to the fullest extent of our ability, as they have made untold and innumerable sacrifices to preserve the liberties that we enjoy today and that future generations will continue to cherish, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That we honor and recognize the victims of Agent Orange during the Vietnam War for their courageous service to our nation as some of America's most heroic citizens.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Florida Department of Veterans' Affairs and the United States Department of Veterans Affairs as a tangible token of the sentiments expressed herein.

—was introduced, read, and adopted by publication.

At the request of Senator Calatayud—

By Senator Calatayud—

SR 1894—A resolution recognizing the importance of Japanese business, trade, and cultural cooperation with the State of Florida and the state's diplomatic, business, and cultural ties with Japan.

WHEREAS, the State of Florida and Japan share a rapidly growing political and economic relationship, characterized by mutual benefits that contribute to the continued partnership between the two regions, and

WHEREAS, the historic ties between Florida and Japan date back to the early 20th century, beginning with the settlement of the Yamato Colony by Japanese immigrants in Delray Beach, which is now the renowned Morikami Museum and Japanese Gardens, and

WHEREAS, despite ups and downs in economic relations over the years, today Japan is Florida's second largest source of imports and a significant investor in the state's economy and is the largest source of foreign investment in the United States, and

WHEREAS, Governor Ron DeSantis, leading a high-profile trade mission, visited Japan in April 2023, reinforcing diplomatic and economic dialogues between Florida and Japanese officials and business leaders, and

WHEREAS, in October 2023, Florida hosted another successful trade mission to Japan, during which Secretary of State Cord Byrd and Japan's Parliamentary Vice Minister for Foreign Affairs Masahiro Komura signed a Memorandum of Cooperation to enhance economic and trade collaboration between the two regions, and

WHEREAS, in December 2023, Miami-Dade County Mayor Daniella Levine Cava led a trade mission to Japan, culminating in the signing of a Sister Port Agreement between PortMiami and the Port of Yokohama, further solidifying the maritime and economic connections between the two regions, and

WHEREAS, these recent exchanges and agreements underscore the accelerating momentum in Florida-Japan relations, highlighting the significant strides made in business, trade, and cultural cooperation over the past year, and

WHEREAS, the Florida Legislature recognizes the political, economic, and cultural ties between Florida and Japan, ensuring continued collaboration and fostering long-term benefits for both regions, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes the importance of Japanese business, trade, and cultural cooperation with the State of Florida and the state's diplomatic, business, and cultural ties with Japan.

—was introduced, read, and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 1898—A resolution recognizing April 23, 2025, as "National Association of Women Business Owners Day" in Florida.

WHEREAS, in 1975, a dozen like-minded businesswomen in the Washington, D.C., area gathered to share information and create an atmosphere of professional community and to further and strengthen their entrepreneurial interests, and

WHEREAS, this group quickly grew to become what is now known as the National Association of Women Business Owners (NAWBO), and

WHEREAS, in 1988, NAWBO played a key role in the passage of the Women's Business Ownership Act, also known as H.R. 5050, which allowed women to receive business loans without the cosignature of a male relative, and

WHEREAS, the federal legislation also created the National Women's Business Council, a panel of women entrepreneurs and women's organizations which provides counsel to the President and members of Congress, and

WHEREAS, over the past 40 years, NAWBO, through its affiliation with the World Association of Women Entrepreneurs, has extended its global reach to 60 countries on five continents and has expanded across the United States, boasting a chapter in nearly every major metropolitan area including three chapters in Florida: South Florida, Orlando, and Greater Tampa Lakeland, and

WHEREAS, NAWBO strongly supports the achievement of state and federal procurement goals for women-owned small businesses and other steps designed to ensure that women business owners win their fair share of state and federal contracts, realizing that the failure to achieve such goals has cost women business owners an average of $5 billion in lost revenues per year, and

WHEREAS, NAWBO propels women entrepreneurs into economic, social, and political spheres of power by strengthening the wealth-creating capacity of its members and promoting economic development within the entrepreneurial community; creating innovative and effective change in the business culture; building strategic alliances, coalitions, and affiliations; and transforming public policy and influencing opinion makers, and

WHEREAS, on April 23, 2025, the Florida chapters of NAWBO will converge upon the Capitol to focus the political spotlight on issues affecting women business owners and to celebrate the 50th anniversary of NAWBO's founding, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That April 23, 2025, is recognized as "National Association of Women Business Owners Day" in Florida.

—was introduced, read, and adopted by publication.

MOMENT OF SILENCE

At the request of Senator Ingoglia, the Senate observed a moment of silence in memory of former Senator Karen Johnson Gendron, who passed away April 19, 2025. During her time in the Senate, Senator Johnson Gendron represented Senate District 11 from 1992-1996.

By direction of the President, the Senate proceeded to—

SPECIAL ORDER CALENDAR

SENATOR BRODEUR PRESIDING

CS for CS for SB 138—A bill to be entitled An act relating to driving and boating offenses; providing a short title; amending s. 316.193, F.S.; prohibiting a person from driving or being in actual physical control of a

vehicle while under the influence of any impairing substance; providing enhanced criminal penalties for violation of driving under the influence if the person has a prior conviction for a violation of specified provisions; amending s. 316.1932, F.S.; requiring that a person be told that his or her failure to submit to a lawful test of breath or urine is a second degree misdemeanor or a first degree misdemeanor under certain circumstances; conforming provisions to changes made by the act; amending ss. 316.1933 and 316.1934, F.S.; conforming provisions to changes made by the act; amending s. 316.1939, F.S.; classifying a person's refusal to submit to a chemical or physical test of breath or urine as a second degree misdemeanor or a first degree misdemeanor under certain circumstances; conforming a provision to changes made by the act; creating s. 316.19395, F.S.; authorizing state attorneys to create driving under the influence diversion programs; providing requirements for such diversion programs; providing that a person who successfully completes a diversion program is ineligible for participation in such a program in the future; amending s. 316.656, F.S.; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence for a specified violation; amending s. 322.34, F.S.; providing penalties for specified violations of driving while a license or driving privilege is canceled, suspended, or revoked or while under suspension or revocation equivalent status; amending s. 327.35, F.S.; prohibiting a person from operating a vessel while under the influence of any impairing substance; conforming a provision to changes made by the act; amending ss. 327.352, 327.353, 327.354, and 327.359, F.S.; conforming provisions to changes made by the act; amending s. 782.071, F.S.; providing enhanced criminal penalties for a violation of vehicular homicide if the person has a prior conviction for a violation of specified provisions; amending s. 933.02, F.S.; permitting the issuance of a search warrant when a sample of blood of a person constitutes evidence relevant to proving specified crimes; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 138**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 687** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Wright, the rules were waived and—

CS for HB 687—A bill to be entitled An act relating to transportation offenses involving death; providing a short title; amending s. 316.193, F.S.; providing an enhanced penalty for DUI manslaughter if a person has a prior conviction for specified offenses; amending s. 327.35, F.S.; providing an enhanced penalty for BUI manslaughter if a person has a prior conviction for specified offenses; amending s. 782.071, F.S.; providing an enhanced penalty for vehicular homicide if a person has a prior conviction for specified offenses; amending s. 782.072, F.S.; providing an enhanced penalty for vessel homicide if a person has a prior conviction for specified offenses; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 138** and read the second time by title.

Senator Wright moved the following amendment which was adopted:

Amendment 1 (475084) (with title amendment)—Between lines 52 and 53 insert:

Section 3. Paragraph (a) of subsection (1) of section 316.1932, Florida Statutes, is amended to read:

316.1932 Tests for alcohol, chemical substances, or controlled substances; implied consent; refusal.—

(1)(a)1.a. A person who accepts the privilege extended by the laws of this state of operating a motor vehicle within this state is, by operating such vehicle, deemed to have given his or her consent to submit to an approved chemical test or physical test including, but not limited to, an infrared light test of his or her breath for the purpose of determining the alcoholic content of his or her blood or breath if the person is lawfully arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of alcoholic beverages. The chemical or physical breath test must be incidental to a lawful arrest and administered at the request of a law enforcement officer who has reasonable cause to believe such person was driving or was in actual physical control of the motor vehicle within this state while under the influence of alcoholic beverages. The administration of a breath test does not preclude the administration of another type of test. The person shall be told that his or her failure to submit to any lawful test of his or her breath will result in the suspension of the person's privilege to operate a motor vehicle for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of such person has been previously suspended or if he or she has previously been fined under s. 327.35215 as a result of a refusal to submit to a test or tests required under this chapter or chapter 327, and shall also be told that if he or she refuses to submit to a lawful test of his or her breath ~~and his or her driving privilege has been previously suspended or if he or she has previously been fined under s. 327.35215 for a prior refusal to submit to a lawful test of his or her breath, urine, or blood as required under this chapter or chapter 327~~, he or she commits a misdemeanor of the *second* ~~first~~ degree, punishable as provided in s. 775.082 or s. 775.083, *or a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if his or her driving privilege has been previously suspended or if he or she has previously been fined under s. 327.35215 for a prior refusal to submit to a lawful test of his or her breath, urine, or blood as required under this chapter or chapter 327,* in addition to any other penalties provided by law. The refusal to submit to a chemical or physical breath test upon the request of a law enforcement officer as provided in this section is admissible into evidence in any criminal proceeding.

b. A person who accepts the privilege extended by the laws of this state of operating a motor vehicle within this state is, by operating such vehicle, deemed to have given his or her consent to submit to a urine test for the purpose of detecting the presence of chemical substances as set forth in s. 877.111 or controlled substances if the person is lawfully arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of chemical substances or controlled substances. The urine test must be incidental to a lawful arrest and administered at a detention facility or any other facility, mobile or otherwise, which is equipped to administer such tests at the request of a law enforcement officer who has reasonable cause to believe such person was driving or was in actual physical control of a motor vehicle within this state while under the influence of chemical substances or controlled substances. The urine test shall be administered at a detention facility or any other facility, mobile or otherwise, which is equipped to administer such test in a reasonable manner that will ensure the accuracy of the specimen and maintain the privacy of the individual involved. The administration of a urine test does not preclude the administration of another type of test. The person shall be told that his or her failure to submit to any lawful test of his or her urine will result in the suspension of the person's privilege to operate a motor vehicle for a period of 1 year for the first refusal, or for a period of 18 months if the driving privilege of such person has been previously suspended or if he or she has previously been fined under s. 327.35215 as a result of a refusal to submit to a test or tests required under this chapter or chapter 327, and shall also be told that if he or she refuses to submit to a lawful test of his or her urine ~~and his or her driving privilege has been previously suspended or if he or she has previously been fined under s. 327.35215 for a prior refusal to submit to a lawful test of his or her breath, urine, or blood as required under this chapter or chapter 327~~, he or she commits a misdemeanor of the *second* ~~first~~ degree, punishable as provided in s. 775.082 or s. 775.083, *or a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if his or her driving privilege has been previously suspended or if he or she has previously been fined under s. 327.35215 for a prior refusal to submit to a lawful test of his or her breath, urine, or blood as required under this chapter or chapter 327,* in addition to any other penalties provided by law. The refusal to submit to a urine test upon the request of a law enforcement officer as provided in this section is admissible into evidence in any criminal proceeding.

2. The Alcohol Testing Program within the Department of Law Enforcement is responsible for the regulation of the operation, inspection, and registration of breath test instruments utilized under the driving and boating under the influence provisions and related provisions located in this chapter and chapters 322 and 327. The program is responsible for the regulation of the individuals who operate, inspect, and instruct on the breath test instruments utilized in the driving and boating under the influence provisions and related provisions located in this chapter and chapters 322 and 327. The program is further responsible for the regulation of blood analysts who conduct blood testing

to be utilized under the driving and boating under the influence provisions and related provisions located in this chapter and chapters 322 and 327. The program shall:

a. Establish uniform criteria for the issuance of permits to breath test operators, agency inspectors, instructors, blood analysts, and instruments.

b. Have the authority to permit breath test operators, agency inspectors, instructors, blood analysts, and instruments.

c. Have the authority to discipline and suspend, revoke, or renew the permits of breath test operators, agency inspectors, instructors, blood analysts, and instruments.

d. Establish uniform requirements for instruction and curricula for the operation and inspection of approved instruments.

e. Have the authority to specify one approved curriculum for the operation and inspection of approved instruments.

f. Establish a procedure for the approval of breath test operator and agency inspector classes.

g. Have the authority to approve or disapprove breath test instruments and accompanying paraphernalia for use pursuant to the driving and boating under the influence provisions and related provisions located in this chapter and chapters 322 and 327.

h. With the approval of the executive director of the Department of Law Enforcement, make and enter into contracts and agreements with other agencies, organizations, associations, corporations, individuals, or federal agencies as are necessary, expedient, or incidental to the performance of duties.

i. Issue final orders which include findings of fact and conclusions of law and which constitute final agency action for the purpose of chapter 120.

j. Enforce compliance with this section through civil or administrative proceedings.

k. Make recommendations concerning any matter within the purview of this section, this chapter, chapter 322, or chapter 327.

l. Promulgate rules for the administration and implementation of this section, including definitions of terms.

m. Consult and cooperate with other entities for the purpose of implementing the mandates of this section.

n. Have the authority to approve the type of blood test utilized under the driving and boating under the influence provisions and related provisions located in this chapter and chapters 322 and 327.

o. Have the authority to specify techniques and methods for breath alcohol testing and blood testing utilized under the driving and boating under the influence provisions and related provisions located in this chapter and chapters 322 and 327.

p. Have the authority to approve repair facilities for the approved breath test instruments, including the authority to set criteria for approval.

Nothing in this section shall be construed to supersede provisions in this chapter and chapters 322 and 327. The specifications in this section are derived from the power and authority previously and currently possessed by the Department of Law Enforcement and are enumerated to conform with the mandates of chapter 99-379, Laws of Florida.

Section 4. Subsection (1) of section 316.1939, Florida Statutes, is amended to read:

316.1939 Refusal to submit to testing; penalties.—

(1) A person who has refused to submit to a chemical or physical test of his or her breath or urine, as described in s. 316.1932, ~~and whose driving privilege was previously suspended or who was previously fined under s. 327.35215 for a prior refusal to submit to a lawful test of his or her breath, urine, or blood required under this chapter or chapter 327,~~ and:

(a) Who the arresting law enforcement officer had probable cause to believe was driving or in actual physical control of a motor vehicle in this state while under the influence of alcoholic beverages, chemical substances, or controlled substances;

(b) Who was placed under lawful arrest for a violation of s. 316.193 unless such test was requested pursuant to s. 316.1932(1)(c);

(c) Who was informed that, if he or she refused to submit to such test, his or her privilege to operate a motor vehicle would be suspended for a period of 1 year or, in the case of a second or subsequent refusal, for a period of 18 months;

(d) Who was informed that a refusal to submit to a lawful test of his or her breath or urine *is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, or* if his or her driving privilege has been previously suspended or if he or she has previously been fined under s. 327.35215 for a prior refusal to submit to a lawful test of his or her breath, urine, or blood as required under this chapter or chapter 327, *that a refusal to submit to a lawful test of his or her breath or urine* is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, in addition to any other penalties provided by law; and

(e) Who, after having been so informed, refused to submit to any such test when requested to do so by a law enforcement officer or correctional officer

commits a misdemeanor of the *second* ~~first~~ degree *for a first refusal or a misdemeanor of the first degree for a second or subsequent refusal,* and is subject to punishment as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to driving and boating offenses; providing a short title; amending s. 316.193, F.S.; providing an enhanced penalty for DUI manslaughter if a person has a prior conviction for specified offenses; amending s. 316.1932, F.S.; requiring that a person be told that his or her failure to submit to lawful test of breath or urine subsequent to a DUI arrest is either a second degree misdemeanor or a first degree misdemeanor; amending s. 316.1939, F.S.; creating a criminal penalty for a first refusal to submit to a breath or urine test subsequent to a DUI arrest; amending s. 327.35, F.S.;

On motion by Senator Wright, by two-thirds vote, **CS for HB 687**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

SPECIAL RECOGNITION

Senator Wright recognized Robert and Mandi Stewart, parents of Trenton Stewart, and Garett M. Berman, Executive Director of the Florida Prosecuting Attorneys Association, who were present in the gallery in support of CS for CS for SB 138.

CS for SB 306—A bill to be entitled An act relating to Medicaid providers; amending s. 409.967, F.S.; requiring the Agency for Health Care Administration to include specified requirements in its contracts with Medicaid managed care plans; defining the term "outside regular business hours"; providing an effective date.

—was read the second time by title. On motion by Senator Davis, by two-thirds vote, **CS for SB 306** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

CS for CS for CS for SB 1742—A bill to be entitled An act relating to condominium and cooperative associations; amending s. 468.432, F.S.; prohibiting a person whose community association manager license is revoked from having an indirect or direct ownership interest in, or being an employee, a partner, an officer, a director, or a trustee of, a community association management firm for a specified timeframe; requiring a licensee to create and maintain an online licensure account with the Department of Business and Professional Regulation; requiring a community association manager to identify on his or her online licensure account certain information; requiring a licensee to provide specific information on his or her online licensure account; requiring that such information be updated within a specified timeframe; requiring a community association management firm to identify on its online licensure account the community association managers that it employs to provide community association management services; requiring the department to give written notice to the community association management firm and the community association if the community association manager has his or her license suspended or revoked; amending s. 468.4334, F.S.; prohibiting a community association manager or a community association management firm from knowingly performing any act directed by the community association if such act violates any state or federal law; revising the contractual obligations a community association manager or a community association management firm has with the association board; requiring that such contract include a certain statement, if applicable to the type of management services provided in the contract; prohibiting such contracts from waiving or limiting certain professional practice standards; requiring a community association to include specified information on its website or mobile application, if such association is required to maintain official records on a website or an application; conforming provisions to changes made by the act; amending s. 468.4335, F.S.; revising what constitutes a rebuttable presumption of a conflict of interest with a community association manager or a community association management firm; defining the term "compensation"; requiring an association to solicit multiple bids from other third-party providers if a bid that exceeds a specified amount is or may reasonably be construed to be a conflict of interest; providing applicability; deleting a requirement that all contracts and transactional documents related to a proposed activity that is a conflict of interest be attached to the meeting agenda of the next board of administration meeting; requiring the notice of the board meeting to include certain information about the proposed activity that is a conflict of interest; deleting a requirement that the proposed activity be disclosed at the next regular or special meeting of the members; providing that a contract is voidable if certain findings are made; providing specifications for terminating a contract; making technical changes; amending s. 553.899, F.S.; requiring the local enforcement agency responsible for milestone inspections to provide to the Department of Business and Professional Regulation certain information in an electronic format; specifying the information to be provided to the department; requiring the department to contract with the University of Florida for the creation of a report that provides certain information on milestone inspections during a specified timeframe; requiring a local enforcement agency to provide the university with certain information; authorizing the university to request any additional information from a local enforcement agency required to complete the report; requiring the university to compile the report and the department to transmit the report to the Governor and the Legislature; requiring, rather than authorizing, the board of county commissioners or a municipal governing body to adopt a specified ordinance; requiring specified professionals who bid to perform a milestone inspection to disclose to the association in writing their intent to bid on services related to any maintenance, repair, or replacement that may be recommended by the milestone inspection; prohibiting such professionals from having any interest in or being related to any person having any interest in the firm or entity providing the association's milestone inspection unless such relationship is disclosed in writing; defining the term "relative"; providing that a contract for services is voidable and terminates upon the association filing a written notice terminating such a contract if such professionals fail to provide a written disclosure of such relationship with the firm conducting the milestone inspection; providing that such professionals may be subject to discipline for failure to provide such written disclosure; amending s. 718.103, F.S.; revising the definition of the term "alternative funding method"; defining the term "video conference"; amending s. 718.111, F.S.; requiring a community association manager or a community association management firm that contracts with a community association to possess specific licenses; providing that all board members or officers of a community association that contracts with a community association manager or a community association management firm have a duty to ensure that the community association manager or community association management firm is properly licensed before entering into a contract; authorizing a community association to terminate a contract with a community association manager or a community association management firm if the manager's or management firm's license is suspended or revoked during the term of the contract; providing that a community association may terminate a contract with a community association management firm if such firm has its license suspended or revoked, effective upon the date of the license suspension or revocation; requiring every condominium association to have adequate property insurance; deleting specified required coverage; providing that the amount of adequate insurance coverage may be based on the replacement cost of the property to be insured, as determined by an independent insurance appraisal or previous appraisal; requiring that such replacement cost be determined according to a specified timeframe; providing that an association's obligation to obtain and provide adequate property insurance may be satisfied by obtaining and maintaining insurance coverage sufficient to cover a specified amount; revising which items constitute the official records of the association; requiring that certain documents be posted on certain associations' websites or made available for download through an application on a mobile device within a specified timeframe; revising which documents must be posted in digital format on the association's website or application; revising the timeframe in which the association must deliver a copy of the most recent financial report or a notice that a copy of the most recent financial report will be distributed; revising the methods of delivery for a copy of the most recent association financial report to include electronic delivery via the Internet; requiring that an officer or a director execute an affidavit as evidence of compliance with the delivery requirement; revising how financial reports are prepared; requiring an association board to use best efforts to make prudent investment decisions in fulfilling its duty to manage operating and reserve funds of the association; authorizing an association, including a multicondominium association, to invest reserve funds in specified financial institutions; authorizing such associations to place reserve funds in other investments upon a majority vote of the voting interests of the association; providing restrictions; prohibiting any funds not identified as reserve funds from being used for investments; requiring a board to create an investment committee composed of a specified minimum number of board members; requiring the board to adopt rules; requiring that all meetings of the investment committee be recorded and made part of the official records of the association; requiring that the investment policy statement developed pursuant to certain provisions address specified issues; requiring the investment committee to recommend investment advisers to the board; requiring the board to select one of the recommended investment advisers to provide services

to the association; requiring that such advisers be registered; prohibiting an investment adviser from being related to any board member, community management company, reserve study provider, or co-owner of a unit with a board member or investment committee member; requiring investment advisers to comply with the prudent investor rule; requiring an adviser to act as a fiduciary to the association; providing that the investment and fiduciary standards required by the act take precedence over any conflicting law; requiring the investment committee to recommend a replacement adviser if the committee determines that an investment adviser is not meeting requirements; requiring the association to provide the investment adviser with specified financial information at least once each calendar year, or sooner if a substantial financial obligation of the association becomes known to the board; requiring the investment adviser to annually review such financial information and provide the association with a portfolio allocation model that is suitably structured and prudently designed to match projected annual reserve fund requirements and liability, assets, and liquidity requirements; requiring the investment adviser to prepare a funding projection for each reserve component, including any of the component's redundancies; requiring that a specified minimum timeframe of projected reserves in cash or cash equivalents be available to the association; authorizing a portfolio managed by an investment adviser to contain any type of investment necessary to meet the objectives in the investment policy statement; providing exceptions; requiring that any funds invested by the investment adviser be held in third-party custodial accounts that are subject to insurance coverage by the Securities Investor Protection Corporation in an amount equal to or greater than the invested amount; authorizing the investment adviser to withdraw investment fees, expenses, and commissions from invested funds; requiring the investment adviser to annually provide the association with a written certification of compliance with certain provisions and provide the association with a list of certain stocks, securities, and other obligations; requiring the investment adviser to submit monthly, quarterly, and annual reports to the association, prepared in accordance with established financial industry standards; requiring that any principal, earnings, or interest managed be available to the association at no cost within a specified timeframe after the association's written or electronic request; requiring that unallocated income earned on reserve fund investments be spent only on specified expenditures; amending s. 718.112, F.S.; authorizing an association board meeting to be conducted in person or by video conference; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules; requiring that notice for board meetings conducted via video conference contain specific information; requiring that such meetings be recorded and maintained as an official record of the association; revising how notice may be sent to unit owners; revising the distance from the condominium property within which a unit owner meeting must be held; authorizing a unit owner to vote electronically if the unit owner meeting is conducted via video conference; authorizing unit owner meetings to be conducted in person or via video conference; specifying what constitutes a quorum for meetings held via video conference; requiring that the location of the meeting be provided in the association bylaws or within a specified distance from, or within the same county of, the condominium property if the bylaws are silent as to the location; requiring that meetings held via video conference be recorded and be maintained as an official record of the association; requiring the division to adopt rules; revising the method of serving notices of unit owner meetings; authorizing budget meetings to be conducted via video conference; requiring the division to adopt rules; requiring that a sound transmitting device be used at such meetings for a specified purpose; revising a provision that a board proposing a budget that requires a certain special assessment against unit owners to simultaneously propose a substitute budget that meets certain requirements, rather than conduct a special meeting of the unit owners to consider a substitute budget after the adoption of the annual budget; requiring unit owners, rather than authorizing them, to consider a substitute budget; authorizing the annual budget initially proposed to be adopted by the board; revising the criteria used in determining whether assessments exceed the specified percentage of assessments of the previous fiscal year; revising the threshold for deferred maintenance expenses or replacements in reserve accounts; authorizing the members to vote to waive the maintenance of reserves recommended in the most recent structural integrity reserve study under certain circumstances; revising the provision that any association, rather than an association operating a multicondominium, may determine to provide no reserves or less reserves than required if an alternative funding method is used by the association; deleting the requirement that the division approve the funding method; providing that specified reserves may be funded by regular assessments, special assessments, lines of credit, or loans under certain circumstances; authorizing a unit-owner-controlled association that is required to have a structural reserve study to obtain a line of credit or a loan to fund capital expenses required by a milestone inspection or a structural integrity reserve study; requiring that such line of credit or loan be approved by a majority of the total voting interests of the association; requiring that such line of credit or loan be sufficient to fund the cumulative amount of any previously waived or unfunded portions of the reserve funding amount and the most recent structural integrity reserve study; requiring that funding from the line of credit or loan be immediately available for access by the board for a specified purpose; requiring that such lines of credit or loans be included in the association's financial report; providing applicability; deleting a requirement that the majority of the members must approve of the board pausing contributions to the association's reserves for a specified purpose; authorizing the board to temporarily pause reserve fund contributions or reduce the amount of reserve funding for a specified purpose for a budget adopted on or before a specified date if the association has completed a milestone inspection within a specified timeframe and such inspection recommended certain repairs; requiring that such temporary pause or reduction be approved by a majority of the total voting interests of the association; providing applicability; requiring associations that have paused or reduced their reserve funding to have a structural integrity reserve study performed before the continuation of reserve contributions for specified purposes; providing that a vote of the members is not required for the board to change the accounting method for reserves to specified accounting methods; requiring the division to annually adjust for inflation the minimum threshold amount for required reserves, based on specified criteria; requiring the division, by a specified date and annually thereafter, to conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves; revising the items to be included in a structural integrity reserve study; requiring specified design professionals or contractors who bid to perform a structural integrity reserve study to disclose in writing to the association their intent to bid on any services related to the maintenance, repair, or replacement that may be recommended by the structural integrity reserve study; prohibiting such professionals or contractors from having any interest in or being related to any person having any interest in the firm or entity providing the association's structural integrity reserve study unless such relationship is disclosed in writing; defining the term "relative"; providing that a contract for services is voidable and terminates upon the association filing a written notice terminating such a contract if such professional or contractor fails to provide a written disclosure of such relationship with the firm conducting the structural integrity reserve study; providing that such professional or contractor may be subject to discipline for his or her failure to provide such written disclosure; requiring that a structural integrity reserve study include a recommendation for a reserve funding schedule based on specified criteria; authorizing the study to recommend other types of reserve funding schedules, provided each recommended schedule is sufficient to meet the association's maintenance obligations; requiring that reserves not required for certain items be separately identified as such in the structural integrity reserve study; requiring the structural integrity reserve study to take into consideration the funding method or methods used by the association to fund its maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans; requiring a structural integrity reserve study that has been performed before the approval of a special assessment or the securing of a line of credit or a loan to be updated to reflect certain information regarding the reserve funding schedule; authorizing a structural integrity reserve study to be updated to reflect changes in the useful life of the reserve items after such items are repaired or replaced, and the effect such repair or replacement will have on the reserve funding schedule; requiring an association to obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study; authorizing an association to delay a required structural integrity reserve study for a specified timeframe if it has completed a milestone inspection or similar inspection, for a specified purpose; requiring an officer or director of an association to sign an affidavit acknowledging receipt of the completed structural integrity reserve study; requiring the division to adopt rules for the form for the structural integrity reserve study in coordination with the Florida Building Commission; making technical changes; amending s. 718.501,

F.S.; revising the duties of the Division of Florida Condominiums, Timeshares, and Mobile Homes regarding investigation of complaints; requiring condominium associations to create and maintain an online account with the division; requiring board members to maintain accurate contact information on file with the division; requiring the division to adopt rules; requiring all condominium associations to create and maintain an online account with the division; requiring all condominium associations to provide specified information to the division by a specified date; requiring that such information be updated within a specified timeframe; requiring the division to adopt rules; authorizing the division to require condominium associations to provide information to the division; specifying the information to be provided to the division; amending s. 718.503, F.S.; revising the disclosures that must be included in a contract for the sale and resale of a residential unit; amending s. 8 of chapter 2024-244, Laws of Florida, as amended; revising the documents required to be posted on certain associations' websites or be made available through download using an application on a mobile device; amending s. 31 of chapter 2024-244, Laws of Florida; revising applicability; amending s. 719.104, F.S.; requiring a board to use best efforts to make prudent investment decisions in fulfilling its duty to manage operating and reserve funds of the cooperative association; authorizing an association to invest reserve funds in specified financial institutions; authorizing such associations to place reserve funds in other investments upon a majority vote of the voting interests of the association; providing restrictions; prohibiting any funds not identified as reserve funds from being used for investments; providing applicability; requiring a board to create an investment committee composed of a specified minimum number of board members; requiring the board to adopt rules; requiring that all meetings of the investment committee be recorded and made part of the official records of the association; requiring that the investment policy statement developed pursuant to certain provisions address specified issues; requiring the investment committee to recommend investment advisers to the board; requiring the board to select one of the recommended investment advisers to provide services to the association; requiring such advisers to be registered; prohibiting an investment adviser from being related to any board member, community management company, reserve study provider, or co-owner of a unit with a board member or investment committee member; requiring investment advisers to comply with the prudent investor rule; requiring an adviser to act as a fiduciary to the association; providing that the investment and fiduciary standards required by the act take precedence over any conflicting law; requiring the investment committee to recommend a replacement adviser if the committee determines that an investment adviser is not meeting requirements; requiring the association to provide the investment adviser with specified financial information at least once each calendar year, or sooner if a substantial financial obligation of the association becomes known to the board; requiring the investment adviser to annually review such financial information and provide the association with a portfolio allocation model that is suitably structured and prudently designed to match projected annual reserve fund requirements and liability, assets, and liquidity requirements; requiring the investment adviser to prepare a funding projection for each reserve component, including any of the component's redundancies; requiring that a specified minimum timeframe of projected reserves in cash or cash equivalents be available to the association; authorizing a portfolio managed by an investment adviser to contain any type of investment necessary to meet the objectives in the investment policy statement; providing exceptions; requiring that any funds invested by the investment adviser be held in third-party custodial accounts that are subject to insurance coverage by the Securities Investor Protection Corporation in an amount equal to or greater than the invested amount; authorizing the investment adviser to withdraw investment fees, expenses, and commissions from invested funds; requiring the investment adviser to annually provide the association with a written certification of compliance with certain provisions and provide the association with a list of certain stocks, securities, and other obligations; requiring the investment adviser to submit monthly, quarterly, and annual reports to the association, prepared in accordance with established financial industry standards; requiring that any principal, earnings, or interest managed be available to the association at no cost within a specified timeframe after the association's written or electronic request; requiring that unallocated income earned on reserve fund investments be spent only on specified expenditures; amending s. 719.106, F.S.; revising the deferred maintenance expense or replacement costs threshold that must be in reserve accounts; authorizing the board to pause contributions to its reserves or reduce reserve funding if a local building official determines the entire cooperative building is uninhabitable due to a natural emergency; authorizing any reserve account fund held by the association to be expended to make the cooperative building and its structures habitable, pursuant to the board's determination; requiring the association to immediately resume contributing funds to its reserves once the local building official determines that the cooperative building is habitable; authorizing certain reserves be funded by regular assessments, special assessments, lines of credit, or loans under certain circumstances; authorizing a unit-owner-controlled association to obtain a line of credit or a loan to fund capital expenses required by a milestone inspection or a structural integrity reserve study; requiring that such lines of credit or loans be approved by a majority vote of the total voting interests of the association; requiring that such lines of credit or loans be sufficient to fund the cumulative amount of any previously waived or unfunded portion of the reserve funding amount and most recent structural integrity reserve study; requiring that funding from such lines of credit or loans be immediately available for access by the board for a specified purpose; authorizing the board to temporarily pause reserve fund contributions or reduce the amount of reserve funding for a specified purpose for a budget adopted on or before a specified date if the association has completed a milestone inspection within a specified timeframe; requiring that such temporary pause or reduction be approved by a majority of the total voting interests of the association; providing applicability; requiring associations that have paused or reduced their reserve funding contributions to have a structural integrity reserve study performed before the continuation of reserve contributions for specified purposes; providing that a vote of the members is not required for the board to change the accounting method for reserves to specified accounting methods; requiring the division to annually adjust for inflation the minimum threshold amount for required reserves, based on specified criteria; requiring the division, by a specified date and annually thereafter, to conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves; requiring specified design professionals or contractors, rather than any person qualified to perform a structural integrity reserve study, to perform structural integrity reserve studies; requiring such design professionals or contractors who bid to perform a structural integrity reserve study to disclose in writing to the association their intent to bid on any services related to the maintenance, repair, or replacement that may be recommended by the structural integrity reserve study; prohibiting such professionals or contractors from having any interest in or being related to any person having any interest in the firm or entity providing the association's structural integrity reserve study unless such relationship is disclosed in writing; defining the term "relative"; providing that a contract for services is voidable and terminates upon the association filing a written notice terminating such a contract if such professional or contractor fails to provide a written disclosure of such relationship with the firm conducting the structural integrity reserve study; providing that such professional or contractor may be subject to discipline for his or her failure to provide such written disclosure; requiring that a structural integrity reserve study include a recommendation for a reserve funding schedule based on specified criteria; authorizing the study to recommend other types of reserve funding schedules, provided each recommended schedule is sufficient to meet the association's maintenance obligation; requiring that reserves not required for certain items be separately identified as such in the structural integrity reserve study; requiring the structural integrity reserve study to take into consideration the funding method or methods used by the association to fund its maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans; requiring a structural integrity reserve study that has been performed before the approval of a special assessment or the securing of a line of credit or a loan to be updated to reflect certain information regarding the reserve funding schedule; authorizing a structural integrity reserve study to be updated to reflect changes in the useful life of the reserve items after such items are repaired or replaced, and the effect of such repair or replacement will have on the reserve funding schedule; requiring an association to obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study; authorizing an association to delay a required structural integrity reserve study for a specified timeframe if it has completed a milestone inspection or similar inspection, for a specified purpose; requiring an officer or a director of the association to sign an affidavit acknowledging receipt of the completed structural integrity reserve study; requiring the division to adopt

by rule the form for the structural integrity reserve study in coordination with the Florida Building Commission; amending s. 719.501, F.S.; requiring a cooperative association to create and maintain an online account with the division; requiring board members to maintain accurate contact information on file with the division; requiring the division to adopt rules; authorizing the division to require cooperative associations to provide information to the division no more than once per year; providing an exception; requiring the division to provide associations a specified timeframe to provide any required information; specifying the information the division may request; amending s. 719.503, F.S.; revising the disclosures that must be included in a contract for the sale and resale of an interest in a cooperative; amending s. 914.21, F.S.; revising the definition of the term "official investigation"; providing appropriations; reenacting s. 468.436(2)(b), F.S., relating to disciplinary proceedings, to incorporate the amendment made to s. 468.4335, F.S., in a reference thereto; reenacting s. 721.13(3)(e), F.S., relating to management, to incorporate the amendment made to s. 718.111, F.S., in a reference thereto; reenacting ss. 718.504(7)(a) and (21)(c) and 718.618(1)(d), F.S., relating to prospectus or offering circulars and converter reserve accounts and warranties, respectively, to incorporate the amendment made to s. 718.112, F.S., in references thereto; reenacting s. 718.706(1) and (3), F.S., relating to specific provisions pertaining to offering of units by bulk assignees or bulk buyers, to incorporate the amendments made to ss. 718.111, 718.112, and 718.503, F.S., in references thereto; reenacting ss. 719.103(24) and 719.504(7)(a) and (20)(c), F.S., relating to definitions and prospectus or offering circulars, respectively, to incorporate the amendment made to s. 719.106, F.S., in references thereto; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1742**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 913** was withdrawn from the Committee on Rules.

On motion by Senator Bradley, the rules were waived and—

CS for CS for HB 913—A bill to be entitled An act relating to condominium associations; creating s. 163.212, F.S.; providing definitions; requiring certain local governments to confirm by a specified date whether a structural integrity reserve study and milestone inspection have been completed for certain buildings and if the study and inspection report has been filed with the Florida Division of Condominiums, Timeshares, and Mobile Homes; requiring each local government to submit a certain report to the division by a specified date; amending s. 553.899, F.S.; requiring local enforcement agencies to provide specified information to the Department of Business and Professional Regulation by a specified date and annually thereafter; requiring the department to provide certain information to the Office of Program Policy and Government Accountability (OPPAGA); authorizing OPPAGA to request additional information; amending s. 718.103, F.S.; revising the definition of the term "alternative funding method"; amending s. 718.110, F.S.; providing that the declaration of a nonresidential condominium may be amended to change certain provisions if all affected record owners join in the execution of such amendment; requiring certain documents to be served at a unit owner's address as reflected in the association's official records; amending s. 718.111, F.S.; requiring, rather than authorizing, an association to provide adequate insurance coverage; revising the requisite intent necessary for criminal penalties; requiring associations to maintain the most recent annual financial statement and annual budget on the condominium property; removing the requirement for an association to provide a unit owner specified notice that the most updated financial report will be provided to the unit owner upon request; providing legislative findings; authorizing the board of an association to levy special assessments and obtain loans for certain purposes without approval of the membership; providing applicability; requiring an association to post the adopted minutes of certain meetings and certain information relating to assessments and special assessments on the association's website or application; amending s. 718.112, F.S.; authorizing an association to adopt written reasonable rules governing unit owner questions at a meeting; authorizing an association operating a nonresidential condominium to provide for different voting and election procedures; revising the dollar amount of the deferred maintenance expense or replacement cost threshold; authorizing members to waive the maintenance of reserves if the total voting interests of the association have voted to terminate the condominium; authorizing the board of an association to pause or reduce contributions to its reserves without requiring approval from the members of the association; authorizing a majority of the total voting interests of certain associations to approve the provision of a specified line of credit to be used for certain purposes; requiring an association to provide specified notice to its members before voting to secure a line of credit; requiring the department to adopt rules; providing that an association may create reserve accounts in accordance with the most recent structural integrity reserve study without a vote of the members; authorizing an association's reserve accounts to be pooled; requiring a structural integrity reserve study for buildings that have at least three habitable stories; revising the dollar amount of the deferred maintenance expense or replacement cost threshold; requiring certain expenses or costs to be modified annually; requiring the department to post revised expenses or costs on its website by a specified date; specifying that a conflict of interest exists if the person conducting a structural integrity reserve study or milestone inspection provides or contracts to provide repair or replacement services on certain property; revising applicability; requiring officers and directors to sign a specified affidavit; requiring the department to initiate rulemaking by a specified date for certain purposes; prohibiting the suspension of a voting interest of a condominium when voting to recall a member of the board of administration; prohibiting any prior suspension of voting rights from having any effect; removing certain provisions relating to the method for recalling members of the board; requiring that a recall agreement be served on the association by registered mail, rather than by certified mail or by personal service; providing that service must be provided in a specified manner to be valid; providing that a rejection of a unit owner's recall agreement applies under certain circumstances; providing that there is a rebuttable presumption that a unit owner executing a recall agreement is the designated voter for the unit; prohibiting an association from enforcing a voting certificate requirement under certain circumstances; requiring that a rescission or revocation of a unit owner's recall agreement be in writing and delivered to the association before an association is served with the written recall agreement; providing construction; revising the timeframe in which a certain petition or action must be filed; requiring that an association be named as the respondent in such petition or action; revising the timeframe in which the Division of Florida Condominiums, Timeshares, and Mobile Homes or a court may not accept a recall petition or a court action; providing that a director or an officer is delinquent if payment is not made by a specified due date identified in the declarations, bylaws, or articles of incorporation; providing that a payment is delinquent on the first day of the assessment period if no specified due date is in the declarations, bylaws, or articles of incorporation; amending s. 718.113, F.S.; requiring the board to determine whose responsibility it is to pay for removal or reinstallation of hurricane protection; removing authorization for an association to enforce and collect certain charges as assessments; amending s. 718.116, F.S.; providing legislative findings; authorizing the board of an association to levy special assessments for certain purposes without approval of the membership; providing applicability; amending s. 718.117, F.S.; authorizing termination of a condominium if the estimated costs of replacement, in addition to certain construction or repair costs, exceed the estimated fair market value of the units; requiring approval for termination of a condominium by a specified percentage of the voting interests under certain circumstances; removing provision prohibiting a plan of termination if a certain percentage of the total voting interests reject the plan; specifying how members can reject a plan of termination; providing that certain provisions relating to a plan of termination apply to residential condominiums only; requiring a plan of termination to be approved by the division; authorizing condominiums to amend their declarations by a specified vote to include certain provisions of statutory law; providing additional reasons a unit owner or lienor can contest the apportionment of proceed from a sale of the condominium; amending s. 718.1255, F.S.; providing requirements for bringing an action to challenge an election or a recall; authorizing certain persons to file a notice of removal and complaint in circuit court within a specified timeframe after service of a petition to arbitrate an election or recall disputes; barring actions that are not timely filed and rendering the arbitration decision final; providing requirements for filing a notice of removal and complaint and bringing an action to challenge the arbitration decision; specifying the sole method in which the division or court may award costs and attorney fees in a dispute involving the recall of a director; amending s. 718.128, F.S.; removing a requirement for written notice of certain meetings; requiring, after a specified percentage of voting interests adopts a resolution, a board to hold a meeting within a certain timeframe; requiring a board to receive a petition to adopt a resolution within a certain timeframe; requiring an association to have a designated e-mail address for receipt

of ballots transmitted electronically; providing requirements for electronically transmitting a ballot; providing a presumption; amending s. 718.203, F.S.; providing that all condominiums, not just residential, can be covered by an insured warranty program; amending s. 718.301, F.S.; providing that certain provisions of law relating to transfer of control of an association do not apply to certain residential condominiums beginning on a specified date; amending s. 718.302, F.S.; providing that if unit owners own a specified percentage of voting interests in certain condominiums that certain agreements may be cancelled by the unit owners; amending s. 718.407, F.S.; requiring that a specified report be provided to an association within a certain amount of time after the end of the fiscal year; requiring copies of receipts and invoices be included with the report; authorizing the division to impose penalties under certain circumstances; authorizing an association to challenge the apportionment of certain costs of the shared facilities within a certain amount of time; providing construction; amending s. 718.501, F.S.; authorizing the division to review records and investigate certain complaints; requiring each association to create and maintain an online account with the division with specified information; requiring the division to adopt rules; requiring associations to provide specified information in electronic format to the division by a specified date; requiring such information be updated within a specified timeframe; removing requirements for certain information to be provided to the division; amending s. 718.503, F.S.; revising specified notices; requiring a developer or unit owner to provide one notice, instead of two, to a buyer before the sale of a unit; requiring a unit owner to provide the most recent annual financial statement and annual budget to a buyer before the sale of a unit; amending ch. 2024-244, Laws of Florida; providing that certain amendments that were made to the Condominium Act do not revive, reinstate, or retroactively apply to a right or interest of a condominium unit owner or condominium association in a matter pending adjudication before a specified date; amending s. 914.21, F.S.; revising the definition of the term "official investigation"; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1742** and read the second time by title.

Senator Bradley moved the following amendment:

Amendment 1 (120290) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (h) is added to subsection (2) of section 468.432, Florida Statutes, and subsection (3) is added to that section, to read:

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

(2) A community association management firm or other similar organization responsible for the management of more than 10 units or a budget of $100,000 or greater shall not engage or hold itself out to the public as being able to engage in the business of community association management in this state unless it is licensed by the department as a community association management firm in accordance with the provisions of this part.

(h) A person who has had his or her community association manager license revoked may not have an indirect or direct ownership interest in, or be an employee, a partner, an officer, a director, or a trustee of, a community association management firm during the 10-year period after the effective date of the revocation. Such person is ineligible to reapply for certification or registration under this part for a period of 10 years after the effective date of a revocation.

(3) A licensee must create and maintain an online licensure account with the department. Each community association manager must identify on his or her online licensure account the community association management firm for which he or she provides management services and identify each community association for which he or she is the designated onsite community association manager. A licensee must update his or her online licensure account with this information within 30 days after any change to the required information. A community association management firm must identify on its online licensure account the community association managers that it employs to provide community association management services. If a community association manager has his or her license suspended or revoked, the department must give written notice of such suspension or revocation to the community association management firm and the community association for which the manager performs community management services.

Section 2. Subsections (1) and (3) of section 468.4334, Florida Statutes, are amended to read:

468.4334 Professional practice standards; liability; community association manager requirements; return of records after termination of contract.—

(1)(a) A community association manager or a community association management firm is deemed to act as agent on behalf of a community association as principal within the scope of authority authorized by a written contract or under this chapter. *A community association manager or a community association management firm may not knowingly perform any act directed by the community association if such an act violates any state or federal law.* A community association manager and a community association management firm shall discharge duties performed on behalf of the association as authorized by this chapter loyally, skillfully, and diligently; dealing honestly and fairly; in good faith; with care and full disclosure to the community association; accounting for all funds; and not charging unreasonable or excessive fees.

(b) If a community association manager or a community association management firm has a contract with a community association that is subject to *the milestone inspection requirements in* s. 553.899*, or the structural integrity reserve study requirements in s. 718.112(2)(g) and 719.106(1)(k)*, the community association manager or the community association management firm must comply with *those sections* ~~that section~~ as directed by the board.

(c) Each contract between a community association and a community association manager or community association management firm for community association management services must include the following written statement in at least 12-point type, if applicable to the type of management services provided in the contract:

The community association manager shall abide by all professional standards and record keeping requirements imposed pursuant to part VIII of chapter 468, Florida Statutes.

(d) A contract between a community association manager or community association management firm and a community association may not waive or limit the professional practice standards required pursuant to this part.

(3) A community association manager or community association management firm that is authorized by contract to provide community association management services to a *community* ~~homeowners'~~ association shall do all of the following:

(a) Attend in person at least one member meeting or board meeting of the *community* ~~homeowners'~~ association annually.

(b) Provide to the members of the *community* ~~homeowners'~~ association the name and contact information for each community association manager or representative of a community association management firm assigned to the *community* ~~homeowners'~~ association, the manager's or representative's hours of availability, and a summary of the duties for which the manager or representative is responsible. The *community* ~~homeowners'~~ association shall also post this information on the association's website or *mobile* application*, if the association is required to maintain official records on a website or application* ~~required under s. 720.303(4)(b)~~. The community association manager or community association management firm shall update the *community* ~~homeowners'~~ association and its members within 14 business days after any change to such information.

(c) Provide to any member upon request a copy of the contract between the community association manager or community association management firm and the *community* ~~homeowners'~~ association and include such contract with association's official records.

Section 3. Section 468.4335, Florida Statutes, is amended to read:

468.4335 Conflicts of interest.—

(1) A community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, must disclose to the board of a community association any activity that may reasonably be construed to be a conflict of interest. A rebuttable presumption of a conflict of interest exists if any of the following occurs without prior notice:

(a) A community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, *proposes to enter into a contract or other transaction with the association, or* enters into a contract for goods or services with the association*, for services other than community association management services*.

(b) A community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, holds an interest in or receives compensation ~~or any thing of value~~ from a *person as defined in s. 1.01(3) which* ~~corporation, limited liability corporation, partnership, limited liability partnership, or other business entity that~~ conducts business with the association or proposes to enter into a contract or other transaction with the association. *As used in this paragraph, the term "compensation" means any referral fee or other monetary benefit derived from a person as defined in s. 1.01(3) which provides products or services to the association, and any ownership interests or profit-sharing arrangements with product or service providers recommended to or used by the association.*

(2) If the association receives and considers a bid that exceeds $2,500 to provide a good or service~~,~~ other than community association management services *which is or may reasonably be construed to be a conflict of interest under subsection (1)*, ~~from a community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons,~~ the association must solicit multiple bids from other third-party providers of such goods or services. *This subsection does not apply to any activities or the provision of goods or services that are disclosed in the management services contract as a conflict of interest within the meaning of subsection (1).*

(3) If a community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, proposes to engage in an activity that is a conflict of interest as described in subsection (1), the proposed activity must be listed on~~, and all contracts and transactional documents related to the proposed activity must be attached to,~~ the meeting agenda of the next board of administration meeting. *The notice for the meeting at which the proposed activity will be considered by the board must include a description of the proposed activity, disclose the possible conflict of interest, and include a copy of all contracts and transactional documents related to the proposed activity.* The disclosures of a possible conflict of interest must be entered into the written minutes of the meeting. Approval of the contract, including a management contract between the community association and the community association manager or community association management firm, or other transaction requires an affirmative vote of two-thirds of all directors present. ~~At the next regular or special meeting of the members, the existence of the conflict of interest and the contract or other transaction must be disclosed to the members.~~ If a community association manager or community association management firm has previously disclosed a conflict of interest in an existing management contract entered into between the board of directors and the community association manager or community association management firm, the conflict of interest does not need to be additionally noticed and voted on during the term of such management contract, but, upon renewal, must be noticed and voted on in accordance with this subsection.

(4) If the board finds that a community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, has violated this section, the *contract is voidable and the* association may *terminate* ~~cancel~~ its community association management contract with the community association manager or the community association management firm *by delivery of a written notice terminating the contract*. If the contract is *terminated* ~~canceled~~, the association is liable only for the reasonable value of the management services provided up to the time of cancellation and is not liable for any termination fees, liquidated damages, or other form of penalty for such cancellation.

(5) ~~If an association enters into a contract with a community association manager or a community association management firm, including directors, officers, and persons with a financial interest in a community association management firm, or a relative of such persons, which is a party to or has an interest in an activity that is a possible conflict of interest as described in subsection (1) and such activity has not been properly disclosed as a conflict of interest or potential conflict of interest as required by this section, the contract is voidable and terminates upon the association filing a written notice terminating the contract with its board of directors which contains the consent of at least 20 percent of the voting interests of the association.~~

~~(6)~~ As used in this section, the term "relative" means a relative within the third degree of consanguinity by blood or marriage.

Section 4. Present subsections (12) and (13) of section 553.899, Florida Statutes, are redesignated as subsections (14) and (15), respectively, new subsections (12) and (13) are added to that section, and subsection (11) of that section is amended, to read:

553.899 Mandatory structural inspections for condominium and cooperative buildings.—

(11) A board of county commissioners or municipal governing body *shall* ~~may~~ adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

(12) A licensed architect or engineer who bids to perform a milestone inspection must disclose in writing to the association his or her intent to bid on any services related to any maintenance, repair, or replacement which may be recommended by the milestone inspection. Any design professional as defined in s. 558.002 or contractor licensed under chapter 489 who submits a bid to the association for performing any services recommended by the milestone inspection may not have an interest, directly or indirectly, in the firm or entity providing the milestone inspection or be a relative of any person having a direct or indirect interest in such firm, unless such relationship is disclosed to the association in writing. As used in this section, the term "relative" means a relative within the third degree of consanguinity by blood or marriage. A contract for services is voidable and terminates upon the association filing a written notice terminating the contract if the design professional or licensed contractor failed to provide the written disclosure of the relationship required under this subsection. A design professional or licensed contractor may be subject to discipline under the applicable practice act for his or her profession for failure to provide the written disclosure of the relationship, as required under this subsection.

(13)(a) On or before December 31 2025, and on or before each December 31 thereafter, the local enforcement agency responsible for milestone inspections shall provide the department, in an electronic format determined by the department, information that must include, but is not limited to:

1. The number of buildings required to have a milestone inspection within the agency's jurisdiction.

2. The number of buildings for which a phase one milestone inspection has been completed.

3. The number of buildings granted an extension under paragraph (3)(c).

4. The number of buildings required to have a phase two milestone inspection.

5. The number of buildings for which a phase two milestone inspection has been completed.

6. The number, type, and value of permit applications received to complete repairs required by a phase two milestone inspection.

7. A list of buildings deemed to be unsafe or uninhabitable as determined by a milestone inspection.

8. The license number of the building code administrator responsible for milestone inspections for the local enforcement agency.

(b) The department shall provide to the Office of Program Policy Analysis and Government Accountability (OPPAGA) all information obtained from the local enforcement agencies under paragraph (a) by the date specified and in a manner prescribed by OPPAGA. OPPAGA may request from a local enforcement agency any additional information necessary to compile the information and provide a report to the President of the Senate and the Speaker of the House of Representatives.

Section 5. Present subsections (33) and (34) of section 718.103, Florida Statutes, are redesignated as subsections (34) and (35), respectively, a new subsection (33) is added to that section, and subsection (1) of that section is amended, to read:

718.103 Definitions.—As used in this chapter, the term:

(1) "Alternative funding method" means a method approved by the division for funding the capital expenditures and deferred maintenance obligations for a multicondominium association ~~operating at least 25 condominiums~~ which may reasonably be expected to fully satisfy the association's reserve funding obligations by the allocation of funds in the annual operating budget.

(33) "Video conference" means a real-time audio and video-based meeting between two or more people in different locations using video-enabled and audio-enabled devices. The notice for any meeting that will be conducted by video conference must have a hyperlink and call-in conference telephone number for unit owners to attend the meeting and must have a physical location where unit owners can also attend the meeting in person. All meetings conducted by video conference must be recorded, and such recording must be maintained as an official record of the association.

Section 6. Subsections (4) and (10) of section 718.110, Florida Statutes, are amended to read:

718.110 Amendment of declaration; correction of error or omission in declaration by circuit court.—

(4)*(a) Subject to paragraph (b),* unless otherwise provided in the declaration as originally recorded, *an* ~~no~~ amendment may *not* change the configuration or size of any unit in any material fashion, materially alter or modify the appurtenances to the unit, or change the proportion or percentage by which the unit owner shares the common expenses of the condominium and owns the common surplus of the condominium unless the record owner of the unit and all record owners of liens on the unit join in the execution of the amendment and unless all the record owners of all other units in the same condominium approve the amendment. The acquisition of property by the association and material alterations or substantial additions to such property or the common elements by the association in accordance with s. 718.111(7) or s. 718.113, and amendments providing for the transfer of use rights in limited common elements pursuant to s. 718.106(2)(b) *may not be considered* ~~shall not be deemed to constitute~~ a material alteration or modification of the appurtenances to the units. *Except as provided in paragraph (b),* a declaration recorded after April 1, 1992, may not require the approval of less than a majority of total voting interests of the condominium for amendments under this subsection, unless otherwise required by a governmental entity.

(b) Notwithstanding subsection (14), the declaration of a nonresidential condominium formed on or after July 1, 2025, may be amended to change the configuration or size of a unit in any material fashion, materially alter or modify the appurtenances to the unit, or change the proportion or percentage by which the unit owner shares the common expenses of the condominium and owns the common surplus of the condominium, if the record owners of all affected units and all record owners of liens on the affected units join in the execution of the amendment. The approval of the record owners of the nonaffected units in such condominium is not required.

(10) If there is an omission or error in a declaration of condominium, or any other document required to establish the condominium, and the omission or error would affect the valid existence of the condominium, the circuit court may entertain a petition of one or more of the unit owners in the condominium, or of the association, to correct the error or omission, and the action may be a class action. The court may require that one or more methods of correcting the error or omission be submitted to the unit owners to determine the most acceptable correction. All unit owners, the association, and the mortgagees of a first mortgage of record must be joined as parties to the action. Service of process on unit owners may be by publication, but the plaintiff must furnish every unit owner not personally served with process with a copy of the petition and final decree of the court by certified mail, return receipt requested, at the unit owner's ~~last known residence~~ address *as reflected in the association's official records*. If an action to determine whether the declaration or another condominium document complies with the mandatory requirements for the formation of a condominium is not brought within 3 years of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(e) or the recording of an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first, the declaration and other documents will effectively create a condominium, as of the date the declaration was recorded, regardless of whether the documents substantially comply with the mandatory requirements of law. However, both before and after the expiration of this 3-year period, the circuit court has jurisdiction to entertain a petition permitted under this subsection for the correction of the documentation, and other methods of amendment may be utilized to correct the errors or omissions at any time.

Section 7. Paragraph (a) of subsection (11), paragraphs (a), (c), and (g) of subsection (12), and subsection (13) of section 718.111, Florida Statutes, are amended, paragraphs (g), (h), and (i) are added to subsection (3) of that section, and subsection (16) is added to that section, to read:

718.111 The association.—

(3) POWER TO MANAGE CONDOMINIUM PROPERTY AND TO CONTRACT, SUE, AND BE SUED; CONFLICT OF INTEREST.—

(g) If an association contracts with a community association manager or a community association management firm, the community association manager or community association management firm must possess all applicable licenses required by part VIII of chapter 468. All board members or officers of an association that contracts with a community association manager or a community association management firm have a duty to ensure that the community association manager or community association management firm is properly licensed before entering into a contract.

(h) If a contract is between a community association manager and the association, and the community association manager has his or her license suspended or revoked during the term of a contract with the association, the association may terminate the contract upon delivery of a written notice to the community association manager whose license has been revoked or suspended, effective on the date the community association manager became unlicensed.

(i) If a community association management firm has its license suspended or revoked during the term of a contract with the association, the association may terminate the contract upon delivery of a written notice to the community association management firm whose license has been revoked or suspended, effective on the date the community association management firm became unlicensed.

(11) INSURANCE.—In order to protect the safety, health, and welfare of the people *of this state* ~~of the State of Florida~~ and to ensure consistency in the provision of insurance coverage to condominiums and their unit owners, this subsection applies to every residential condominium in *this* ~~the~~ state, regardless of the date of its declaration of

condominium. It is the intent of the Legislature to encourage lower or stable insurance premiums for associations described in this subsection.

(a) *Every condominium association shall have* adequate property insurance *as determined under this paragraph*, regardless of any requirement in the declaration of condominium for *certain* coverage by the association ~~for full insurable value, replacement cost, or similar coverage, must be based on the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal~~. ~~The replacement cost must be determined at least once every 36 months.~~

1. An association or group of associations may provide adequate property insurance *as determined under this paragraph* through a self-insurance fund that complies with the requirements of ss. 624.460-624.488.

2. *The amount of adequate insurance coverage for full insurable value, replacement cost, or similar coverage may be based on the replacement cost of the property to be insured, as determined by an independent insurance appraisal or an update of a previous appraisal. The replacement cost must be determined at least once every 3 years, at minimum.*

3. The *association's obligation to obtain and* ~~association may also~~ provide adequate property insurance coverage for a group of at least three communities created and operating under this chapter, chapter 719, chapter 720, or chapter 721 *may be satisfied* by obtaining and maintaining for such communities insurance coverage sufficient to cover an amount equal to the probable maximum loss for the communities for a 250-year windstorm event.

a. Such probable maximum loss must be determined through the use of a competent model that has been accepted by the Florida Commission on Hurricane Loss Projection Methodology.

b. A policy or program providing such coverage may not be issued or renewed after July 1, 2008, unless it has been reviewed and approved by the Office of Insurance Regulation. The review and approval must include approval of the policy and related forms pursuant to ss. 627.410 and 627.411, approval of the rates pursuant to s. 627.062, a determination that the loss model approved by the commission was accurately and appropriately applied to the insured structures to determine the 250-year probable maximum loss, and a determination that complete and accurate disclosure of all material provisions is provided to condominium unit owners before execution of the agreement by a condominium association.

4.~~3.~~ When determining the adequate amount of property insurance coverage, the association may consider deductibles as determined by this subsection.

(12) OFFICIAL RECORDS.—

(a) From the inception of the association, the association shall maintain each of the following items, if applicable, which constitutes the official records of the association:

1. A copy of the plans, permits, warranties, and other items provided by the developer under s. 718.301(4).

2. A *copy* ~~photocopy~~ of the recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

3. A *copy* ~~photocopy~~ of the recorded bylaws of the association and each amendment to the bylaws.

4. A certified copy of the articles of incorporation of the association, or other documents creating the association, and each amendment thereto.

5. A copy of the current rules of the association.

6. A book or books *or electronic records* that contain the minutes of all meetings of the association, the board of administration, *any committee,* and the unit owners*, and a recording of all such meetings that are conducted by video conference. If there are approved minutes for a meeting held by video conference, recordings of meetings that are conducted by video conference must be maintained for at least 1 year after the date the video recording is posted as required under paragraph (g).*

7. A current roster of all unit owners and their mailing addresses, unit identifications, voting certifications, and, if known, telephone numbers. The association shall also maintain the e-mail addresses and facsimile numbers of unit owners consenting to receive notice by electronic transmission. In accordance with sub-subparagraph (c)5.e., the e-mail addresses and facsimile numbers are only accessible to unit owners if consent to receive notice by electronic transmission is provided, or if the unit owner has expressly indicated that such personal information can be shared with other unit owners and the unit owner has not provided the association with a request to opt out of such dissemination with other unit owners. An association must ensure that the e-mail addresses and facsimile numbers are only used for the business operation of the association and may not be sold or shared with outside third parties. If such personal information is included in documents that are released to third parties, other than unit owners, the association must redact such personal information before the document is disseminated. However, the association is not liable for an inadvertent disclosure of the e-mail address or facsimile number for receiving electronic transmission of notices unless such disclosure was made with a knowing or intentional disregard of the protected nature of such information.

8. All current insurance policies of the association and condominiums operated by the association.

9. A current copy of any management agreement, lease, or other contract to which the association is a party or under which the association or the unit owners have an obligation or responsibility.

10. Bills of sale or transfer for all property owned by the association.

11. Accounting records for the association and separate accounting records for each condominium that the association operates. Any person who knowingly or intentionally defaces or destroys such records, or who knowingly or intentionally fails to create or maintain such records, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(e). The accounting records must include, but are not limited to:

a. Accurate, itemized, and detailed records of all receipts and expenditures*, including all bank statements and ledgers*.

b. All invoices, transaction receipts, or deposit slips that substantiate any receipt or expenditure of funds by the association.

c. A current account and a monthly, bimonthly, or quarterly statement of the account for each unit designating the name of the unit owner, the due date and amount of each assessment, the amount paid on the account, and the balance due.

d. All audits, reviews, accounting statements, structural integrity reserve studies, and financial reports of the association or condominium. Structural integrity reserve studies must be maintained for at least 15 years after the study is completed.

e. All contracts for work to be performed. Bids for work to be performed are also considered official records and must be maintained by the association for at least 1 year after receipt of the bid.

12. Ballots, sign-in sheets, voting proxies, and all other papers and electronic records relating to voting by unit owners, which must be maintained for 1 year from the date of the election, vote, or meeting to which the document relates, notwithstanding paragraph (b).

13. All rental records if the association is acting as agent for the rental of condominium units.

14. A copy of the current question and answer sheet as described in s. 718.504.

15. A copy of the inspection reports described in ss. 553.899 and 718.301(4)(p) and any other inspection report relating to a structural or life safety inspection of condominium property. Such record must be maintained by the association for 15 years after receipt of the report.

16. Bids for materials, equipment, or services.

17. All affirmative acknowledgments made pursuant to s. 718.121(4)(c).

18. A copy of all building permits.

19. A copy of all satisfactorily completed board member educational certificates.

20. A copy of all affidavits required by this chapter.

21.~~20.~~ All other written records of the association not specifically included in the foregoing which are related to the operation of the association.

(c)1.a. The official records of the association are open to inspection by any association member and any person authorized by an association member as a representative of such member at all reasonable times. The right to inspect the records includes the right to make or obtain copies, at the reasonable expense, if any, of the member and of the person authorized by the association member as a representative of such member. A renter of a unit has a right to inspect and copy only the declaration of condominium, the association's bylaws and rules, and the inspection reports described in ss. 553.899 and 718.301(4)(p). The association may adopt reasonable rules regarding the frequency, time, location, notice, and manner of record inspections and copying but may not require a member to demonstrate any purpose or state any reason for the inspection. The failure of an association to provide the records within 10 working days after receipt of a written request creates a rebuttable presumption that the association willfully failed to comply with this paragraph. A unit owner who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply. Minimum damages are $50 per calendar day for up to 10 days, beginning on the 11th working day after receipt of the written request. The failure to permit inspection entitles any person prevailing in an enforcement action to recover reasonable attorney fees from the person in control of the records who, directly or indirectly, knowingly denied access to the records. If the requested records are posted on an association's website, or are available for download through an application on a mobile device, the association may fulfill its obligations under this paragraph by directing to the website or the application all persons authorized to request access.

b. In response to a written request to inspect records, the association must simultaneously provide to the requestor a checklist of all records made available for inspection and copying. The checklist must also identify any of the association's official records that were not made available to the requestor. An association must maintain a checklist provided under this sub-subparagraph for 7 years. An association delivering a checklist pursuant to this sub-subparagraph creates a rebuttable presumption that the association has complied with this paragraph.

2. A director or member of the board or association or a community association manager who *willfully and knowingly or intentionally* ~~knowingly, willfully, and repeatedly~~ violates subparagraph 1. commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and must be removed from office and a vacancy declared. ~~For purposes of this subparagraph, the term "repeatedly" means two or more violations within a 12-month period.~~

3. *A* ~~Any~~ person who *willfully and* knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who *willfully and* knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083; is personally subject to a civil penalty pursuant to s. 718.501(1)(d); and must be removed from office and a vacancy declared.

4. A person who willfully and knowingly *or intentionally* refuses to release or otherwise produce association records with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, and must be removed from office and a vacancy declared.

5. The association shall maintain an adequate number of copies of the declaration, articles of incorporation, bylaws, and rules, and all amendments to each of the foregoing, as well as the question and answer sheet as described in s. 718.504 and *the most recent annual financial statement and annual budget* ~~year-end financial information~~ required under this section, on the condominium property to ensure their availability to unit owners and prospective purchasers, and may charge its actual costs for preparing and furnishing these documents to those requesting the documents. An association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the association's providing the member or his or her authorized representative with a copy of such records. The association may not charge a member or his or her authorized representative for the use of a portable device. Notwithstanding this paragraph, the following records are not accessible to unit owners:

a. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including a record prepared by an association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

b. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a unit.

c. Personnel records of association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this sub-subparagraph, the term "personnel records" does not include written employment agreements with an association employee or management company, or budgetary or financial records that indicate the compensation paid to an association employee.

d. Medical records of unit owners.

e. Social security numbers, driver license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a unit owner other than as provided to fulfill the association's notice requirements, and other personal identifying information of any person, excluding the person's name, unit designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the association to fulfill the association's notice requirements. Notwithstanding the restrictions in this sub-subparagraph, an association may print and distribute to unit owners a directory containing the name, unit address, and all telephone numbers of each unit owner. However, an owner may exclude his or her telephone numbers from the directory by so requesting in writing to the association. An owner may consent in writing to the disclosure of other contact information described in this sub-subparagraph. The association is not liable for the inadvertent disclosure of information that is protected under this sub-subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

f. Electronic security measures that are used by the association to safeguard data, including passwords.

g. The software and operating system used by the association which allow the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

h. All affirmative acknowledgments made pursuant to s. 718.121(4)(c).

(g)1. By January 1, 2019, an association managing a condominium with 150 or more units which does not contain timeshare units shall post digital copies of the documents specified in subparagraph 2. on its website or make such documents available through an application that

can be downloaded on a mobile device. *Unless a shorter period is otherwise required, a document must be made available on the association's website or made available for download through an application on a mobile device within 30 days after the association receives or creates an official record specified in subparagraph 2.*

a. The association's website or application must be:

(I) An independent website, application, or web portal wholly owned and operated by the association; or

(II) A website, application, or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, collection of subpages or web portals, or an application which is dedicated to the association's activities and on which required notices, records, and documents may be posted or made available by the association.

b. The association's website or application must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website or application which contain any notices, records, or documents that must be electronically provided.

2. A current copy of the following documents must be posted in digital format on the association's website or application:

a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

b. The recorded bylaws of the association and each amendment to the bylaws.

c. The articles of incorporation of the association, or other documents creating the association, and each amendment to the articles of incorporation or other documents. The copy posted pursuant to this subsubparagraph must be a copy of the articles of incorporation filed with the Department of State.

d. The rules of the association.

e. The approved minutes of all board of administration meetings over the preceding 12 months.

f. The video recording or a hyperlink to the video recording for all meetings of the association, the board of administration, any committee, and the unit owners which are conducted by video conference over the preceding 12 months.

g.~~e.~~ A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website or application for 1 year. In lieu of summaries, complete copies of the bids may be posted.

h.~~f.~~ The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.

i.~~g.~~ The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.

j.~~h.~~ The certification of each director required by s. 718.112(2)(d)4.b.

k.~~i.~~ All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.

l.~~j.~~ Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.4335, 468.436(2)(b)6., and 718.3027(3).

m.~~k.~~ The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website or application, or on a separate subpage of the website or application labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website or application any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.

n.~~l.~~ Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date required for notice under s. 718.112(2)(c).

o.~~m.~~ The inspection reports described in ss. 553.899 and 718.301(4)(p) and any other inspection report relating to a structural or life safety inspection of condominium property.

p.~~n.~~ The association's most recent structural integrity reserve study, if applicable.

q.~~o.~~ Copies of all building permits issued for ongoing or planned construction.

r. A copy of all affidavits required by this chapter.

3. The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website or application. If protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website or application, the association shall ensure the information is redacted before posting the documents. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted under this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

4. The failure of the association to post information required under subparagraph 2. is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

(13) FINANCIAL REPORTING.—Within 90 days after the end of the fiscal year, or annually on a date provided in the bylaws, the association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year. Within 21 days after the final financial report is completed by the association or received from the third party, but not later than *180* ~~120~~ days after the end of the fiscal year or other date as provided in the bylaws, the association shall deliver to each unit owner by United States mail or personal delivery at the mailing address, property address, e-mail address, or facsimile number provided to fulfill the association's notice requirements, a copy of the most recent financial report, *or* ~~and~~ a notice that a copy of the most recent financial report will be*, as requested by the owner,* mailed*,* ~~or~~ hand delivered*, or electronically delivered via the Internet* to the unit owner, without charge, within 5 business days after receipt of a written request from the unit owner. *Evidence of compliance with this delivery requirement must be made by an affidavit executed by an officer or director of the association.* The division shall adopt rules setting forth uniform accounting principles and standards to be used by all associations and addressing the financial reporting requirements for multicondominium associations. The rules must include, but not be limited to, standards for presenting a summary of association reserves, including a good faith estimate disclosing the annual amount of reserve funds that would be necessary for the association to fully fund reserves for each reserve item based on the straight-line accounting method. This disclosure is not applicable to reserves funded via the pooling method. In adopting such rules, the division shall consider the number of members and annual revenues of an association. Financial reports shall be prepared as follows:

(a) An association that meets the criteria of this paragraph shall prepare a complete set of financial statements in accordance with generally accepted accounting principles. The financial statements must be based upon the association's total annual revenues, as follows:

1. An association with total annual revenues of $150,000 or more, but less than $300,000, shall prepare compiled financial statements.

2. An association with total annual revenues of at least $300,000, but less than $500,000, shall prepare reviewed financial statements.

3. An association with total annual revenues of $500,000 or more shall prepare audited financial statements.

(b)1. An association with total annual revenues of less than $150,000 shall prepare a report of cash receipts and expenditures.

2. A report of cash receipts and disbursements must disclose the amount of receipts by accounts and receipt classifications and the amount of expenses by accounts and expense classifications, including, but not limited to, the following, as applicable: costs for security, professional and management fees and expenses, taxes, costs for recreation facilities, expenses for refuse collection and utility services, expenses for lawn care, costs for building maintenance and repair, insurance costs, administration and salary expenses, and reserves accumulated and expended for capital expenditures, deferred maintenance, and any other category for which the association maintains reserves.

(c) An association may prepare, without a meeting of or approval by the unit owners:

1. Compiled, reviewed, or audited financial statements, if the association is required to prepare a report of cash receipts and expenditures;

2. Reviewed or audited financial statements, if the association is required to prepare compiled financial statements; or

3. Audited financial statements if the association is required to prepare reviewed financial statements.

(d) If approved by a majority *vote* of *all* the voting interests ~~present at a properly called meeting~~ of the association, an association may prepare:

1. A report of cash receipts and expenditures in lieu of a compiled, reviewed, or audited financial statement;

2. A report of cash receipts and expenditures or a compiled financial statement in lieu of a reviewed or audited financial statement; or

3. A report of cash receipts and expenditures, a compiled financial statement, or a reviewed financial statement in lieu of an audited financial statement.

Such meeting and approval must occur before the end of the fiscal year and is effective only for the fiscal year in which the vote is taken. An association may not prepare a financial report pursuant to this paragraph for consecutive fiscal years. If the developer has not turned over control of the association, all unit owners, including the developer, may vote on issues related to the preparation of the association's financial reports, from the date of incorporation of the association through the end of the second fiscal year after the fiscal year in which the certificate of a surveyor and mapper is recorded pursuant to s. 718.104(4)(e) or an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit is recorded, whichever occurs first. Thereafter, all unit owners except the developer may vote on such issues until control is turned over to the association by the developer. Any audit or review prepared under this section shall be paid for by the developer if done before turnover of control of the association.

(e) A unit owner may provide written notice to the division of the association's failure to mail or hand deliver him or her a copy of the most recent financial report within 5 business days after he or she submitted a written request to the association for a copy of such report. If the division determines that the association failed to mail or hand deliver a copy of the most recent financial report to the unit owner, the division shall provide written notice to the association that the association must mail or hand deliver a copy of the most recent financial report to the unit owner and the division within 5 business days after it receives such notice from the division. An association that fails to comply with the division's request may not waive the financial reporting requirement provided in paragraph (d) for the fiscal year in which the unit owner's request was made and the following fiscal year. A financial report received by the division pursuant to this paragraph shall be maintained, and the division shall provide a copy of such report to an association member upon his or her request.

(16) INVESTMENT OF ASSOCIATION FUNDS.—

(a) A board shall, in fulfilling its duty to manage operating and reserve funds of its association, use best efforts to make prudent investment decisions that carefully consider risk and return in an effort to maximize returns on invested funds.

(b) An association, including a multicondominium association, may invest reserve funds in one or any combination of certificates of deposit or in depository accounts at a community bank, savings bank, commercial bank, savings and loan association, or credit union without a vote of the unit owners.

Section 8. Paragraphs (b) through (g) of subsection (2) of section 718.112, Florida Statutes, are amended to read:

718.112 Bylaws.—

(2) REQUIRED PROVISIONS.—The bylaws shall provide for the following and, if they do not do so, shall be deemed to include the following:

(b) *Quorum; voting requirements; proxies.—*

1. Unless a lower number is provided in the bylaws, the percentage of voting interests required to constitute a quorum at a meeting of the members is a majority of the voting interests. Unless otherwise provided in this chapter or in the declaration, articles of incorporation, or bylaws, and except as provided in subparagraph (d)4., decisions shall be made by a majority of the voting interests represented at a meeting at which a quorum is present.

2. Except as specifically otherwise provided herein, unit owners in a residential condominium may not vote by general proxy, but may vote by limited proxies substantially conforming to a limited proxy form adopted by the division. A voting interest or consent right allocated to a unit owned by the association may not be exercised or considered for any purpose, whether for a quorum, an election, or otherwise. Limited proxies and general proxies may be used to establish a quorum. Limited proxies shall be used for votes taken to waive or reduce reserves in accordance with subparagraph (f)2.; for votes taken to waive the financial reporting requirements of s. 718.111(13); for votes taken to amend the declaration pursuant to s. 718.110; for votes taken to amend the articles of incorporation or bylaws pursuant to this section; and for any other matter for which this chapter requires or permits a vote of the unit owners. Except as provided in paragraph (d), a proxy, limited or general, may not be used in the election of board members in a residential condominium. General proxies may be used for other matters for which limited proxies are not required, and may be used in voting for nonsubstantive changes to items for which a limited proxy is required and given. Notwithstanding this subparagraph, unit owners may vote in person at unit owner meetings. This subparagraph does not limit the use of general proxies or require the use of limited proxies for any agenda item or election at any meeting of a timeshare condominium association or a nonresidential condominium association.

3. A proxy given is effective only for the specific meeting for which originally given and any lawfully adjourned meetings thereof. A proxy is not valid longer than 90 days after the date of the first meeting for which it was given. Each proxy is revocable at any time at the pleasure of the unit owner executing it.

4. A member of the board of administration or a committee may submit in writing his or her agreement or disagreement with any action taken at a meeting that the member did not attend. This agreement or disagreement may not be used as a vote for or against the action taken or to create a quorum.

5. *A board meeting may be conducted in person or by video conference.* A board or committee member's participation in a meeting via telephone, real-time videoconferencing, or similar real-time electronic or video communication counts toward a quorum, and such member may vote as if physically present. A speaker must be used so that the conversation of such members may be heard by the board or committee members attending in person as well as by any unit owners present at a

meeting. *The division shall adopt rules pursuant to ss. 120.536 and 120.54 governing the requirements for meetings.*

(c) *Board of administration meetings.*—In a residential condominium association of more than 10 units, the board of administration shall meet at least once each quarter. At least four times each year, the meeting agenda must include an opportunity for members to ask questions of the board. Meetings of the board of administration at which a quorum of the members is present are open to all unit owners. Members of the board of administration may use e-mail as a means of communication but may not cast a vote on an association matter via e-mail. A unit owner may tape record or videotape the meetings. The right to attend such meetings includes the right to speak at such meetings with reference to all designated agenda items and the right to ask questions relating to reports on the status of construction or repair projects, the status of revenues and expenditures during the current fiscal year, and other issues affecting the condominium. The division shall adopt reasonable rules governing the tape recording and videotaping of the meeting. The association may adopt written reasonable rules governing the frequency, duration, and manner of unit owner statements.

1. Adequate notice of all board meetings, which must specifically identify all agenda items, must be posted conspicuously on the condominium property at least 48 continuous hours before the meeting except in an emergency. *If the board meeting is to be conducted via video conference, the notice must state that such meeting will be via video conference and must include a hyperlink and a conference telephone number for unit owners to attend the meeting via video conference, as well as the address of the physical location where the unit owners can attend the meeting in person. If the meeting is conducted via video conference, it must be recorded and such recording must be maintained as an official record of the association.* If 20 percent of the voting interests petition the board to address an item of business, the board, within 60 days after receipt of the petition, shall place the item on the agenda at its next regular board meeting or at a special meeting called for that purpose. An item not included on the notice may be taken up on an emergency basis by a vote of at least a majority plus one of the board members. Such emergency action must be noticed and ratified at the next regular board meeting. Written notice of a meeting at which a nonemergency special assessment or an amendment to rules regarding unit use will be considered must be mailed, delivered, or electronically transmitted to the unit owners and posted conspicuously on the condominium property at least 14 days before the meeting. Evidence of compliance with this 14-day notice requirement must be made by an affidavit executed by the person providing the notice and filed with the official records of the association.

2. Upon notice to the unit owners, the board shall, by duly adopted rule, designate a specific location on the condominium property at which all notices of board meetings must be posted. If there is no condominium property at which notices can be posted, notices shall be mailed, delivered, or electronically transmitted to each unit owner at least 14 days before the meeting. In lieu of or in addition to the physical posting of the notice on the condominium property, the association may, by reasonable rule, adopt a procedure for conspicuously posting and repeatedly broadcasting the notice and the agenda on a closed-circuit cable television system serving the condominium association. However, if broadcast notice is used in lieu of a notice physically posted on condominium property, the notice and agenda must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required under this section. If broadcast notice is provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. In addition to any of the authorized means of providing notice of a meeting of the board, the association may, by rule, adopt a procedure for conspicuously posting the meeting notice and the agenda on a website serving the condominium association for at least the minimum period of time for which a notice of a meeting is also required to be physically posted on the condominium property. Any rule adopted shall, in addition to other matters, include a requirement that the association send an electronic notice in the same manner as a notice for a meeting of the members, which must include a hyperlink to the website at which the notice is posted, to unit owners whose e-mail addresses are included in the association's official records.

3. Notice of any meeting in which regular or special assessments against unit owners are to be considered must specifically state that assessments will be considered and provide the estimated cost and description of the purposes for such assessments. If an agenda item relates to the approval of a contract for goods or services, a copy of the contract must be provided with the notice and be made available for inspection and copying upon a written request from a unit owner or made available on the association's website or through an application that can be downloaded on a mobile device.

4. Meetings of a committee to take final action on behalf of the board or make recommendations to the board regarding the association budget are subject to this paragraph. Meetings of a committee that does not take final action on behalf of the board or make recommendations to the board regarding the association budget are subject to this section, unless those meetings are exempted from this section by the bylaws of the association.

5. Notwithstanding any other law, the requirement that board meetings and committee meetings be open to the unit owners does not apply to:

a. Meetings between the board or a committee and the association's attorney, with respect to proposed or pending litigation, if the meeting is held for the purpose of seeking or rendering legal advice; or

b. Board meetings held for the purpose of discussing personnel matters.

(d) *Unit owner meetings.*—

1. An annual meeting of the unit owners must be held at the location provided in the association bylaws and, if the bylaws are silent as to the location, the meeting must be held within *15* ~~45~~ miles of the condominium property *or within the same county as the condominium property*. However, such distance requirement does not apply to an association governing a timeshare condominium. *If a unit owner meeting is conducted via video conference, a unit owner may vote electronically in the manner provided in s. 718.128.*

2. Unit owner meetings, including the annual meeting of the unit owners, may be conducted in person or via video conference. If the annual meeting of the unit owners is conducted via video conference, a quorum of the members of the board of administration must be physically present at the physical location where unit owners can attend the meeting. The location must be provided in the association bylaws and, if the bylaws are silent as to the location, the meeting must be held within 15 miles of the condominium property or within the same county as the condominium property. If the unit owner meeting is conducted via video conference, the video conference must be recorded and such recording must be maintained as an official record of the association. The division shall adopt rules pursuant to ss. 120.536 and 120.54 governing the requirements for meetings.

3.~~2.~~ Unless the bylaws provide otherwise, a vacancy on the board caused by the expiration of a director's term must be filled by electing a new board member, and the election must be by secret ballot. An election is not required if the number of vacancies equals or exceeds the number of candidates. For purposes of this paragraph, the term "candidate" means an eligible person who has timely submitted the written notice, as described in sub-subparagraph 4.a., of his or her intention to become a candidate. Except in a timeshare or nonresidential condominium, or if the staggered term of a board member does not expire until a later annual meeting, or if all members' terms would otherwise expire but there are no candidates, the terms of all board members expire at the annual meeting, and such members may stand for reelection unless prohibited by the bylaws. Board members may serve terms longer than 1 year if permitted by the bylaws or articles of incorporation. A board member may not serve more than 8 consecutive years unless approved by an affirmative vote of unit owners representing two-thirds of all votes cast in the election or unless there are not enough eligible candidates to fill the vacancies on the board at the time of the vacancy. Only board service that occurs on or after July 1, 2018, may be used when calculating a board member's term limit. If the number of board members whose terms expire at the annual meeting equals or exceeds the number of candidates, the candidates become members of the board effective upon the adjournment of the annual meeting. Unless the bylaws provide otherwise, any remaining vacancies

shall be filled by the affirmative vote of the majority of the directors making up the newly constituted board even if the directors constitute less than a quorum or there is only one director. In a residential condominium association of more than 10 units or in a residential condominium association that does not include timeshare units or timeshare interests, co-owners of a unit may not serve as members of the board of directors at the same time unless they own more than one unit or unless there are not enough eligible candidates to fill the vacancies on the board at the time of the vacancy. A unit owner in a residential condominium desiring to be a candidate for board membership must comply with sub-subparagraph 4.a. and must be eligible to be a candidate to serve on the board of directors at the time of the deadline for submitting a notice of intent to run in order to have his or her name listed as a proper candidate on the ballot or to serve on the board. A person who has been suspended or removed by the division under this chapter, or who is delinquent in the payment of any assessment due to the association, is not eligible to be a candidate for board membership and may not be listed on the ballot. For purposes of this paragraph, a person is delinquent if a payment is not made by the due date as specifically identified in the declaration of condominium, bylaws, or articles of incorporation. If a due date is not specifically identified in the declaration of condominium, bylaws, or articles of incorporation, the due date is the first day of the assessment period. A person who has been convicted of any felony in this state or in a United States District or Territorial Court, or who has been convicted of any offense in another jurisdiction which would be considered a felony if committed in this state, is not eligible for board membership unless such felon's civil rights have been restored for at least 5 years as of the date such person seeks election to the board. The validity of an action by the board is not affected if it is later determined that a board member is ineligible for board membership due to having been convicted of a felony. This subparagraph does not limit the term of a member of the board of a nonresidential or timeshare condominium.

4.~~3.~~ The bylaws must provide the method of calling meetings of unit owners, including annual meetings. Written notice of an annual meeting must include an agenda; be mailed, hand delivered, or electronically transmitted to each unit owner at least 14 days before the annual meeting; and be posted in a conspicuous place on the condominium property or association property at least 14 continuous days before the annual meeting. Written notice of a meeting other than an annual meeting must include an agenda; be mailed, hand delivered, or electronically transmitted to each unit owner; and be posted in a conspicuous place on the condominium property or association property within the timeframe specified in the bylaws. If the bylaws do not specify a timeframe for written notice of a meeting other than an annual meeting, notice must be provided at least 14 continuous days before the meeting. Upon notice to the unit owners, the board shall, by duly adopted rule, designate a specific location on the condominium property or association property at which all notices of unit owner meetings must be posted. This requirement does not apply if there is no condominium property for posting notices. ~~In lieu of, or in~~ *In* addition to, the physical posting of meeting notices, the association may, by reasonable rule, adopt a procedure for conspicuously posting and repeatedly broadcasting the notice and the agenda on a closed-circuit cable television system serving the condominium association. ~~However, if broadcast notice is used in lieu of a notice posted physically on the condominium property, the notice and agenda must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required under this section.~~ If broadcast notice is provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. In addition to any of the authorized means of providing notice of a meeting of the board, the association may, by rule, adopt a procedure for conspicuously posting the meeting notice and the agenda on a website serving the condominium association for at least the minimum period of time for which a notice of a meeting is also required to be physically posted on the condominium property. Any rule adopted shall, in addition to other matters, include a requirement that the association send an electronic notice in the same manner as a notice for a meeting of the members, which must include a hyperlink to the website at which the notice is posted, to unit owners whose e-mail addresses are included in the association's official records. Unless a unit owner waives in writing the right to receive notice of the annual meeting, such notice must be hand delivered, mailed, or electronically transmitted to each unit owner. Notice for meetings and notice for all other purposes must be mailed to each unit owner at the address last furnished to the association by the unit owner, or hand delivered to each unit owner. However, if a unit is owned by more than one person, the association must provide notice to the address that the developer identifies for that purpose and thereafter as one or more of the owners of the unit advise the association in writing, or if no address is given or the owners of the unit do not agree, to the address provided on the deed of record. An officer of the association, or the manager or other person providing notice of the association meeting, must provide an affidavit or United States Postal Service certificate of mailing, to be included in the official records of the association affirming that the notice was mailed or hand delivered in accordance with this provision.

5.~~4.~~ The members of the board of a residential condominium shall be elected by written ballot or voting machine. Proxies may not be used in electing the board in general elections or elections to fill vacancies caused by recall, resignation, or otherwise, unless otherwise provided in this chapter. This subparagraph does not apply to an association governing a timeshare condominium.

a. At least 60 days before a scheduled election, the association shall mail, deliver, or electronically transmit, by separate association mailing or included in another association mailing, delivery, or transmission, including regularly published newsletters, to each unit owner entitled to a vote, a first notice of the date of the election. A unit owner or other eligible person desiring to be a candidate for the board must give written notice of his or her intent to be a candidate to the association at least 40 days before a scheduled election. Together with the written notice and agenda as set forth in subparagraph 3., the association shall mail, deliver, or electronically transmit a second notice of the election to all unit owners entitled to vote, together with a ballot that lists all candidates not less than 14 days or more than 34 days before the date of the election. Upon request of a candidate, an information sheet, no larger than 8 1/2 inches by 11 inches, which must be furnished by the candidate at least 35 days before the election, must be included with the mailing, delivery, or transmission of the ballot, with the costs of mailing, delivery, or electronic transmission and copying to be borne by the association. The association is not liable for the contents of the information sheets prepared by the candidates. In order to reduce costs, the association may print or duplicate the information sheets on both sides of the paper. The division shall by rule establish voting procedures consistent with this sub-subparagraph, including rules establishing procedures for giving notice by electronic transmission and rules providing for the secrecy of ballots. Elections shall be decided by a plurality of ballots cast. There is no quorum requirement; however, at least 20 percent of the eligible voters must cast a ballot in order to have a valid election. A unit owner may not authorize any other person to vote his or her ballot, and any ballots improperly cast are invalid. A unit owner who violates this provision may be fined by the association in accordance with s. 718.303. A unit owner who needs assistance in casting the ballot for the reasons stated in s. 101.051 may obtain such assistance. The regular election must occur on the date of the annual meeting. Notwithstanding this sub-subparagraph, an election is not required unless more candidates file notices of intent to run or are nominated than board vacancies exist.

b. A director of a board of an association of a residential condominium shall:

(I) Certify in writing to the secretary of the association that he or she has read the association's declaration of condominium, articles of incorporation, bylaws, and current written policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members.

(II) Submit to the secretary of the association a certificate of having satisfactorily completed the educational curriculum administered by the division or a division-approved condominium education provider. The educational curriculum must be at least 4 hours long and include instruction on milestone inspections, structural integrity reserve studies, elections, recordkeeping, financial literacy and transparency, levying of fines, and notice and meeting requirements.

Each newly elected or appointed director must submit to the secretary of the association the written certification and educational certificate within 1 year before being elected or appointed or 90 days after the date of election or appointment. A director of an association of a residential

condominium who was elected or appointed before July 1, 2024, must comply with the written certification and educational certificate requirements in this sub-subparagraph by June 30, 2025. The written certification and educational certificate is valid for 7 years after the date of issuance and does not have to be resubmitted as long as the director serves on the board without interruption during the 7-year period. A director who is appointed by the developer may satisfy the educational certificate requirement in sub-sub-subparagraph (II) for any subsequent appointment to a board by a developer within 7 years after the date of issuance of the most recent educational certificate, including any interruption of service on a board or appointment to a board in another association within that 7-year period. One year after submission of the most recent written certification and educational certificate, and annually thereafter, a director of an association of a residential condominium must submit to the secretary of the association a certificate of having satisfactorily completed at least 1 hour of continuing education administered by the division, or a division-approved condominium education provider, relating to any recent changes to this chapter and the related administrative rules during the past year. A director of an association of a residential condominium who fails to timely file the written certification and educational certificate is suspended from service on the board until he or she complies with this sub-subparagraph. The board may temporarily fill the vacancy during the period of suspension. The secretary shall cause the association to retain a director's written certification and educational certificate for inspection by the members for 7 years after a director's election or the duration of the director's uninterrupted tenure, whichever is longer. Failure to have such written certification and educational certificate on file does not affect the validity of any board action.

c. Any challenge to the election process must be commenced within 60 days after the election results are announced.

6.~~5.~~ Any approval by unit owners called for by this chapter or the applicable declaration or bylaws, including, but not limited to, the approval requirement in s. 718.111(8), must be made at a duly noticed meeting of unit owners and is subject to all requirements of this chapter or the applicable condominium documents relating to unit owner decisionmaking, except that unit owners may take action by written agreement, without meetings, on matters for which action by written agreement without meetings is expressly allowed by the applicable bylaws or declaration or any law that provides for such action.

7.~~6.~~ Unit owners may waive notice of specific meetings if allowed by the applicable bylaws or declaration or any law. Notice of meetings of the board of administration; unit owner meetings, except unit owner meetings called to recall board members under paragraph (l); and committee meetings may be given by electronic transmission to unit owners who consent to receive notice by electronic transmission. A unit owner who consents to receiving notices by electronic transmission is solely responsible for removing or bypassing filters that block receipt of mass e-mails sent to members on behalf of the association in the course of giving electronic notices.

8.~~7.~~ Unit owners have the right to participate in meetings of unit owners with reference to all designated agenda items. However, the association may adopt reasonable rules governing the frequency, duration, and manner of unit owner participation.

9.~~8.~~ A unit owner may tape record or videotape a meeting of the unit owners subject to reasonable rules adopted by the division.

10.~~9.~~ Unless otherwise provided in the bylaws, any vacancy occurring on the board before the expiration of a term may be filled by the affirmative vote of the majority of the remaining directors, even if the remaining directors constitute less than a quorum, or by the sole remaining director. In the alternative, a board may hold an election to fill the vacancy, in which case the election procedures must conform to sub-subparagraph 4.a. unless the association governs 10 units or fewer and has opted out of the statutory election process, in which case the bylaws of the association control. Unless otherwise provided in the bylaws, a board member appointed or elected under this section shall fill the vacancy for the unexpired term of the seat being filled. Filling vacancies created by recall is governed by paragraph (l) and rules adopted by the division.

11.~~10.~~ This chapter does not limit the use of general or limited proxies, require the use of general or limited proxies, or require the use of a written ballot or voting machine for any agenda item or election at any meeting of a timeshare condominium association or nonresidential condominium association.

Notwithstanding subparagraph (b)2. and sub-subparagraph 4.a., an association of 10 or fewer units may, by affirmative vote of a majority of the total voting interests, provide for different voting and election procedures in its bylaws, which may be by a proxy specifically delineating the different voting and election procedures. The different voting and election procedures may provide for elections to be conducted by limited or general proxy.

(e) *Budget meeting.—*

1. Any meeting at which a proposed annual budget of an association will be considered by the board or unit owners shall be open to all unit owners. *A meeting of the board or unit owners at which a proposed annual association budget will be considered may be conducted by video conference. The division shall adopt rules pursuant to ss. 120.536 and 120.54 governing the requirements for such meetings. A sound transmitting device must be used so that the conversation of such members may be heard by the board or committee members attending in person, as well as any unit owners present at the meeting.* At least 14 days *before* ~~prior to~~ such a meeting, the board shall hand deliver to each unit owner, mail to each unit owner at the address last furnished to the association by the unit owner, or electronically transmit to the location furnished by the unit owner for that purpose a notice of such meeting and a copy of the proposed annual budget. An officer or manager of the association, or other person providing notice of such meeting, shall execute an affidavit evidencing compliance with such notice requirement, and such affidavit shall be filed among the official records of the association.

2.a. If a board *proposes* ~~adopts~~ in any fiscal year an annual budget which requires assessments against unit owners which exceed 115 percent of assessments for the preceding fiscal year, the board shall *simultaneously propose a substitute budget that does not include any discretionary expenditures that are not required to be in the budget. The substitute budget must be proposed at the budget meeting before the* ~~conduct a special meeting of the unit owners to consider a substitute budget if the board receives, within 21 days after adoption of the annual budget, a written request for a special meeting from at least 10 percent of all voting interests. The special meeting shall be conducted within 60 days after~~ adoption of the annual budget. At least 14 days *before such budget meeting in which a substitute budget will be proposed* ~~prior to such special meeting~~, the board shall hand deliver to each unit owner, or mail to each unit owner at the address last furnished to the association, a notice of the meeting. An officer or manager of the association, or other person providing notice of such meeting shall execute an affidavit evidencing compliance with this notice requirement, and such affidavit shall be filed among the official records of the association. Unit owners *must* ~~may~~ consider and *may* adopt a substitute budget at the ~~special~~ meeting. A substitute budget is adopted if approved by a majority of all voting interests unless the bylaws require adoption by a greater percentage of voting interests. If ~~there is not a quorum at the special meeting or~~ a substitute budget is not adopted, the annual budget previously *initially proposed* ~~adopted~~ by the board *may be adopted* ~~shall take effect as scheduled~~.

b. Any determination of whether assessments exceed 115 percent of assessments for the prior fiscal year shall exclude any authorized provision for *required* ~~reasonable~~ reserves for repair or replacement of the condominium property, anticipated expenses of the association which the board does not expect to be incurred on a regular or annual basis *for the repair, maintenance, or replacement of the items listed in paragraph (g), and* insurance premiums~~, or assessments for betterments to the condominium property~~.

c. If the developer controls the board, assessments *may* ~~shall~~ not exceed 115 percent of assessments for the prior fiscal year unless approved by a majority of all voting interests.

(f) *Annual budget.—*

1. The proposed annual budget of estimated revenues and expenses must be detailed and must show the amounts budgeted by accounts and expense classifications, including, at a minimum, any applicable expenses listed in s. 718.504(21). The board shall adopt the annual budget at least 14 days before the start of the association's fiscal year. In the

event that the board fails to timely adopt the annual budget a second time, it is deemed a minor violation and the prior year's budget shall continue in effect until a new budget is adopted. A multicondominium association must adopt a separate budget of common expenses for each condominium the association operates and must adopt a separate budget of common expenses for the association. In addition, if the association maintains limited common elements with the cost to be shared only by those entitled to use the limited common elements as provided for in s. 718.113(1), the budget or a schedule attached to it must show the amount budgeted for this maintenance. If, after turnover of control of the association to the unit owners, any of the expenses listed in s. 718.504(21) are not applicable, they do not need to be listed.

2.a. In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. These accounts must include, but are not limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, and any other item that has a deferred maintenance expense or replacement cost that exceeds *$25,000 or the inflation-adjusted amount determined by the division under subparagraph 6., whichever is greater* ~~$10,000~~. The amount to be reserved must be computed using a formula based upon estimated remaining useful life and estimated replacement cost or deferred maintenance expense of the reserve item. In a budget adopted by an association that is required to obtain a structural integrity reserve study, reserves must be maintained for the items identified in paragraph (g) for which the association is responsible pursuant to the declaration of condominium, and the reserve amount for such items must be based on the findings and recommendations of the association's most recent structural integrity reserve study. *If an association votes to terminate the condominium in accordance with s. 718.117, the members may vote to waive the maintenance of reserves recommended by the association's most recent structural integrity reserve study.* With respect to items for which an estimate of useful life is not readily ascertainable or with an estimated remaining useful life of greater than 25 years, an association is not required to reserve replacement costs for such items, but an association must reserve the amount of deferred maintenance expense, if any, which is recommended by the structural integrity reserve study for such items. The association may adjust replacement reserve assessments annually to take into account an inflation adjustment and any changes in estimates or extension of the useful life of a reserve item caused by deferred maintenance.

b. The members of a unit-owner-controlled association may determine, by a majority vote of the total voting interests of the association, to provide no reserves or less reserves than required by this subsection. For a budget adopted on or after December 31, 2024, the members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not determine to provide no reserves or less reserves than required by this subsection for items listed in paragraph (g), except that members of an association ~~operating a multicondominium~~ may determine to provide no reserves or less reserves than required by this subsection if an alternative funding method *is used by the association* ~~has been approved by the division~~.

c.(I) Reserves for the items listed in paragraph (g) may be funded by regular assessments, special assessments, lines of credit, or loans. A special assessment, a line of credit, or a loan under this sub-subparagraph requires the approval of a majority vote of the total voting interests of the association.

(II) A unit-owner-controlled association that must have a structural integrity reserve study may secure a line of credit or a loan to fund capital expenses required by a milestone inspection under s. 553.899 or a structural integrity reserve study. The line of credit or loan must be sufficient to fund the cumulative amount of any previously waived or unfunded portions of the reserve funding amount required by this paragraph and the most recent structural integrity reserve study. Funding from the line of credit or loan must be immediately available for access by the board to fund required repair, maintenance, or replacement expenses without further approval by the members of the association. A special assessment, a line of credit, or a loan secured under this sub-subparagraph and related details must be included in the annual financial statement that is required under s. 718.111(13) to be delivered to unit owners and required under s. 718.503 to be provided to prospective purchasers of a unit.

(III) This sub-subparagraph does not apply to associations controlled by a developer as defined in s. 718.103, an association in which the nondeveloper unit owners have been in control for less than 1 year, or an association controlled by one or more bulk assignees or bulk buyers as those terms are defined in s. 718.703.

d. If the local building official, as defined in s. 468.603, determines that the entire condominium building is uninhabitable due to a natural emergency, as defined in s. 252.34, the board~~, upon the approval of a majority of its members,~~ may pause the contribution to its reserves or reduce reserve funding until the local building official determines that the condominium building is habitable. Any reserve account funds held by the association may be expended, pursuant to the board's determination, to make the condominium building and its structures habitable. Upon the determination by the local building official that the condominium building is habitable, the association must immediately resume contributing funds to its reserves.

e. For a budget adopted on or before December 31, 2028, if the association has completed a milestone inspection pursuant to s. 553.899 within the previous 2 calendar years, the board, upon the approval of a majority of the total voting interests of the association, may temporarily pause, for a period of no more than two consecutive annual budgets, reserve fund contributions or reduce the amount of reserve funding for the purpose of funding repairs recommended by the milestone inspection. This sub-subparagraph does not apply to an association controlled by a developer as defined in s. 718.103, an association in which the nondeveloper unit owners have been in control for less than 1 year, or an association controlled by one or more bulk assignees or bulk buyers as those terms are defined in s. 718.703. An association that has paused reserve contributions under this subparagraph must have a structural integrity reserve study performed before the continuation of reserve contributions in order to determine the association's reserve funding needs and to recommend a reserve funding plan.

f.~~b.~~ Before turnover of control of an association by a developer to unit owners other than a developer under s. 718.301, the developer-controlled association may not vote to waive the reserves or reduce funding of the reserves. If a meeting of the unit owners has been called to determine whether to waive or reduce the funding of reserves and no such result is achieved or a quorum is not attained, the reserves included in the budget shall go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves.

3. Reserve funds and any interest accruing thereon shall remain in the reserve account or accounts, and may be used only for authorized reserve expenditures unless their use for other purposes is approved in advance by a majority vote of all the total voting interests of the association. Before turnover of control of an association by a developer to unit owners other than the developer pursuant to s. 718.301, the developer-controlled association may not vote to use reserves for purposes other than those for which they were intended. For a budget adopted on or after December 31, 2024, members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not vote to use reserve funds, or any interest accruing thereon, for any other purpose other than the replacement or deferred maintenance costs of the components listed in paragraph (g).

4. An association's reserve accounts may be pooled for two or more required components. Reserve funding for components listed in paragraph (g) may only be pooled with other components listed in paragraph (g). The reserve funding indicated in the proposed annual budget must be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent structural integrity reserve study. A vote of the members is not required for the board to change the accounting method for reserves to a pooling accounting method or a straight-line accounting method.

5.~~4.~~ The only voting interests that are eligible to vote on questions that involve waiving or reducing the funding of reserves, or using existing reserve funds for purposes other than purposes for which the reserves were intended, are the voting interests of the units subject to assessment to fund the reserves in question. Proxy questions relating to waiving or reducing the funding of reserves or using existing reserve funds for purposes other than purposes for which the reserves were intended must contain the following statement in capitalized, bold let-

ters in a font size larger than any other used on the face of the proxy ballot:

WAIVING OF RESERVES, IN WHOLE OR IN PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

6. The division shall annually adjust for inflation, based on the Consumer Price Index for All Urban Consumers released in January of each year, the minimum $25,000 threshold amount for required reserves. By February 1, 2026, and annually thereafter, the division must conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves.

(g) *Structural integrity reserve study.—*

1. A residential condominium association must have a structural integrity reserve study completed at least every 10 years after the condominium's creation for each building on the condominium property that is three stories or higher in height, as determined by the Florida Building Code, which includes, at a minimum, a study of the following items as related to the structural integrity and safety of the building:

a. Roof.

b. Structure, including load-bearing walls and other primary structural members and primary structural systems as those terms are defined in s. 627.706.

c. Fireproofing and fire protection systems.

d. Plumbing.

e. Electrical systems.

f. Waterproofing and exterior painting.

g. Windows and exterior doors.

h. Any other item that has a deferred maintenance expense or replacement cost that exceeds *$25,000 or the inflation-adjusted amount determined by the division under subparagraph (f)6., whichever is greater,* ~~$10,000~~ and the failure to replace or maintain such item negatively affects the items listed in sub-subparagraphs a.-g., as determined by the visual inspection portion of the structural integrity reserve study.

2. A structural integrity reserve study is based on a visual inspection of the condominium property.

3.a. A structural integrity reserve study ~~may be performed by any person qualified to perform such study. However~~, *including* the visual inspection portion of the structural integrity reserve study, must be performed or verified by an engineer licensed under chapter 471, an architect licensed under chapter 481, or a person certified as a reserve specialist or professional reserve analyst by the Community Associations Institute or the Association of Professional Reserve Analysts.

b. Any design professional as defined in s. 558.002 or any contractor licensed under chapter 489 who bids to perform a structural integrity reserve study must disclose in writing to the association his or her intent to bid on any services related to any maintenance, repair, or replacement that may be recommended by the structural integrity reserve study. Any design professional as defined in s. 558.002 or contractor licensed under chapter 489 who submits a bid to the association for performing any services recommended by the structural integrity reserve study may not have an interest, directly or indirectly, in the firm or entity providing the association's structural integrity reserve study or be a relative of any person having a direct or indirect interest in such firm, unless such relationship is disclosed to the association in writing. As used in this section, the term "relative" means a relative within the third degree of consanguinity by blood or marriage. A contract for services is voidable and terminates upon the association filing a written notice terminating the contract if the design professional or licensed contractor failed to provide the written disclosure of the interests or relationships required under this paragraph. A design professional or licensed contractor may be subject to discipline under the applicable practice act for his or her profession for failure to provide the written disclosure of the interests or relationships required under this paragraph.

4.a.~~3.~~ At a minimum, a structural integrity reserve study must identify each item of the condominium property being visually inspected, state the estimated remaining useful life and the estimated replacement cost or deferred maintenance expense of each item of the condominium property being visually inspected, and provide a reserve funding *plan or* schedule with a recommended annual reserve amount that achieves the estimated replacement cost or deferred maintenance expense of each item of condominium property being visually inspected by the end of the estimated remaining useful life of the item. *At a minimum, the structural integrity reserve study must include a recommendation for a reserve funding schedule based on a baseline funding plan that provides a reserve funding goal in which the reserve funding for each budget year is sufficient to maintain the reserve cash balance above zero. The study may recommend other types of reserve funding schedules, provided that each recommended schedule is sufficient to meet the association's maintenance obligation.*

b. The structural integrity reserve study may recommend that reserves do not need to be maintained for any item for which an estimate of useful life and an estimate of replacement cost cannot be determined, or the study may recommend a deferred maintenance expense amount for such item. The structural integrity reserve study may recommend that reserves for replacement costs do not need to be maintained for any item with an estimated remaining useful life of greater than 25 years, but the study may recommend a deferred maintenance expense amount for such item. *If the structural integrity reserve study recommends reserves for any item for which reserves are not required under this paragraph, the amount of the recommended reserves for such item must be separately identified in the structural integrity reserve study as an item for which reserves are not required under this paragraph.*

c. The structural integrity reserve study must take into consideration the funding method or methods used by the association to fund its maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans. If the structural integrity reserve study is performed before the association has approved a special assessment or secured a line of credit or a loan, the structural integrity reserve study must be updated to reflect the funding method selected by the association and its effect on the reserve funding schedule, including any anticipated change in the amount of regular assessments. The structural integrity reserve study may be updated to reflect any changes to the useful life of the reserve items after such items are repaired or replaced, and the effect such repair or replacement will have on the reserve funding schedule. The association must obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study.

5.~~4.~~ This paragraph does not apply to buildings less than three stories in height; single-family, two-family, ~~or~~ three-family*, or four-family* dwellings with three or fewer habitable stories above ground; any portion or component of a building that has not been submitted to the condominium form of ownership; or any portion or component of a building that is maintained by a party other than the association.

6.~~5.~~ Before a developer turns over control of an association to unit owners other than the developer, the developer must have a turnover inspection report in compliance with s. 718.301(4)(p) and (q) for each building on the condominium property that is three stories or higher in height.

7.~~6.~~ Associations existing on or before July 1, 2022, which are controlled by unit owners other than the developer, must have a structural integrity reserve study completed by December 31, *2025* ~~2024~~, for each building on the condominium property that is three stories or higher in height. An association that is required to complete a milestone inspection in accordance with s. 553.899 on or before December 31, 2026, may complete the structural integrity reserve study simultaneously with the milestone inspection. In no event may the structural integrity reserve study be completed after December 31, 2026.

8.~~7.~~ If the milestone inspection required by s. 553.899, or an inspection completed for a similar local requirement, was performed within the past 5 years and meets the requirements of this paragraph,

such inspection may be used in place of the visual inspection portion of the structural integrity reserve study.

9. If the association completes a milestone inspection required by s. 553.899, or an inspection completed for a similar local requirement, the association may delay performance of a required structural integrity reserve study for no more than the 2 consecutive budget years immediately following the milestone inspection in order to allow the association to focus its financial resources on completing the repair and maintenance recommendations of the milestone inspection.

10.~~8.~~ If the officers or directors of an association willfully and knowingly fail to complete a structural integrity reserve study pursuant to this paragraph, such failure is a breach of an officer's *or a* ~~and~~ director's fiduciary relationship to the unit owners under s. 718.111(1). *An officer or a director of an association must sign an affidavit acknowledging receipt of the completed structural integrity reserve study*.

11.~~9.~~ Within 45 days after receiving the structural integrity reserve study, the association must distribute a copy of the study to each unit owner or deliver to each unit owner a notice that the completed study is available for inspection and copying upon a written request. Distribution of a copy of the study or notice must be made by United States mail or personal delivery to the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under this chapter, or by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission.

12.~~10.~~ Within 45 days after receiving the structural integrity reserve study, the association must provide the division with a statement indicating that the study was completed and that the association provided or made available such study to each unit owner in accordance with this section. The statement must be provided to the division in the manner established by the division using a form posted on the division's website.

13. The division shall adopt by rule the form for the structural integrity reserve study in coordination with the Florida Building Commission.

Section 9. Paragraphs (d) and (e) of subsection (5) of section 718.113, Florida Statutes, are amended to read:

718.113 Maintenance; limitation upon improvement; display of flag; hurricane protection; display of religious decorations.—

(5) To protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protections installed by condominium associations and unit owners, this subsection applies to all residential and mixed-use condominiums in the state, regardless of when the condominium is created pursuant to the declaration of condominium. Each board of administration of a residential condominium or mixed-use condominium must adopt hurricane protection specifications for each building within each condominium operated by the association which may include color, style, and other factors deemed relevant by the board. All specifications adopted by the board must comply with the applicable building code. The installation, maintenance, repair, replacement, and operation of hurricane protection in accordance with this subsection is not considered a material alteration or substantial addition to the common elements or association property within the meaning of this section.

(d) *Unless otherwise provided in the declaration as originally recorded, or as amended,* a unit owner is not responsible for the cost of any removal or reinstallation of hurricane protection, including exterior windows, doors, or other apertures, if its removal is necessary for the maintenance, repair, or replacement of other condominium property or association property for which the association is responsible. The board shall determine if the removal or reinstallation of hurricane protection must be completed by the unit owner or the association *if the declaration as originally recorded, or as amended, does not specify who is responsible for such costs*. If such removal or reinstallation is completed by the association, the costs incurred by the association may not be charged to the unit owner. If such removal or reinstallation is completed by the unit owner, the association must reimburse the unit owner for the cost of the removal or reinstallation or the association must apply a credit toward future assessments in the amount of the unit owner's cost to remove or reinstall the hurricane protection.

~~(e) If the removal or reinstallation of hurricane protection, including exterior windows, doors, or other apertures, is the responsibility of the unit owner and the association completes such removal or reinstallation and then charges the unit owner for such removal or reinstallation, such charges are enforceable as an assessment and may be collected in the manner provided under s. 718.116.~~

Section 10. Paragraph (h) of subsection (1) of section 718.1265, Florida Statutes, is amended to read:

718.1265 Association emergency powers.—

(1) To the extent allowed by law, unless specifically prohibited by the declaration of condominium, the articles, or the bylaws of an association, and consistent with s. 617.0830, the board of administration, in response to damage or injury caused by or anticipated in connection with an emergency, as defined in s. 252.34(4), for which a state of emergency is declared pursuant to s. 252.36 in the locale in which the condominium is located, may exercise the following powers:

(h) Require the evacuation of the condominium property in the event of *an* ~~a mandatory~~ evacuation order in the locale in which the condominium is located. *If a* ~~Should any~~ unit owner or other occupant of a condominium *fails or refuses* ~~fail or refuse~~ to evacuate the condominium property or association property *for which* ~~where~~ the board has required evacuation, the association *is* ~~shall be~~ immune from liability or injury to persons or property arising from such failure or refusal.

Section 11. Present subsection (6) of section 718.128, Florida Statutes, is redesignated as subsection (8), a new subsection (6) and subsection (7) are added to that section, and subsection (4) of that section is amended, to read:

718.128 Electronic voting.—The association may conduct elections and other unit owner votes through an Internet-based online voting system if a unit owner consents, electronically or in writing, to online voting and if the following requirements are met:

(4) This section applies to an association that provides for and authorizes an online voting system pursuant to this section by a board resolution. If the board authorizes online voting, the board must honor a unit owner's request to vote electronically at all subsequent elections, unless such unit owner opts out of online voting. The board resolution must provide that unit owners receive notice of the opportunity to vote through an online voting system, must establish reasonable procedures and deadlines for unit owners to consent, electronically or in writing, to online voting, and must establish reasonable procedures and deadlines for unit owners to opt out of online voting after giving consent. ~~Written notice of a meeting at which the resolution will be considered must be mailed, delivered, or electronically transmitted to the unit owners and posted conspicuously on the condominium property or association property at least 14 days before the meeting. Evidence of compliance with the 14-day notice requirement must be made by an affidavit executed by the person providing the notice and filed with the official records of the association.~~

(6) If at least 25 percent of the voting interests of a condominium petition the board to adopt a resolution for electronic voting for the next scheduled election, the board must hold a meeting within 21 days after receipt of the petition to adopt such resolution. The board must receive the petition within 180 days after the date of the last scheduled annual meeting.

(7)(a) Unless the association has adopted electronic voting in accordance with subsections (1)-(6), the association must designate an e-mail address for receipt of electronically transmitted ballots. Electronically transmitted ballots must meet all the requirements of this subsection.

(b) A unit owner may electronically transmit a ballot to the e-mail address designated by the association without complying with s. 718.112(2)(d)4. or the rules providing for the secrecy of ballots adopted by the division. The association must count completed ballots that are electronically transmitted to the designated e-mail address, provided the completed ballots comply with the requirements of this subsection.

(c) A ballot that is electronically transmitted to the association must include all of the following:

1. A space for the unit owner to type in his or her unit number.

2. A space for the unit owner to type in his or her first and last name, which also functions as the signature of the unit owner for purposes of signing the ballot.

3. The following statement in capitalized letters and in a font size larger than any other font size used in the e-mail from the association to the unit owner:

WAIVING THE SECRECY OF YOUR BALLOT IS YOUR CHOICE. YOU DO NOT HAVE TO WAIVE THE SECRECY OF YOUR BALLOT IN ORDER TO VOTE. BY TRANSMITTING YOUR COMPLETED BALLOT THROUGH E-MAIL TO THE ASSOCIATION, YOU WAIVE THE SECRECY OF YOUR COMPLETED BALLOT. IF YOU DO NOT WISH TO WAIVE YOUR SECRECY BUT WISH TO PARTICIPATE IN THE VOTE THAT IS THE SUBJECT OF THIS BALLOT, PLEASE ATTEND THE IN-PERSON MEETING DURING WHICH THE MATTER WILL BE VOTED ON.

(d) A unit owner must transmit his or her completed ballot to the e-mail address designated by the association no later than the scheduled date and time of the meeting during which the matter is being voted on.

(e) There is a rebuttable presumption that an association has reviewed all folders associated with the e-mail address designated by the association to receive ballots if a board member, an officer, or an agent of the association, or a manager licensed under part VIII of chapter 468, provides a sworn affidavit attesting to such review.

Section 12. Subsection (7) of section 718.203, Florida Statutes, is amended to read:

718.203 Warranties.—

(7) ~~Residential~~ Condominiums may be covered by an insured warranty program underwritten by a licensed insurance company registered in this state, provided that such warranty program meets the minimum requirements of this chapter; to the degree that such warranty program does not meet the minimum requirements of this chapter, such requirements shall apply.

Section 13. Subsection (1) of section 718.301, Florida Statutes, is amended to read:

718.301 Transfer of association control; claims of defect by association.—

(1) If unit owners other than the developer own 15 percent or more of the units in a condominium that will be operated ultimately by an association, the unit owners other than the developer are entitled to elect at least one-third of the members of the board of administration of the association. Unit owners other than the developer are entitled to elect at least a majority of the members of the board of administration of an association, upon the first to occur of any of the following events:

(a) Three years after 50 percent of the units that will be operated ultimately by the association have been conveyed to purchasers;

(b) Three months after 90 percent of the units that will be operated ultimately by the association have been conveyed to purchasers;

(c) When all the units that will be operated ultimately by the association have been completed, some of them have been conveyed to purchasers, and none of the others are being offered for sale by the developer in the ordinary course of business;

(d) When some of the units have been conveyed to purchasers and none of the others are being constructed or offered for sale by the developer in the ordinary course of business;

(e) When the developer files a petition seeking protection in bankruptcy;

(f) When a receiver for the developer is appointed by a circuit court and is not discharged within 30 days after such appointment, unless the court determines within 30 days after appointment of the receiver that transfer of control would be detrimental to the association or its members; or

(g) Seven years after the date of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(e) or the recording of an instrument that transfers title to a unit in the condominium which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first; or, in the case of an association that may ultimately operate more than one condominium, 7 years after the date of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(e) or the recording of an instrument that transfers title to a unit which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first, for the first condominium it operates; or, in the case of an association operating a phase condominium created pursuant to s. 718.403, 7 years after the date of the recording of the certificate of a surveyor and mapper pursuant to s. 718.104(4)(e) or the recording of an instrument that transfers title to a unit which is not accompanied by a recorded assignment of developer rights in favor of the grantee of such unit, whichever occurs first.

The developer is entitled to elect at least one member of the board of administration of an association as long as the developer holds for sale in the ordinary course of business at least 5 percent, in condominiums with fewer than 500 units, and 2 percent, in condominiums with more than 500 units, of the units in a condominium operated by the association. After the developer relinquishes control of the association, the developer may exercise the right to vote any developer-owned units in the same manner as any other unit owner except for purposes of reacquiring control of the association or selecting the majority members of the board of administration. *Beginning July 1, 2025, paragraphs (a), (c), (d), and (g) do not apply to nonresidential condominiums consisting of 10 or fewer units.*

Section 14. Subsection (1) of section 718.302, Florida Statutes, is amended to read:

718.302 Agreements entered into by the association.—

(1) Any grant or reservation made by a declaration, lease, or other document, and any contract made by an association *before* ~~prior to~~ assumption of control of the association by unit owners other than the developer, that provides for operation, maintenance, or management of a condominium association or property serving the unit owners of a condominium shall be fair and reasonable, and such grant, reservation, or contract may be canceled by unit owners other than the developer:

(a) If the association operates only one condominium and the unit owners other than the developer have assumed control of the association, or if unit owners other than the developer own *at least* ~~not less than~~ 75 percent of the voting interests in the condominium *or own at least 90 percent of the voting interests if the condominium is a nonresidential condominium consisting of 10 or fewer units*, the cancellation *must* ~~shall~~ be by concurrence of the owners of *at least* ~~not less than~~ 75 percent of the voting interests other than the voting interests owned by the developer. If a grant, reservation, or contract is so canceled and the unit owners other than the developer have not assumed control of the association, the association *must* ~~shall~~ make a new contract or otherwise provide for maintenance, management, or operation in lieu of the canceled obligation, at the direction of the owners of not less than a majority of the voting interests in the condominium other than the voting interests owned by the developer.

(b) If the association operates more than one condominium and the unit owners other than the developer have not assumed control of the association, and if unit owners other than the developer own at least 75 percent of the voting interests in *the condominiums* ~~a condominium~~ operated by the association *or, beginning July 1, 2025, own at least 90 percent of the voting interests if the condominium is a nonresidential condominium consisting of 10 or fewer units*, any grant, reservation, or contract for maintenance, management, or operation of buildings containing the units in that condominium or of improvements used only by unit owners of that condominium may be canceled by concurrence of the owners of at least 75 percent*, or the owners of at least 90 percent if the condominium is a nonresidential condominium consisting of 10 or fewer*

units, of the voting interests in the condominium other than the voting interests owned by the developer. *A* ~~No~~ grant, reservation, or contract for maintenance, management, or operation of recreational areas or any other property serving more than one condominium, and operated by more than one association, may *not* be canceled except pursuant to paragraph (d).

(c) If the association operates more than one condominium and the unit owners other than the developer have assumed control of the association, the cancellation shall be by concurrence of the owners of not less than 75 percent of the total number of voting interests in all condominiums operated by the association other than the voting interests owned by the developer.

(d) If the owners of units in a condominium have the right to use property in common with owners of units in other condominiums and those condominiums are operated by more than one association, no grant, reservation, or contract for maintenance, management, or operation of the property serving more than one condominium may be canceled until unit owners other than the developer have assumed control of all of the associations operating the condominiums that are to be served by the recreational area or other property, after which cancellation may be effected by concurrence of the owners of not less than 75 percent of the total number of voting interests in those condominiums other than voting interests owned by the developer.

Section 15. Subsection (4) of section 718.407, Florida Statutes, is amended to read:

718.407 Condominiums created within a portion of a building or within a multiple parcel building.—

(4)*(a)* The association of a condominium subject to this section may inspect and copy the books and records upon which the costs for maintaining and operating the shared facilities are based, and *must* ~~to~~ receive an annual budget with respect to such costs.

(b) Within 60 days after the end of each fiscal year, the owner of a portion of a building that is not subject to the condominium form of ownership shall provide to the association a complete financial report of all costs for maintaining and operating the shared facilities. Such report must include copies of all receipts and invoices. If such owner fails to provide the report and copies of the receipts and invoices to the condominium association within the 60-day period, the division may impose penalties and otherwise enforce and ensure compliance with this subsection.

(c) Within 60 days after receipt of the complete financial report, the association may challenge any apportionment of costs for the maintenance and operation of the shared facilities. A challenge under this paragraph is governed by s. 720.311.

Section 16. Subsections (1) and (3) of section 718.501, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

718.501 Authority, responsibility, and duties of Division of Florida Condominiums, Timeshares, and Mobile Homes.—

(1) The division may enforce and ensure compliance with this chapter and rules relating to the development, construction, sale, lease, ownership, operation, and management of residential condominium units and complaints ~~related to the procedural completion of milestone inspections under s. 553.899~~. In performing its duties, the division has complete jurisdiction to investigate complaints and enforce compliance with respect to associations that are still under developer control or the control of a bulk assignee or bulk buyer pursuant to part VII of this chapter and complaints against developers, bulk assignees, or bulk buyers involving improper turnover or failure to turnover, pursuant to s. 718.301. However, after turnover has occurred, the division has jurisdiction to *review records and* investigate complaints related only to:

(a)1. Procedural aspects and records relating to financial issues, including annual financial reporting under s. 718.111(13); assessments for common expenses, fines, and commingling of reserve and operating funds under s. 718.111(14); use of debit cards for unintended purposes under s. 718.111(15); the annual operating budget and the allocation of reserve funds under s. 718.112(2)(f); financial records under s. 718.111(12)(a)11.; and any other record necessary to determine the revenues and expenses of the association.

2. Elections, including election and voting requirements under s. 718.112(2)(b) and (d), recall of board members under s. 718.112(2)(l), electronic voting under s. 718.128, and elections that occur during an emergency under s. 718.1265(1)(a).

3. The maintenance of and unit owner access to association records under s. 718.111(12).

4. The procedural aspects of meetings, including unit owner meetings, quorums, voting requirements, proxies, board of administration meetings, and budget meetings under s. 718.112(2).

5. The disclosure of conflicts of interest under ss. 718.111(1)(a) and 718.3027, including limitations contained in s. 718.111(3)(f).

6. The removal of a board director or officer under ss. 718.111(1)(a) and (15) and 718.112(2)(p) and (q).

7. The procedural completion of structural integrity reserve studies under s. 718.112(2)(g) *and the milestone inspections under s. 553.899*.

8. Completion of repairs required by a milestone inspection under s. 553.899.

9. ~~8.~~ Any written inquiries by unit owners to the association relating to such matters, including written inquiries under s. 718.112(2)(a)2.

10. The requirement for associations to maintain an insurance policy or fidelity bonding for all persons who control or disperse funds of the association under s. 718.111(11)(h).

11. Board member education requirements under s. 718.112(2)(d) 5.b.

12. Reporting requirements for structural integrity reserve studies under subsection (3) and under s. 718.112(2)(g)12.

(b)1. The division may make necessary public or private investigations within or outside this state to determine whether any person has violated this chapter or any rule or order hereunder, to aid in the enforcement of this chapter, or to aid in the adoption of rules or forms.

2. The division may submit any official written report, worksheet, or other related paper, or a duly certified copy thereof, compiled, prepared, drafted, or otherwise made by and duly authenticated by a financial examiner or analyst to be admitted as competent evidence in any hearing in which the financial examiner or analyst is available for cross-examination and attests under oath that such documents were prepared as a result of an examination or inspection conducted pursuant to this chapter.

(c) The division may require or permit any person to file a statement in writing, under oath or otherwise, as the division determines, as to the facts and circumstances concerning a matter to be investigated.

(d) For the purpose of any investigation under this chapter, the division director or any officer or employee designated by the division director may administer oaths or affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of material evidence. Upon the failure by a person to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all affected persons, the division may apply to the circuit court for an order compelling compliance.

(e) Notwithstanding any remedies available to unit owners and associations, if the division has reasonable cause to believe that a violation of any provision of this chapter or related rule has occurred, the division may institute enforcement proceedings in its own name against any developer, bulk assignee, bulk buyer, association, officer, or member of the board of administration, or its assignees or agents, as follows:

1. The division may permit a person whose conduct or actions may be under investigation to waive formal proceedings and enter into a consent proceeding whereby orders, rules, or letters of censure or warning, whether formal or informal, may be entered against the person.

2. The division may issue an order requiring the developer, bulk assignee, bulk buyer, association, developer-designated officer, or developer-designated member of the board of administration, developer-designated assignees or agents, bulk assignee-designated assignees or agents, bulk buyer-designated assignees or agents, community association manager, or community association management firm to cease and desist from the unlawful practice and take such affirmative action as in the judgment of the division carry out the purposes of this chapter. If the division finds that a developer, bulk assignee, bulk buyer, association, officer, or member of the board of administration, or its assignees or agents, is violating or is about to violate any provision of this chapter, any rule adopted or order issued by the division, or any written agreement entered into with the division, and presents an immediate danger to the public requiring an immediate final order, it may issue an emergency cease and desist order reciting with particularity the facts underlying such findings. The emergency cease and desist order is effective for 90 days. If the division begins nonemergency cease and desist proceedings, the emergency cease and desist order remains effective until the conclusion of the proceedings under ss. 120.569 and 120.57.

3. If a developer, bulk assignee, or bulk buyer fails to pay any restitution determined by the division to be owed, plus any accrued interest at the highest rate permitted by law, within 30 days after expiration of any appellate time period of a final order requiring payment of restitution or the conclusion of any appeal thereof, whichever is later, the division must bring an action in circuit or county court on behalf of any association, class of unit owners, lessees, or purchasers for restitution, declaratory relief, injunctive relief, or any other available remedy. The division may also temporarily revoke its acceptance of the filing for the developer to which the restitution relates until payment of restitution is made.

4. The division may petition the court for appointment of a receiver or conservator. If appointed, the receiver or conservator may take action to implement the court order to ensure the performance of the order and to remedy any breach thereof. In addition to all other means provided by law for the enforcement of an injunction or temporary restraining order, the circuit court may impound or sequester the property of a party defendant, including books, papers, documents, and related records, and allow the examination and use of the property by the division and a court-appointed receiver or conservator.

5. The division may apply to the circuit court for an order of restitution whereby the defendant in an action brought under subparagraph 4. is ordered to make restitution of those sums shown by the division to have been obtained by the defendant in violation of this chapter. At the option of the court, such restitution is payable to the conservator or receiver appointed under subparagraph 4. or directly to the persons whose funds or assets were obtained in violation of this chapter.

6. The division may impose a civil penalty against a developer, bulk assignee, or bulk buyer, or association, or its assignee or agent, for any violation of this chapter or related rule. The division may impose a civil penalty individually against an officer or board member who willfully and knowingly violates this chapter, an adopted rule, or a final order of the division; may order the removal of such individual as an officer or from the board of administration or as an officer of the association; and may prohibit such individual from serving as an officer or on the board of a community association for a period of time. The term "willfully and knowingly" means that the division informed the officer or board member that his or her action or intended action violates this chapter, a rule adopted under this chapter, or a final order of the division and that the officer or board member refused to comply with the requirements of this chapter, a rule adopted under this chapter, or a final order of the division. The division, before initiating formal agency action under chapter 120, must afford the officer or board member an opportunity to voluntarily comply, and an officer or board member who complies within 10 days is not subject to a civil penalty. A penalty may be imposed on the basis of each day of continuing violation, but the penalty for any offense may not exceed $5,000. The division shall adopt, by rule, penalty guidelines applicable to possible violations or to categories of violations of this chapter or rules adopted by the division. The guidelines must specify a meaningful range of civil penalties for each such violation of the statute and rules and must be based upon the harm caused by the violation, upon the repetition of the violation, and upon such other factors deemed relevant by the division. For example, the division may consider whether the violations were committed by a developer, bulk assignee, or bulk buyer, or owner-controlled association, the size of the association, and other factors. The guidelines must designate the possible mitigating or aggravating circumstances that justify a departure from the range of penalties provided by the rules. It is the legislative intent that minor violations be distinguished from those which endanger the health, safety, or welfare of the condominium residents or other persons and that such guidelines provide reasonable and meaningful notice to the public of likely penalties that may be imposed for proscribed conduct. This subsection does not limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, agreed settlement, or consent order. All amounts collected shall be deposited with the Chief Financial Officer to the credit of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund. If a developer, bulk assignee, or bulk buyer fails to pay the civil penalty and the amount deemed to be owed to the association, the division shall issue an order directing that such developer, bulk assignee, or bulk buyer cease and desist from further operation until such time as the civil penalty is paid or may pursue enforcement of the penalty in a court of competent jurisdiction. If an association fails to pay the civil penalty, the division shall pursue enforcement in a court of competent jurisdiction, and the order imposing the civil penalty or the cease and desist order is not effective until 20 days after the date of such order. Any action commenced by the division shall be brought in the county in which the division has its executive offices or in the county in which the violation occurred.

7. If a unit owner presents the division with proof that the unit owner has requested access to official records in writing by certified mail, and that after 10 days the unit owner again made the same request for access to official records in writing by certified mail, and that more than 10 days has elapsed since the second request and the association has still failed or refused to provide access to official records as required by this chapter, the division shall issue a subpoena requiring production of the requested records at the location in which the records are kept pursuant to s. 718.112. Upon receipt of the records, the division must provide to the unit owner who was denied access to such records the produced official records without charge.

8. In addition to subparagraph 6., the division may seek the imposition of a civil penalty through the circuit court for any violation for which the division may issue a notice to show cause under paragraph (t). The civil penalty shall be at least $500 but no more than $5,000 for each violation. The court may also award to the prevailing party court costs and reasonable attorney fees and, if the division prevails, may also award reasonable costs of investigation.

9. The division may issue citations and promulgate rules to provide for citation bases and citation procedures in accordance with this paragraph.

(f) The division may prepare and disseminate a prospectus and other information to assist prospective owners, purchasers, lessees, and developers of residential condominiums in assessing the rights, privileges, and duties pertaining thereto.

(g) The division may adopt rules to administer and enforce this chapter.

(h) The division shall establish procedures for providing notice to an association and the developer, bulk assignee, or bulk buyer during the period in which the developer, bulk assignee, or bulk buyer controls the association if the division is considering the issuance of a declaratory statement with respect to the declaration of condominium or any related document governing such condominium community.

(i) The division shall furnish each association that pays the fees required by paragraph (2)(a) a copy of this chapter, as amended, and the rules adopted thereto on an annual basis.

(j) The division shall annually provide each association with a summary of declaratory statements and formal legal opinions relating to the operations of condominiums which were rendered by the division during the previous year.

(k) The division shall provide training and educational programs for condominium association board members and unit owners. The training may, in the division's discretion, include web-based electronic media and live training and seminars in various locations throughout the state. The division may review and approve education and training programs for board members and unit owners offered by providers and shall maintain a current list of approved programs and providers and make such list available to board members and unit owners in a reasonable and cost-effective manner. The division shall provide the division-approved provider with the template certificate for issuance directly to the association's board of directors who have satisfactorily completed the requirements under s. 718.112(2)(d). The division shall adopt rules to implement this section.

(l) The division shall maintain a toll-free telephone number accessible to condominium unit owners.

(m) The division shall develop a program to certify both volunteer and paid mediators to provide mediation of condominium disputes. The division shall provide, upon request, a list of such mediators to any association, unit owner, or other participant in alternative dispute resolution proceedings under s. 718.1255 requesting a copy of the list. The division shall include on the list of volunteer mediators only the names of persons who have received at least 20 hours of training in mediation techniques or who have mediated at least 20 disputes. In order to become initially certified by the division, paid mediators must be certified by the Supreme Court to mediate court cases in county or circuit courts. However, the division may adopt~~,~~ by rule~~,~~ additional factors for the certification of paid mediators, which must be related to experience, education, or background. Any person initially certified as a paid mediator by the division must, in order to continue to be certified, comply with the factors or requirements adopted by rule.

(n) If a complaint is made, the division must conduct its inquiry with due regard for the interests of the affected parties. Within 30 days after receipt of a complaint, the division shall acknowledge the complaint in writing and notify the complainant whether the complaint is within the jurisdiction of the division and whether additional information is needed by the division from the complainant. The division shall conduct its investigation and, within 90 days after receipt of the original complaint or of timely requested additional information, take action upon the complaint. However, the failure to complete the investigation within 90 days does not prevent the division from continuing the investigation, accepting or considering evidence obtained or received after 90 days, or taking administrative action if reasonable cause exists to believe that a violation of this chapter or a rule has occurred. If an investigation is not completed within the time limits established in this paragraph, the division shall, on a monthly basis, notify the complainant in writing of the status of the investigation. When reporting its action to the complainant, the division shall inform the complainant of any right to a hearing under ss. 120.569 and 120.57. The division may adopt rules regarding the submission of a complaint against an association.

(o) Condominium association directors, officers, and employees; condominium developers; bulk assignees, bulk buyers, and community association managers; and community association management firms have an ongoing duty to reasonably cooperate with the division in any investigation under this section. The division shall refer to local law enforcement authorities any person whom the division believes has altered, destroyed, concealed, or removed any record, document, or thing required to be kept or maintained by this chapter with the purpose to impair its verity or availability in the department's investigation. The division shall refer to local law enforcement authorities any person whom the division believes has engaged in fraud, theft, embezzlement, or other criminal activity or when the division has cause to believe that fraud, theft, embezzlement, or other criminal activity has occurred.

(p) The division director or any officer or employee of the division and the condominium ombudsman or any employee of the Office of the Condominium Ombudsman may attend and observe any meeting of the board of administration or any unit owner meeting, including any meeting of a subcommittee or special committee, which is open to members of the association for the purpose of performing the duties of the division or the Office of the Condominium Ombudsman under this chapter.

(q) The division may:

1. Contract with agencies in this state or other jurisdictions to perform investigative functions; or

2. Accept grants-in-aid from any source.

(r) The division shall cooperate with similar agencies in other jurisdictions to establish uniform filing procedures and forms, public offering statements, advertising standards, and rules and common administrative practices.

(s) The division shall consider notice to a developer, bulk assignee, or bulk buyer to be complete when it is delivered to the address of the developer, bulk assignee, or bulk buyer currently on file with the division.

(t) In addition to its enforcement authority, the division may issue a notice to show cause, which must provide for a hearing, upon written request, in accordance with chapter 120.

(u) If the division receives a complaint regarding access to official records on the association's website or through an application that can be downloaded on a mobile device under s. 718.111(12)(g), the division may request access to the association's website or application and investigate. The division may adopt rules to carry out this paragraph.

(v) The division shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees an annual report that includes, but need not be limited to, the number of training programs provided for condominium association board members and unit owners, the number of complaints received by type, the number and percent of complaints acknowledged in writing within 30 days and the number and percent of investigations acted upon within 90 days in accordance with paragraph (n), and the number of investigations exceeding the 90-day requirement. The annual report must also include an evaluation of the division's core business processes and make recommendations for improvements, including statutory changes. After December 31, 2024, the division must include a list of the associations that have completed the structural integrity reserve study required under s. 718.112(2)(g). The report shall be submitted by September 30 following the end of the fiscal year.

(2)

(d) Each condominium association must create and maintain an online account with the division, as required in subsection (3).

(3) *On or before October 1, 2025, all condominium associations must create and maintain an online account with the division and provide information requested by the division in an electronic format determined by the division. The division shall adopt rules to implement this subsection. The division may require condominium associations to provide such information no more than once per year, except that the division may require condominium associations to update the contact information in paragraph (a) within 30 days after any change. The division shall provide a condominium association at least a 45-day notice of any requirement to provide any information after the condominium association initially creates an online account. The information that the division may require from condominium associations is limited to:*

(a) Contact information for the association that includes:

1. Name of the association.

2. The physical address of the condominium property.

3. Mailing address and county of the association.

4. E-mail address and telephone number for the association.

5. Name and board title for each member of the association's board.

6. Name and contact information of the association's community association manager or community association management firm, if applicable.

7. The hyperlink or website address of the association's website, if applicable.

(b) Total number of buildings and for each building in the association:

1. Total number of stories, including both habitable and uninhabitable stories.

2. Total number of units.

3. Age of each building based on the certificate of occupancy.

4. Any construction commenced within the common elements within the calendar year.

(c) The association's assessments, including the:

1. Amount of assessment or special assessment by unit type, including reserves.

2. Purpose of the assessment or special assessment.

3. Name of the financial institution or institutions with which the association maintains accounts.

(d) A copy of any structural integrity reserve study and any associated materials requested by the department within 5 business days after such request, in a manner prescribed by the department.

~~(a) On or before January 1, 2023, condominium associations existing on or before July 1, 2022, must provide the following information to the division in writing, by e-mail, United States Postal Service, commercial delivery service, or hand delivery, at a physical address or e-mail address provided by the division and on a form posted on the division's website:~~

~~1. The number of buildings on the condominium property that are three stories or higher in height.~~

~~2. The total number of units in all such buildings.~~

~~3. The addresses of all such buildings.~~

~~4. The counties in which all such buildings are located.~~

~~(b) The division must compile a list of the number of buildings on condominium property that are three stories or higher in height, which is searchable by county, and must post the list on the division's website. This list must include all of the following information:~~

~~1. The name of each association with buildings on the condominium property that are three stories or higher in height.~~

~~2. The number of such buildings on each association's property.~~

~~3. The addresses of all such buildings.~~

~~4. The counties in which all such buildings are located.~~

~~(c) An association must provide an update in writing to the division if there are any changes to the information in the list under paragraph (b) within 6 months after the change.~~

Section 17. Paragraph (d) of subsection (1) and paragraphs (d) and (e) of subsection (2) of section 718.503, Florida Statutes, are amended to read:

718.503 Developer disclosure prior to sale; nondeveloper unit owner disclosure prior to sale; voidability.—

(1) DEVELOPER DISCLOSURE.—

(d) *Milestone inspection, turnover inspection report, or structural integrity reserve study.*—If the association is required to have completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, *BEFORE* ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser *before* ~~prior to~~ closing.

(2) NONDEVELOPER DISCLOSURE.—

(d) Each contract entered into after July 1, 1992, for the resale of a residential unit *must* ~~shall~~ contain in conspicuous type either:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION OF THE ASSOCIATION, BYLAWS AND RULES OF THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL STATEMENT AND ANNUAL BUDGET, AND FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT MORE THAN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, *BEFORE* ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; or

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 7 ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE

OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION, BYLAWS AND RULES OF THE ASSOCIATION, A COPY OF THE MOST RECENT ANNUAL FINANCIAL STATEMENT AND ANNUAL BUDGET, AND FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT IF SO REQUESTED IN WRITING. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES THE DECLARATION, ARTICLES OF INCORPORATION, BYLAWS AND RULES OF THE ASSOCIATION, AND A COPY OF THE MOST RECENT YEAR-END FINANCIAL *STATEMENT AND ANNUAL BUDGET* ~~INFORMATION~~ AND FREQUENTLY ASKED QUESTIONS AND ANSWERS DOCUMENT IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser *before* ~~prior to~~ closing.

(e) If the association is required to have completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the resale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, *BEFORE* ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q), FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser *before* ~~prior to~~ closing.

Section 18. Section 8 of chapter 2024-244, Laws of Florida, is amended to read:

Section 8. Effective January 1, 2026, paragraph (g) of subsection (12) of section 718.111, Florida Statutes, as amended by this act, is amended to read:

718.111 The association.—

(12) OFFICIAL RECORDS.—

(g)1. An association managing a condominium with 25 or more units which does not contain timeshare units shall post digital copies of the documents specified in subparagraph 2. on its website or make such documents available through an application that can be downloaded on a mobile device. *Unless a shorter period is otherwise required, a document must be made available on the association's website or made available for download through an application on a mobile device within 30 days after the association receives or creates an official record specified in subparagraph 2.*

a. The association's website or application must be:

(I) An independent website, application, or web portal wholly owned and operated by the association; or

(II) A website, application, or web portal operated by a third-party provider with whom the association owns, leases, rents, or otherwise obtains the right to operate a web page, subpage, web portal, collection of subpages or web portals, or an application which is dedicated to the association's activities and on which required notices, records, and documents may be posted or made available by the association.

b. The association's website or application must be accessible through the Internet and must contain a subpage, web portal, or other protected electronic location that is inaccessible to the general public and accessible only to unit owners and employees of the association.

c. Upon a unit owner's written request, the association must provide the unit owner with a username and password and access to the protected sections of the association's website or application which contain any notices, records, or documents that must be electronically provided.

2. A current copy of the following documents must be posted in digital format on the association's website or application:

a. The recorded declaration of condominium of each condominium operated by the association and each amendment to each declaration.

b. The recorded bylaws of the association and each amendment to the bylaws.

c. The articles of incorporation of the association, or other documents creating the association, and each amendment to the articles of incorporation or other documents. The copy posted pursuant to this subsubparagraph must be a copy of the articles of incorporation filed with the Department of State.

d. The rules of the association.

e. *The approved minutes of all board of administration meetings over the preceding 12 months.*

f. The video recording or a hyperlink to the video recording for all meetings of the association, the board of administration, any committee, and the unit owners which are conducted by video conference over the preceding 12 months.

g. A list of all executory contracts or documents to which the association is a party or under which the association or the unit owners have an obligation or responsibility and, after bidding for the related materials, equipment, or services has closed, a list of bids received by the association within the past year. Summaries of bids for materials, equipment, or services which exceed $500 must be maintained on the website or application for 1 year. In lieu of summaries, complete copies of the bids may be posted.

h.~~f.~~ The annual budget required by s. 718.112(2)(f) and any proposed budget to be considered at the annual meeting.

i.~~g.~~ The financial report required by subsection (13) and any monthly income or expense statement to be considered at a meeting.

j.~~h.~~ The certification of each director required by s. 718.112(2)(d)4.b.

k.~~i.~~ All contracts or transactions between the association and any director, officer, corporation, firm, or association that is not an affiliated condominium association or any other entity in which an association director is also a director or officer and financially interested.

l.~~j.~~ Any contract or document regarding a conflict of interest or possible conflict of interest as provided in ss. 468.4335, 468.436(2)(b)6., and 718.3027(3).

m.~~k.~~ The notice of any unit owner meeting and the agenda for the meeting, as required by s. 718.112(2)(d)3., no later than 14 days before the meeting. The notice must be posted in plain view on the front page of the website or application, or on a separate subpage of the website or application labeled "Notices" which is conspicuously visible and linked from the front page. The association must also post on its website or application any document to be considered and voted on by the owners during the meeting or any document listed on the agenda at least 7 days before the meeting at which the document or the information within the document will be considered.

n.~~l.~~ Notice of any board meeting, the agenda, and any other document required for the meeting as required by s. 718.112(2)(c), which must be posted no later than the date required for notice under s. 718.112(2)(c).

o.~~m.~~ The inspection reports described in ss. 553.899 and 718.301(4)(p) and any other inspection report relating to a structural or life safety inspection of condominium property.

p.~~n.~~ The association's most recent structural integrity reserve study, if applicable.

q.~~o.~~ Copies of all building permits issued for ongoing or planned construction.

r. A copy of all affidavits required by this chapter.

3. The association shall ensure that the information and records described in paragraph (c), which are not allowed to be accessible to unit owners, are not posted on the association's website or application. If protected information or information restricted from being accessible to unit owners is included in documents that are required to be posted on the association's website or application, the association shall ensure the information is redacted before posting the documents. Notwithstanding the foregoing, the association or its agent is not liable for disclosing information that is protected or restricted under this paragraph unless such disclosure was made with a knowing or intentional disregard of the protected or restricted nature of such information.

4. The failure of the association to post information required under subparagraph 2. is not in and of itself sufficient to invalidate any action or decision of the association's board or its committees.

Section 19. Section 31 of chapter 2024-244, Laws of Florida, is amended to read:

Section 31. The amendments made to ss. 718.103(14) and 718.202(3) and 718.407(1), (2), and (6), Florida Statutes, as created by this act, *may not* ~~are intended to clarify existing law and shall~~ apply retroactively *and shall only apply to condominiums for which declarations were initially recorded on or after October 1, 2024*. ~~However, such amendments do not revive or reinstate any right or interest that has been fully and finally adjudicated as invalid before October 1, 2024.~~

Section 20. Subsection (13) is added to section 719.104, Florida Statutes, to read:

719.104 Cooperatives; access to units; records; financial reports; assessments; purchase of leases.—

(13) INVESTMENT OF ASSOCIATION FUNDS.—

(a) A board shall, in fulfilling its duty to manage operating and reserve funds of its association, use best efforts to make prudent investment decisions that carefully consider risk and return in an effort to maximize returns on invested funds.

(b) An association may invest reserve funds in one or any combination of certificates of deposit or in depository accounts at a community bank, savings bank, commercial bank, savings and loan association, or credit union without a vote of the unit owners.

Section 21. Paragraphs (j) and (k) of subsection (1) of section 719.106, Florida Statutes, are amended to read:

719.106 Bylaws; cooperative ownership.—

(1) MANDATORY PROVISIONS.—The bylaws or other cooperative documents shall provide for the following, and if they do not, they shall be deemed to include the following:

(j) *Annual budget.—*

1. The proposed annual budget of common expenses must be detailed and must show the amounts budgeted by accounts and expense classifications, including, if applicable, but not limited to, those expenses listed in s. 719.504(20). The board of administration shall adopt the annual budget at least 14 days before the start of the association's fiscal year. In the event that the board fails to timely adopt the annual budget a second time, it is deemed a minor violation and the prior year's budget shall continue in effect until a new budget is adopted.

2.*a.* In addition to annual operating expenses, the budget must include reserve accounts for capital expenditures and deferred maintenance. These accounts must include, but not be limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of deferred maintenance expense or replacement cost, and for any other items for which the deferred maintenance expense or replacement cost exceeds *$25,000 or the inflation-adjusted amount determined by the division under subparagraph 6., whichever amount is greater* ~~$10,000~~. The amount to be reserved must be computed by means of a formula which is based upon estimated remaining useful life and estimated replacement cost or deferred maintenance expense of the reserve item. In a budget adopted by an association that is required to obtain a structural integrity reserve study, reserves must be maintained for the items identified in paragraph (k) for which the association is responsible pursuant to the declaration, and the reserve amount for such items must be based on the findings and recommendations of the association's most recent structural integrity reserve study. With respect to items for which an estimate of useful life is not readily ascertainable or with an estimated remaining useful life of greater than 25 years, an association is not required to reserve replacement costs for such items, but an association must reserve the amount of deferred maintenance expense, if any, which is recommended by the structural integrity reserve study for such items. The association may adjust replacement reserve assessments annually to take into account an inflation adjustment and any changes in estimates or extension of the useful life of a reserve item caused by deferred maintenance.

b. The members of a unit-owner-controlled association may determine, by a majority vote of the total voting interests of the association, for a fiscal year to provide no reserves or reserves less adequate than required by this subsection. Before turnover of control of an association by a developer to unit owners other than a developer under s. 719.301, the developer-controlled association may not vote to waive the reserves or reduce funding of the reserves.

c. For a budget adopted on or after December 31, 2024, a unit-owner-controlled association that must obtain a structural integrity reserve study may not determine to provide no reserves or reserves less ade-

quate than required by this paragraph for items listed in paragraph (k). If a meeting of the unit owners has been called to determine to provide no reserves, or reserves less adequate than required, and such result is not attained or a quorum is not attained, the reserves as included in the budget shall go into effect.

d. If the local building official as defined in s. 468.603, determines that the entire cooperative building is uninhabitable due to a natural emergency as defined in s. 252.34, the board may pause the contribution to its reserves or reduce reserve funding until the local building official determines that the cooperative building is habitable. Any reserve account funds held by the association may be expended, pursuant to the board's determination, to make the cooperative building and its structures habitable. Upon the determination by the local building official that the cooperative building is habitable, the association must immediately resume contributing funds to its reserves.

3.a.(I) Reserves for the items identified in paragraph (g) may be funded by regular assessments, special assessments, lines of credit, or loans. A special assessment, a line of credit, or a loan under this sub-subparagraph requires the approval of a majority vote of the total voting interests of the association.

(II) A unit-owner-controlled association that is required to have a structural reserve study may secure a line of credit or a loan to fund capital expenses required by a milestone inspection under s. 553.899 or a structural integrity reserve study. The lines of credit or loans must be sufficient to fund the cumulative amount of any previously waived or unfunded portion of the reserve funding amount required by this paragraph and the most recent structural integrity reserve study. Funding from the line of credit or loans must be immediately available for access by the board to fund required repair, maintenance, or replacement expenses without further approval by the members of the association. A special assessment, a line of credit, or a loan secured under this sub-subparagraph and related details must be included in the annual financial statement required under s. 719.104(4) to be delivered to unit owners and required under s. 718.503 to be provided to prospective purchasers of a unit.

b. For a budget adopted on or before December 31, 2028, if the association has completed a milestone inspection pursuant to s. 553.899 within the previous 2 calendar years, the board, upon the approval of a majority of the total voting interests of the association, may temporarily pause, for a period of no more than two consecutive annual budgets, reserve fund contributions or reduce the amount of reserve funding for the purpose of funding repairs recommended by the milestone inspection. This sub-subparagraph does not apply to a developer-controlled association and an association in which the nondeveloper unit owners have been in control for less than 1 year. An association that has paused reserve contributions under this sub-subparagraph must have a structural integrity reserve study performed before the continuation of reserve contributions in order to determine the association's reserve funding needs and to recommend a reserve funding plan.

4.~~3.~~ Reserve funds and any interest accruing thereon shall remain in the reserve account or accounts, and shall be used only for authorized reserve expenditures unless their use for other purposes is approved in advance by a vote of the majority of the total voting interests of the association. Before turnover of control of an association by a developer to unit owners other than the developer under s. 719.301, the developer may not vote to use reserves for purposes other than that for which they were intended. For a budget adopted on or after December 31, 2024, members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not vote to use reserve funds, or any interest accruing thereon, for purposes other than the replacement or deferred maintenance costs of the components listed in paragraph (k).

5. An association's reserve accounts may be pooled for two or more required components. Reserve funding for components identified in paragraph (g) may only be pooled with other components identified in paragraph (g). The reserve funding indicated in the proposed annual budget must be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent structural integrity reserve study. A vote of the members is not required for the board to change the accounting method for reserves to a pooling accounting method or a straight-line accounting method.

6. The division shall annually adjust for inflation, based on the Consumer Price Index for All Urban Consumers released in January of each year, the minimum $25,000 threshold amount for required reserves. By February 1, 2026, and annually thereafter, the division must conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves.

(k) *Structural integrity reserve study.—*

1. A residential cooperative association must have a structural integrity reserve study completed at least every 10 years for each building on the cooperative property that is three stories or higher in height, as determined by the Florida Building Code, that includes, at a minimum, a study of the following items as related to the structural integrity and safety of the building:

a. Roof.

b. Structure, including load-bearing walls and other primary structural members and primary structural systems as those terms are defined in s. 627.706.

c. Fireproofing and fire protection systems.

d. Plumbing.

e. Electrical systems.

f. Waterproofing and exterior painting.

g. Windows and exterior doors.

h. Any other item that has a deferred maintenance expense or replacement cost that exceeds *$25,000 or the inflation-adjusted amount determined by the division under subparagraph (j)6., whichever is greater,* ~~$10,000~~ and the failure to replace or maintain such item negatively affects the items listed in sub-subparagraphs a.-g., as determined by the visual inspection portion of the structural integrity reserve study.

2. A structural integrity reserve study is based on a visual inspection of the cooperative property.

3.a. A structural integrity reserve study ~~may be performed by any person qualified to perform such study. However~~, *including* the visual inspection portion of the structural integrity reserve study, must be performed or verified by an engineer licensed under chapter 471, an architect licensed under chapter 481, or a person certified as a reserve specialist or professional reserve analyst by the Community Associations Institute or the Association of Professional Reserve Analysts.

b. Any design professional as defined in s. 558.002(7) or contractor licensed under chapter 489 who bids to perform a structural integrity reserve study must disclose in writing to the association his or her intent to bid on any services related to any maintenance, repair, or replacement that may be recommended by the structural integrity reserve study. Any design professional as defined in s. 558.002 or contractor licensed under chapter 489 who submits a bid to the association for performing any services recommended by the structural integrity reserve study may not have an interest, directly or indirectly, in the firm or entity providing the association's structural integrity reserve study or be a relative of any person having a direct or indirect interest in such firm, unless such relationship is disclosed to the association in writing. As used in this section, the term "relative" means a relative within the third degree of consanguinity by blood or marriage. A contract for services is voidable and terminates upon the association filing a written notice terminating the contract if the design professional or licensed contractor failed to provide the written disclosure of the relationship required under this paragraph. A design professional or licensed contractor may be subject to discipline under the applicable practice act for his or her profession for failure to provide the written disclosure of the relationship required under this subparagraph.

4.a.~~3.~~ At a minimum, a structural integrity reserve study must identify each item of the cooperative property being visually inspected, state the estimated remaining useful life and the estimated replacement cost or deferred maintenance expense of each item of the cooperative property being visually inspected, and provide a reserve funding schedule with a recommended annual reserve amount that

achieves the estimated replacement cost or deferred maintenance expense of each item of cooperative property being visually inspected by the end of the estimated remaining useful life of the item. The structural integrity reserve study may recommend that reserves do not need to be maintained for any item for which an estimate of useful life and an estimate of replacement cost cannot be determined, or the study may recommend a deferred maintenance expense amount for such item. *At a minimum, the structural integrity reserve study must include a recommendation for a reserve funding schedule based on a baseline funding plan that provides a reserve funding goal in which the reserve funding for each budget year is sufficient to maintain the reserve cash balance above zero. The study may recommend other types of reserve funding schedules, provided that each recommended schedule is sufficient to meet the association's maintenance obligation.*

b. The structural integrity reserve study may recommend that reserves for replacement costs do not need to be maintained for any item with an estimated remaining useful life of greater than 25 years, but the study may recommend a deferred maintenance expense amount for such item. *If the structural integrity reserve study recommends reserves for any item for which reserves are not required under this paragraph, the amount of the recommended reserves for such item must be separately identified in the structural integrity reserve study as an item for which reserves are not required under this paragraph.*

c. The structural integrity reserve study must take into consideration the funding method or methods used by the association to fund its maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans. If the structural integrity reserve study is performed before the association has approved a special assessment or secured a line of credit or a loan, the structural integrity reserve study must be updated to reflect the funding method selected by the association and its effect on the reserve funding schedule, including any anticipated change in the amount of regular assessments. The structural integrity reserve study may be updated to reflect any changes to the useful life of the reserve items after such items are repaired or replaced, and the effect such repair or replacement will have on the reserve funding schedule. The association must obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study.

5.~~4.~~ This paragraph does not apply to buildings less than three stories in height; single-family, two-family, ~~or~~ three-family*, or four-family* dwellings with three or fewer habitable stories above ground; any portion or component of a building that has not been submitted to the cooperative form of ownership; or any portion or component of a building that is maintained by a party other than the association.

6.~~5.~~ Before a developer turns over control of an association to unit owners other than the developer, the developer must have a turnover inspection report in compliance with s. 719.301(4)(p) and (q) for each building on the cooperative property that is three stories or higher in height.

7.~~6.~~ Associations existing on or before July 1, 2022, which are controlled by unit owners other than the developer, must have a structural integrity reserve study completed by December 31, 2024, for each building on the cooperative property that is three stories or higher in height. An association that is required to complete a milestone inspection on or before December 31, 2026, in accordance with s. 553.899 may complete the structural integrity reserve study simultaneously with the milestone inspection. In no event may the structural integrity reserve study be completed after December 31, 2026.

8.~~7.~~ If the milestone inspection required by s. 553.899, or an inspection completed for a similar local requirement, was performed within the past 5 years and meets the requirements of this paragraph, such inspection may be used in place of the visual inspection portion of the structural integrity reserve study.

9. If the association completes a milestone inspection required by s. 553.899, or an inspection completed for a similar local requirement, the association may delay performance of a required structural integrity reserve study for no more than the 2 consecutive budget years immediately following the milestone inspection in order to allow the association to focus its financial resources on completing the repair and maintenance recommendations of the milestone inspection.

10.~~8.~~ If the officers or directors of an association willfully and knowingly fail to complete a structural integrity reserve study pursuant to this paragraph, such failure is a breach of an officer's and director's fiduciary relationship to the unit owners under s. 719.104(9). *An officer or a director of the association must sign an affidavit acknowledging receipt of the completed structural integrity reserve study.*

11.~~9.~~ Within 45 days after receiving the structural integrity reserve study, the association must distribute a copy of the study to each unit owner or deliver to each unit owner a notice that the completed study is available for inspection and copying upon a written request. Distribution of a copy of the study or notice must be made by United States mail or personal delivery at the mailing address, property address, or any other address of the owner provided to fulfill the association's notice requirements under this chapter, or by electronic transmission to the e-mail address or facsimile number provided to fulfill the association's notice requirements to unit owners who previously consented to receive notice by electronic transmission.

12.~~10.~~ Within 45 days after receiving the structural integrity reserve study, the association must provide the division with a statement indicating that the study was completed and that the association provided or made available such study to each unit owner in accordance with this section. Such statement must be provided to the division in the manner established by the division using a form posted on the division's website.

13. The division shall adopt by rule the form for the structural integrity reserve study in coordination with the Florida Building Commission.

Section 22. Paragraph (i) of subsection (1) of section 719.128, Florida Statutes, is amended to read:

719.128 Association emergency powers.—

(1) To the extent allowed by law, unless specifically prohibited by the cooperative documents, and consistent with s. 617.0830, the board of administration, in response to damage or injury caused by or anticipated in connection with an emergency, as defined in s. 252.34(4), for which a state of emergency is declared pursuant to s. 252.36 in the area encompassed by the cooperative, may exercise the following powers:

(i) Require the evacuation of the cooperative property in the event of *an* ~~a mandatory~~ evacuation order in the area *in which* ~~where~~ the cooperative is located or prohibit or restrict access to the cooperative property in the event of a public health threat. If a unit owner or other occupant of a cooperative fails *or refuses* to evacuate the cooperative property for which the board has required evacuation, the association is immune from liability for injury to persons or property arising from such failure *or refusal*.

Section 23. Subsection (3) of section 719.501, Florida Statutes, is amended, paragraph (c) is added to subsection (2) of that section, and subsection (1) of that section is reenacted, to read:

719.501 Powers and duties of Division of Florida Condominiums, Timeshares, and Mobile Homes.—

(1) The Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation, referred to as the "division" in this part, in addition to other powers and duties prescribed by chapter 718, has the power to enforce and ensure compliance with this chapter and adopted rules relating to the development, construction, sale, lease, ownership, operation, and management of residential cooperative units; complaints related to the procedural completion of the structural integrity reserve studies under s. 719.106(1)(k); and complaints related to the procedural completion of milestone inspections under s. 553.899. In performing its duties, the division shall have the following powers and duties:

(a) The division may make necessary public or private investigations within or outside this state to determine whether any person has violated this chapter or any rule or order hereunder, to aid in the enforcement of this chapter, or to aid in the adoption of rules or forms hereunder.

(b) The division may require or permit any person to file a statement in writing, under oath or otherwise, as the division determines, as to the facts and circumstances concerning a matter to be investigated.

(c) For the purpose of any investigation under this chapter, the division director or any officer or employee designated by the division director may administer oaths or affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of material evidence. Upon failure by a person to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all persons affected thereby, the division may apply to the circuit court for an order compelling compliance.

(d) Notwithstanding any remedies available to unit owners and associations, if the division has reasonable cause to believe that a violation of any provision of this chapter or related rule has occurred, the division may institute enforcement proceedings in its own name against a developer, association, officer, or member of the board, or its assignees or agents, as follows:

1. The division may permit a person whose conduct or actions may be under investigation to waive formal proceedings and enter into a consent proceeding whereby orders, rules, or letters of censure or warning, whether formal or informal, may be entered against the person.

2. The division may issue an order requiring the developer, association, officer, or member of the board, or its assignees or agents, to cease and desist from the unlawful practice and take such affirmative action as in the judgment of the division will carry out the purposes of this chapter. Such affirmative action may include, but is not limited to, an order requiring a developer to pay moneys determined to be owed to a condominium association.

3. The division may bring an action in circuit court on behalf of a class of unit owners, lessees, or purchasers for declaratory relief, injunctive relief, or restitution.

4. The division may impose a civil penalty against a developer or association, or its assignees or agents, for any violation of this chapter or related rule. The division may impose a civil penalty individually against any officer or board member who willfully and knowingly violates a provision of this chapter, a rule adopted pursuant to this chapter, or a final order of the division. The term "willfully and knowingly" means that the division informed the officer or board member that his or her action or intended action violates this chapter, a rule adopted under this chapter, or a final order of the division, and that the officer or board member refused to comply with the requirements of this chapter, a rule adopted under this chapter, or a final order of the division. The division, prior to initiating formal agency action under chapter 120, shall afford the officer or board member an opportunity to voluntarily comply with this chapter, a rule adopted under this chapter, or a final order of the division. An officer or board member who complies within 10 days is not subject to a civil penalty. A penalty may be imposed on the basis of each day of continuing violation, but in no event shall the penalty for any offense exceed $5,000. The division shall adopt, by rule, penalty guidelines applicable to possible violations or to categories of violations of this chapter or rules adopted by the division. The guidelines must specify a meaningful range of civil penalties for each such violation of the statute and rules and must be based upon the harm caused by the violation, upon the repetition of the violation, and upon such other factors deemed relevant by the division. For example, the division may consider whether the violations were committed by a developer or owner-controlled association, the size of the association, and other factors. The guidelines must designate the possible mitigating or aggravating circumstances that justify a departure from the range of penalties provided by the rules. It is the legislative intent that minor violations be distinguished from those which endanger the health, safety, or welfare of the cooperative residents or other persons and that such guidelines provide reasonable and meaningful notice to the public of likely penalties that may be imposed for proscribed conduct. This subsection does not limit the ability of the division to informally dispose of administrative actions or complaints by stipulation, agreed settlement, or consent order. All amounts collected shall be deposited with the Chief Financial Officer to the credit of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund. If a developer fails to pay the civil penalty, the division shall thereupon issue an order directing that such developer cease and desist from further operation until such time as the civil penalty is paid or may pursue enforcement of the penalty in a court of competent jurisdiction. If an association fails to pay the civil penalty, the division shall thereupon pursue enforcement in a court of competent jurisdiction, and the order imposing the civil penalty or the cease and desist order shall not become effective until 20 days after the date of such order. Any action commenced by the division shall be brought in the county in which the division has its executive offices or in the county where the violation occurred.

(e) The division may prepare and disseminate a prospectus and other information to assist prospective owners, purchasers, lessees, and developers of residential cooperatives in assessing the rights, privileges, and duties pertaining thereto.

(f) The division has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement and enforce the provisions of this chapter.

(g) The division shall establish procedures for providing notice to an association when the division is considering the issuance of a declaratory statement with respect to the cooperative documents governing such cooperative community.

(h) The division shall furnish each association which pays the fees required by paragraph (2)(a) a copy of this act, subsequent changes to this act on an annual basis, an amended version of this act as it becomes available from the Secretary of State's office on a biennial basis, and the rules adopted thereto on an annual basis.

(i) The division shall annually provide each association with a summary of declaratory statements and formal legal opinions relating to the operations of cooperatives which were rendered by the division during the previous year.

(j) The division shall adopt uniform accounting principles, policies, and standards to be used by all associations in the preparation and presentation of all financial statements required by this chapter. The principles, policies, and standards shall take into consideration the size of the association and the total revenue collected by the association.

(k) The division shall provide training and educational programs for cooperative association board members and unit owners. The training may, in the division's discretion, include web-based electronic media and live training and seminars in various locations throughout the state. The division may review and approve education and training programs for board members and unit owners offered by providers and shall maintain a current list of approved programs and providers and make such list available to board members and unit owners in a reasonable and cost-effective manner.

(l) The division shall maintain a toll-free telephone number accessible to cooperative unit owners.

(m) When a complaint is made to the division, the division shall conduct its inquiry with reasonable dispatch and with due regard to the interests of the affected parties. Within 30 days after receipt of a complaint, the division shall acknowledge the complaint in writing and notify the complainant whether the complaint is within the jurisdiction of the division and whether additional information is needed by the division from the complainant. The division shall conduct its investigation and shall, within 90 days after receipt of the original complaint or timely requested additional information, take action upon the complaint. However, the failure to complete the investigation within 90 days does not prevent the division from continuing the investigation, accepting or considering evidence obtained or received after 90 days, or taking administrative action if reasonable cause exists to believe that a violation of this chapter or a rule of the division has occurred. If an investigation is not completed within the time limits established in this paragraph, the division shall, on a monthly basis, notify the complainant in writing of the status of the investigation. When reporting its action to the complainant, the division shall inform the complainant of any right to a hearing pursuant to ss. 120.569 and 120.57.

(n) The division shall develop a program to certify both volunteer and paid mediators to provide mediation of cooperative disputes. The division shall provide, upon request, a list of such mediators to any association, unit owner, or other participant in arbitration proceedings under s. 718.1255 requesting a copy of the list. The division shall include on the list of voluntary mediators only persons who have received at least 20 hours of training in mediation techniques or have mediated at least 20 disputes. In order to become initially certified by the division, paid mediators must be certified by the Supreme Court to mediate court cases in county or circuit courts. However, the division may adopt~~,~~ by rule~~,~~ additional factors for the certification of paid mediators, which factors must be related to experience, education, or background. Any person initially certified as a paid mediator by the division must, in order to continue to be certified, comply with the factors or requirements imposed by rules adopted by the division.

(2)

(c) A cooperative association shall create and maintain an online account with the division, as required in subsection (3).

(3) *On or before October 1, 2025, all cooperative associations shall create and maintain an online account with the division and provide information requested by the division in an electronic format determined by the division. The division shall adopt rules to implement this subsection. The division may require cooperative associations to provide such information no more than once per year, except that the division may require cooperative associations to update their contact information in paragraph (a) within 30 days after any change. The division shall provide a cooperative association at least a 45-day notice of any requirement to provide any required information after the cooperative association creates an online account. The information that the division may require associations to provide is limited to:*

(a) The contact information for the association that includes all of the following:

1. The name of the association.

2. The physical address of the cooperative property.

3. The mailing address and county of the association.

4. The e-mail address and telephone number for the association.

5. The name and board title for each member of the association's board.

6. The name and contact information of the association's community association manager or community association management firm, if applicable.

7. The hyperlink or website address of the association's website, if applicable.

(b) The total number of buildings and for each building in the association:

1. The total number of stories of each building, including both habitable and uninhabitable stories.

2. The total number of units.

3. The age of each building based on the certificate of occupancy.

4. Any construction commenced on the common elements within the previous calendar year.

(c) The association's assessments, including the:

1. Amount of assessment or special assessment by unit type, including reserves.

2. Purpose of the assessment or special assessment.

3. Name of the financial institution or institutions with which the association maintains accounts.

(d) A copy of any structural integrity reserve study and any associated materials requested by the department. The association must provide such materials within 5 business days after such request, in a manner prescribed by the department.

~~(a) On or before January 1, 2023, cooperative associations existing on or before July 1, 2022, must provide the following information to the division in writing, by e-mail, United States Postal Service, commercial delivery service, or hand delivery, at a physical address or e-mail address provided by the division and on a form posted on the division's website:~~

~~1. The number of buildings on the cooperative property that are three stories or higher in height.~~

~~2. The total number of units in all such buildings.~~

~~3. The addresses of all such buildings.~~

~~4. The counties in which all such buildings are located.~~

~~(b) The division must compile a list of the number of buildings on cooperative property that are three stories or higher in height, which is searchable by county, and must post the list on the division's website. This list must include all of the following information:~~

~~1. The name of each association with buildings on the cooperative property that are three stories or higher in height.~~

~~2. The number of such buildings on each association's property.~~

~~3. The addresses of all such buildings.~~

~~4. The counties in which all such buildings are located.~~

~~(c) An association must provide an update in writing to the division if there are any changes to the information in the list under paragraph (b) within 6 months after the change.~~

Section 24. Paragraph (d) of subsection (1) and paragraphs (c) and (d) of subsection (2) of section 719.503, Florida Statutes, are amended to read:

719.503 Disclosure prior to sale.—

(1) DEVELOPER DISCLOSURE.—

(d) *Milestone inspection, turnover inspection report, or structural integrity reserve study.*—If the association is required to have completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15 DAYS, EXCLUDING SATURDAYS, SUN-

DAYS, AND LEGAL HOLIDAYS, *BEFORE* ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser *before* ~~prior to~~ closing.

(2) NONDEVELOPER DISCLOSURE.—

(c) Each contract entered into after July 1, 1992, for the resale of an interest in a cooperative shall contain in conspicuous type either:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE ARTICLES OF INCORPORATION OF THE ASSOCIATION, BYLAWS, RULES OF THE ASSOCIATION, AND THE QUESTION AND ANSWER SHEET MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, *BEFORE* ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; or

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE ARTICLES OF INCORPORATION, BYLAWS, AND RULES OF THE ASSOCIATION, AND QUESTION AND ANSWER SHEET, IF SO REQUESTED IN WRITING. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES THE ARTICLES OF INCORPORATION, BYLAWS, RULES, AND QUESTION AND ANSWER SHEET, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser *before* ~~prior to~~ closing.

(d) If the association is required to have completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, and the association has not completed the milestone inspection, the turnover inspection report, or the structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is required to have a milestone inspection, a turnover inspection report, or a structural integrity reserve study and has not completed such inspection, report, or study, as appropriate. If the association is not required to have a milestone inspection as described in s. 553.899 or a structural integrity reserve study, each contract entered into after December 31, 2024, for the sale of a residential unit shall contain in conspicuous type a statement indicating that the association is not required to have a milestone inspection or a structural integrity reserve study, as appropriate. If the association has completed a milestone inspection as described in s. 553.899, a turnover inspection report for a turnover inspection performed on or after July 1, 2023, or a structural integrity reserve study, each contract entered into after December 31, 2024, for the resale of a residential unit shall contain in conspicuous type:

1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE, MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, *BEFORE* ~~PRIOR TO~~ EXECUTION OF THIS CONTRACT; and

2. A clause which states: THIS AGREEMENT IS VOIDABLE BY BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN *7* ~~3~~ DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION 719.301(4)(p) AND (q), FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS 719.103(24) AND 719.106(1)(k), FLORIDA STATUTES, IF REQUESTED IN WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT CLOSING.

A contract that does not conform to the requirements of this paragraph is voidable at the option of the purchaser *before* ~~prior to~~ closing.

Section 25. Subsection (3) of section 914.21, Florida Statutes, is amended to read:

914.21 Definitions.—As used in ss. 914.22-914.24, the term:

(3) "Official investigation" means any investigation instituted by a law enforcement agency or prosecuting officer of the state or a political subdivision of the state or the Commission on Ethics *or the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation*.

Section 26. For the purpose of incorporating the amendment made by this act to section 468.4335, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 468.436, Florida Statutes, is reenacted to read:

468.436 Disciplinary proceedings.—

(2) The following acts constitute grounds for which the disciplinary actions in subsection (4) may be taken:

(b)1. Violation of this part.

2. Violation of any lawful order or rule rendered or adopted by the department or the council.

3. Being convicted of or pleading nolo contendere to a felony in any court in the United States.

4. Obtaining a license or certification or any other order, ruling, or authorization by means of fraud, misrepresentation, or concealment of material facts.

5. Committing acts of gross misconduct or gross negligence in connection with the profession.

6. Contracting, on behalf of an association, with any entity in which the licensee has a financial interest that is not disclosed.

7. Failing to disclose any conflict of interest as required by s. 468.4335.

8. Violating chapter 718, chapter 719, or chapter 720 during the course of performing community association management services pursuant to a contract with a community association as defined in s. 468.431(1).

Section 27. For the purpose of incorporating the amendment made by this act to section 718.110, Florida Statutes, in a reference thereto, paragraph (b) of subsection (2) of section 718.106, Florida Statutes, is reenacted to read:

718.106 Condominium parcels; appurtenances; possession and enjoyment.—

(2) There shall pass with a unit, as appurtenances thereto:

(b) The exclusive right to use such portion of the common elements as may be provided by the declaration, including the right to transfer such right to other units or unit owners to the extent authorized by the declaration as originally recorded, or amendments to the declaration adopted pursuant to the provisions contained therein. Amendments to declarations of condominium providing for the transfer of use rights with respect to limited common elements are not amendments that materially modify unit appurtenances as described in s. 718.110(4). However, in order to be effective, the transfer of use rights with respect to limited common elements must be effectuated in conformity with the procedures set forth in the declaration as originally recorded or as amended under the procedures provided therein. This section is intended to clarify existing law and applies to associations existing on the effective date of this act.

Section 28. For the purpose of incorporating the amendment made by this act to section 718.110, Florida Statutes, in a reference thereto, subsection (4) of section 718.117, Florida Statutes, is reenacted to read:

718.117 Termination of condominium.—

(4) EXEMPTION.—A plan of termination is not an amendment subject to s. 718.110(4). In a partial termination, a plan of termination is not an amendment subject to s. 718.110(4) if the ownership share of the common elements of a surviving unit in the condominium remains in the same proportion to the surviving units as it was before the partial termination.

Section 29. For the purpose of incorporating the amendment made by this act to section 718.110, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 718.403, Florida Statutes, is reenacted to read:

718.403 Phase condominiums.—

(1) Notwithstanding the provisions of s. 718.110, a developer may develop a condominium in phases, if the original declaration of condominium submitting the initial phase to condominium ownership or an amendment to the declaration which has been approved by all of the unit owners and unit mortgagees provides for and describes in detail all anticipated phases; the impact, if any, which the completion of subsequent phases would have upon the initial phase; and the time period within which all phases must be added to the condominium and comply with the requirements of this section and at the end of which the right to add additional phases expires.

(d) An amendment that extends the 7-year period pursuant to this section is not subject to the requirements of s. 718.110(4).

Section 30. For the purpose of incorporating the amendment made by this act to section 718.110, Florida Statutes, in a reference thereto, subsection (4) of section 718.405, Florida Statutes, is reenacted to read:

718.405 Multicondominiums; multicondominium associations.—

(4) This section does not prevent or restrict the formation of a multicondominium by the merger or consolidation of two or more condominium associations. Mergers or consolidations of associations shall be accomplished in accordance with this chapter, the declarations of the condominiums being merged or consolidated, and chapter 617. Section 718.110(4) does not apply to amendments to declarations necessary to effect a merger or consolidation. This section is intended to clarify existing law and applies to associations existing on the effective date of this act.

Section 31. For the purpose of incorporating the amendment made by this act to section 718.111, Florida Statutes, in a reference thereto, paragraph (e) of subsection (3) of section 721.13, Florida Statutes, is reenacted to read:

721.13 Management.—

(3) The duties of the managing entity include, but are not limited to:

(e) Arranging for an annual audit of the financial statements of the timeshare plan by a certified public accountant licensed by the Board of Accountancy of the Department of Business and Professional Regulation, in accordance with generally accepted auditing standards as defined by the rules of the Board of Accountancy of the Department of Business and Professional Regulation. The financial statements required by this section must be prepared on an accrual basis using fund accounting, and must be presented in accordance with generally accepted accounting principles. A copy of the audited financial statements must be filed with the division for review and forwarded to the board of directors and officers of the owners' association, if one exists, no later than 5 calendar months after the end of the timeshare plan's fiscal year. If no owners' association exists, each purchaser must be notified, no later than 5 months after the end of the timeshare plan's fiscal year, that a copy of the audited financial statements is available upon request to the managing entity. Notwithstanding any requirement of s. 718.111(13) or s. 719.104(4), the audited financial statements required by this section are the only annual financial reporting requirements for timeshare condominiums or timeshare cooperatives.

Section 32. For the purpose of incorporating the amendment made by this act to section 718.112, Florida Statutes, in references thereto, paragraph (a) of subsection (7) and paragraph (c) of subsection (21) of section 718.504, Florida Statutes, are reenacted to read:

718.504 Prospectus or offering circular.—Every developer of a residential condominium which contains more than 20 residential units, or which is part of a group of residential condominiums which will be served by property to be used in common by unit owners of more than 20 residential units, shall prepare a prospectus or offering circular and file it with the Division of Florida Condominiums, Timeshares, and Mobile Homes prior to entering into an enforceable contract of purchase and sale of any unit or lease of a unit for more than 5 years and shall furnish a copy of the prospectus or offering circular to each buyer. In addition to the prospectus or offering circular, each buyer shall be furnished a separate page entitled "Frequently Asked Questions and Answers," which shall be in accordance with a format approved by the division and a copy of the financial information required by s. 718.111. This page shall, in readable language, inform prospective purchasers regarding their voting rights and unit use restrictions, including restrictions on the leasing of a unit; shall indicate whether and in what amount the unit owners or the association is obligated to pay rent or land use fees for recreational or other commonly used facilities; shall contain a statement identifying that amount of assessment which, pursuant to the budget, would be levied upon each unit type, exclusive of any special assessments, and which shall further identify the basis upon which assessments are levied, whether monthly, quarterly, or otherwise; shall state and identify any court cases in which the association is currently a party of record in which the association may face liability in excess of $100,000; shall state whether the condominium is created within a portion of a building or

within a multiple parcel building; and which shall further state whether membership in a recreational facilities association is mandatory, and if so, shall identify the fees currently charged per unit type. The division shall by rule require such other disclosure as in its judgment will assist prospective purchasers. The prospectus or offering circular may include more than one condominium, although not all such units are being offered for sale as of the date of the prospectus or offering circular. The prospectus or offering circular must contain the following information:

(7) A description of the recreational and other facilities that will be used in common with other condominiums, community associations, or planned developments which require the payment of the maintenance and expenses of such facilities, directly or indirectly, by the unit owners. The description shall include, but not be limited to, the following:

(a) Each building and facility committed to be built and a summary description of the structural integrity of each building for which reserves are required pursuant to s. 718.112(2)(g).

Descriptions shall include location, areas, capacities, numbers, volumes, or sizes and may be stated as approximations or minimums.

(21) An estimated operating budget for the condominium and the association, and a schedule of the unit owner's expenses shall be attached as an exhibit and shall contain the following information:

(c) The estimated items of expenses of the condominium and the association, except as excluded under paragraph (b), including, but not limited to, the following items, which shall be stated as an association expense collectible by assessments or as unit owners' expenses payable to persons other than the association:

1. Expenses for the association and condominium:

a. Administration of the association.

b. Management fees.

c. Maintenance.

d. Rent for recreational and other commonly used facilities.

e. Taxes upon association property.

f. Taxes upon leased areas.

g. Insurance.

h. Security provisions.

i. Other expenses.

j. Operating capital.

k. Reserves for all applicable items referenced in s. 718.112(2)(g).

l. Fees payable to the division.

2. Expenses for a unit owner:

a. Rent for the unit, if subject to a lease.

b. Rent payable by the unit owner directly to the lessor or agent under any recreational lease or lease for the use of commonly used facilities, which use and payment is a mandatory condition of ownership and is not included in the common expense or assessments for common maintenance paid by the unit owners to the association.

Section 33. For the purpose of incorporating the amendment made by this act to section 718.112, Florida Statutes, in a reference thereto, paragraph (d) of subsection (1) of section 718.618, Florida Statutes, is reenacted to read:

718.618 Converter reserve accounts; warranties.—

(1) When existing improvements are converted to ownership as a residential condominium, the developer shall establish converter reserve accounts for capital expenditures and deferred maintenance, or give warranties as provided by subsection (6), or post a surety bond as provided by subsection (7). The developer shall fund the converter reserve accounts in amounts calculated as follows:

(d) In addition to establishing the reserve accounts specified above, the developer shall establish those other reserve accounts required by s. 718.112(2)(f), and shall fund those accounts in accordance with the formula provided therein. The vote to waive or reduce the funding or reserves required by s. 718.112(2)(f) does not affect or negate the obligations arising under this section.

Section 34. For the purpose of incorporating the amendment made by this act to section 718.113, Florida Statutes, in a reference thereto, paragraph (e) of subsection (1) of section 718.115, Florida Statutes, is reenacted to read:

718.115 Common expenses and common surplus.—

(1)

(e)1. Except as provided in s. 718.113(5)(d), if the installation of hurricane protection is the responsibility of the unit owners pursuant to the declaration of condominium or a vote of the unit owners under s. 718.113(5), the cost of the installation of hurricane protection by the association is not a common expense and must be charged individually to the unit owners based on the cost of installation of hurricane protection appurtenant to the unit. The costs of installation of hurricane protection are enforceable as an assessment and may be collected in the manner provided under s. 718.116.

2. Notwithstanding s. 718.116(9), and regardless of whether the declaration requires the association or unit owners to install, maintain, repair, or replace hurricane protection, the owner of a unit in which hurricane protection that complies with the current applicable building code has been installed is excused from any assessment levied by the association or shall receive a credit if the same type of hurricane protection is installed by the association. A credit is applicable if the installation of hurricane protection is for all other units that do not have hurricane protection and the cost of such installation is funded by the association's budget, including the use of reserve funds. The credit must be equal to the amount that the unit owner would have been assessed to install the hurricane protection. However, such unit owner remains responsible for the pro rata share of expenses for hurricane protection installed on common elements and association property by the board pursuant to s. 718.113(5) and remains responsible for a pro rata share of the expense of the replacement, operation, repair, and maintenance of such hurricane protection. Expenses for the installation, replacement, operation, repair, or maintenance of hurricane protection on common elements and association property are common expenses.

Section 35. For the purpose of incorporating the amendments made by this act to sections 718.111, 718.112, and 718.503, Florida Statutes, in references thereto, subsections (1) and (3) of section 718.706, Florida Statutes, are reenacted to read:

718.706 Specific provisions pertaining to offering of units by a bulk assignee or bulk buyer.—

(1) Before offering more than seven units in a single condominium for sale or for lease for a term exceeding 5 years, a bulk assignee or a bulk buyer must file the following documents with the division and provide such documents to a prospective purchaser or tenant:

(a) An updated prospectus or offering circular, or a supplement to the prospectus or offering circular, filed by the original developer prepared in accordance with s. 718.504, which must include the form of contract for sale and for lease in compliance with s. 718.503(2);

(b) An updated Frequently Asked Questions and Answers sheet;

(c) The executed escrow agreement if required under s. 718.202; and

(d) The financial information required by s. 718.111(13). However, if a financial information report did not exist before the acquisition of title by the bulk assignee or bulk buyer, and if accounting records that permit preparation of the required financial information report for that period cannot be obtained despite good faith efforts by the bulk assignee or the bulk buyer, the bulk assignee or bulk buyer is excused from the requirement of this paragraph. However, the bulk assignee or bulk

buyer must include in the purchase contract the following statement in conspicuous type:

ALL OR A PORTION OF THE FINANCIAL INFORMATION REPORT REQUIRED UNDER S. 718.111(13) FOR THE TIME PERIOD BEFORE THE SELLER'S ACQUISITION OF THE UNIT IS NOT AVAILABLE OR CANNOT BE OBTAINED DESPITE THE GOOD FAITH EFFORTS OF THE SELLER.

(3) A bulk assignee, while in control of the board of administration of the association, may not authorize, on behalf of the association:

(a) The waiver of reserves or the reduction of funding of the reserves pursuant to s. 718.112(2)(f)2., unless approved by a majority of the voting interests not controlled by the developer, bulk assignee, and bulk buyer; or

(b) The use of reserve expenditures for other purposes pursuant to s. 718.112(2)(f)3., unless approved by a majority of the voting interests not controlled by the developer, bulk assignee, and bulk buyer.

Section 36. For the purpose of incorporating the amendment made by this act to section 718.301, Florida Statutes, in a reference thereto, subsection (2) of section 718.705, Florida Statutes, is reenacted to read:

718.705 Board of administration; transfer of control.—

(2) Unless control of the board of administration of the association has already been relinquished pursuant to s. 718.301(1), the bulk assignee must relinquish control of the association pursuant to s. 718.301 and this part, as if the bulk assignee were the developer.

Section 37. For the purpose of incorporating the amendment made by this act to section 719.106, Florida Statutes, in a reference thereto, subsection (24) of section 719.103, Florida Statutes, is reenacted to read:

719.103 Definitions.—As used in this chapter:

(24) "Structural integrity reserve study" means a study of the reserve funds required for future major repairs and replacement of the cooperative property performed as required under s. 719.106(1)(k).

Section 38. For the purpose of incorporating the amendment made by this act to section 719.106, Florida Statutes, in references thereto, paragraph (a) of subsection (7) and paragraph (c) of subsection (20) of section 719.504, Florida Statutes, are reenacted to read:

719.504 Prospectus or offering circular.—Every developer of a residential cooperative which contains more than 20 residential units, or which is part of a group of residential cooperatives which will be served by property to be used in common by unit owners of more than 20 residential units, shall prepare a prospectus or offering circular and file it with the Division of Florida Condominiums, Timeshares, and Mobile Homes prior to entering into an enforceable contract of purchase and sale of any unit or lease of a unit for more than 5 years and shall furnish a copy of the prospectus or offering circular to each buyer. In addition to the prospectus or offering circular, each buyer shall be furnished a separate page entitled "Frequently Asked Questions and Answers," which must be in accordance with a format approved by the division. This page must, in readable language: inform prospective purchasers regarding their voting rights and unit use restrictions, including restrictions on the leasing of a unit; indicate whether and in what amount the unit owners or the association is obligated to pay rent or land use fees for recreational or other commonly used facilities; contain a statement identifying that amount of assessment which, pursuant to the budget, would be levied upon each unit type, exclusive of any special assessments, and which identifies the basis upon which assessments are levied, whether monthly, quarterly, or otherwise; state and identify any court cases in which the association is currently a party of record in which the association may face liability in excess of $100,000; and state whether membership in a recreational facilities association is mandatory and, if so, identify the fees currently charged per unit type. The division shall by rule require such other disclosure as in its judgment will assist prospective purchasers. The prospectus or offering circular may include more than one cooperative, although not all such units are being offered for sale as of the date of the prospectus or offering circular. The prospectus or offering circular must contain the following information:

(7) A description of the recreational and other facilities that will be used in common with other cooperatives, community associations, or planned developments which require the payment of the maintenance and expenses of such facilities, directly or indirectly, by the unit owners. The description shall include, but not be limited to, the following:

(a) Each building and facility committed to be built and a summary description of the structural integrity of each building for which reserves are required pursuant to s. 719.106(1)(k).

Descriptions shall include location, areas, capacities, numbers, volumes, or sizes and may be stated as approximations or minimums.

(20) An estimated operating budget for the cooperative and the association, and a schedule of the unit owner's expenses shall be attached as an exhibit and shall contain the following information:

(c) The estimated items of expenses of the cooperative and the association, except as excluded under paragraph (b), including, but not limited to, the following items, which shall be stated as an association expense collectible by assessments or as unit owners' expenses payable to persons other than the association:

1. Expenses for the association and cooperative:

a. Administration of the association.

b. Management fees.

c. Maintenance.

d. Rent for recreational and other commonly used areas.

e. Taxes upon association property.

f. Taxes upon leased areas.

g. Insurance.

h. Security provisions.

i. Other expenses.

j. Operating capital.

k. Reserves for all applicable items referenced in s. 719.106(1)(k).

l. Fee payable to the division.

2. Expenses for a unit owner:

a. Rent for the unit, if subject to a lease.

b. Rent payable by the unit owner directly to the lessor or agent under any recreational lease or lease for the use of commonly used areas, which use and payment are a mandatory condition of ownership and are not included in the common expense or assessments for common maintenance paid by the unit owners to the association.

Section 39. Except as otherwise provided in this act, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to condominium and cooperative associations; amending s. 468.432, F.S.; prohibiting a person whose community association manager license is revoked from having an indirect or direct ownership interest in, or being an employee, a partner, an officer, a director, or a trustee of, a community association management firm for a specified timeframe; requiring a licensee to create and maintain an online licensure account with the Department of Business and Professional Regulation; requiring a community association manager to identify on his or her online licensure account certain information; requiring a licensee to provide specific information on his or her online licensure account; requiring that such information be updated within a specified timeframe; requiring a community association management firm to identify on its online licensure account the community association managers it employs to provide community association management services; requiring the department to give written notice to the

community association management firm and the community association if the community association manager has his or her license suspended or revoked; amending s. 468.4334, F.S.; prohibiting a community association manager or a community association management firm from knowingly performing any act directed by the community association if such act violates any state or federal law; revising the contractual obligations a community association manager or a community association management firm has with the association board; requiring that a contract include a certain statement, if applicable to the type of management services provided in the contract; providing that such contracts may not waive or limit certain professional practice standards; requiring a community association to include specified information on its website or mobile application, if such association is required to maintain official records on a website or an application; conforming provisions to changes made by the act; amending s. 468.4335, F.S.; revising what constitutes a rebuttable presumption of a conflict of interest with a community association manager or a community association management firm; defining the term "compensation"; requiring an association to solicit multiple bids from other third-party providers if a bid that exceeds a specified amount is or may reasonably be construed to be a conflict of interest; providing applicability; deleting a requirement that all contracts and transactional documents related to a proposed activity that is a conflict of interest be attached to the meeting agenda of the next board of administration meeting; requiring that the notice for the board meeting at which certain activity will be considered include certain information about a proposed activity that is a conflict of interest; deleting a requirement that the proposed activity be disclosed at the next regular or special meeting of the members; providing that a contract is voidable if certain findings are made; providing specifications for terminating a contract; making technical changes; amending s. 553.899, F.S.; requiring, rather than authorizing, the board of county commissioners or a municipal governing body to adopt a specified ordinance; requiring specified professionals who bid to perform a milestone inspection to disclose to the association in writing their intent to bid on services related to any maintenance, repair, or replacement that may be recommended by the milestone inspection; prohibiting such professionals from having any interest in or being related to any person having any interest in the firm or entity providing the association's milestone inspection unless such relationship is disclosed in writing; defining the term "relative"; providing that a contract for services is voidable and terminates upon the association filing a written notice terminating such contract if such professionals fail to provide a written disclosure of such relationship; providing that such professionals may be subject to discipline for failure to provide such written disclosure; requiring the local enforcement agency responsible for milestone inspections to provide to the department specified information in an electronic format by a specified date; requiring the department to provide to the Office of Program Policy Analysis and Government Accountability (OPPAGA) all information obtained from the local enforcement agencies by a specified date; authorizing OPPAGA to request from the local enforcement agency any additional information necessary to compile and provide a report to the Legislature; amending s. 718.103, F.S.; revising the definition of the term "alternative funding method"; defining the term "video conference"; amending s. 718.110, F.S.; providing that the declaration of a nonresidential condominium may be amended to change certain provisions if all affected record owners join in the execution of such amendment; providing that the approval of nonaffected record owners is not required; requiring that certain documents be served at a unit owner's address as reflected in the association's official records; amending s. 718.111, F.S.; requiring a community association manager or a community association management firm that contracts with a community association to possess specified licenses; providing that all board members or officers of a community association that contracts with a community association manager or a community association management firm have a duty to ensure that the community association manager or community association management firm is properly licensed before entering into a contract; authorizing a community association to terminate a contract with a community association manager or a community association management firm if the manager's or management firm's license is suspended or revoked during the term of the contract; requiring every condominium association to have adequate property insurance; deleting specified required coverage; providing that the amount of adequate insurance coverage may be based on the replacement cost of the property to be insured, as determined by an independent insurance appraisal or previous appraisal; requiring that such replacement cost be determined according to a specified timeframe; providing that an association's obligation to obtain and provide adequate property insurance may be satisfied by obtaining and maintaining insurance coverage sufficient to cover a specified amount; revising which items constitute the official records of the association; requiring that certain documents be posted on certain associations' websites or made available for download through an application on a mobile device within a specified timeframe; revising which documents must be posted in digital format on the association's website or application; revising the timeframe in which the association must deliver a copy of the most recent financial report or a notice that a copy of the most recent financial report will be distributed; revising the methods of delivery for a copy of the most recent association financial report to include electronic delivery via the Internet; requiring that an officer or a director execute an affidavit as evidence of compliance with the delivery requirement; revising how financial reports are prepared; requiring an association board to use best efforts to make prudent investment decisions in fulfilling its duty to manage operating and reserve funds of the association; authorizing an association, including a multicondominium association, to invest reserve funds in specified financial institutions without a vote of the unit owners; amending s. 718.112, F.S.; authorizing an association board meeting to be conducted in person or by video conference; requiring the Division of Florida Condominiums, Timeshares, and Mobile Homes to adopt rules; requiring that notice for board meetings conducted via video conference contain specific information; requiring that such meetings be recorded and maintained as an official record of the association; revising the distance from the condominium property within which a unit owner meeting must be held; authorizing a unit owner to vote electronically if the unit owner meeting is conducted via video conference; authorizing unit owner meetings to be conducted in person or via video conference; specifying what constitutes a quorum for meetings held via video conference; requiring that, if the bylaws are silent as to the location, the location of the meeting be provided in the association bylaws or within a specified distance from, or within the same county of, the condominium property; requiring that meetings held via video conference be recorded and be maintained as an official record of the association; requiring the division to adopt rules; revising the methods of serving notice of unit owner meetings; authorizing budget meetings to be conducted via video conference; requiring the division to adopt rules; requiring that a sound transmitting device be used at such meetings for a specified purpose; revising a provision requiring that a board proposing a budget that requires a certain special assessment against unit owners simultaneously propose a substitute budget that meets certain requirements, rather than conduct a special meeting of the unit owners to consider a substitute budget after the adoption of the annual budget; requiring unit owners, rather than authorizing them, to consider a substitute budget; providing that the annual budget initially proposed by the board be adopted under certain circumstances; revising the criteria used in determining whether assessments exceed the specified percentage of assessments of the previous fiscal year; revising the threshold for deferred maintenance expenses or replacements in reserve accounts; authorizing the members to vote to waive the maintenance of reserves recommended in the most recent structural integrity reserve study under certain circumstances; revising the provision that any association, rather than an association operating a multicondominium, may determine to provide no reserves or less reserves than required if an alternative funding method is used by the association; deleting a requirement that the division approve the funding method; providing that specified reserves may be funded by regular assessments, special assessments, lines of credit, or loans under certain circumstances; requiring that any special assessment, line of credit, or loan be approved by a majority of the total voting interests of the association; authorizing a unit-owner-controlled association that is required to have a structural reserve study to obtain a line of credit or a loan to fund capital expenses required by a milestone inspection or a structural integrity reserve study; requiring that any special assessment, line of credit, or loan be sufficient to fund the cumulative amount of any previously waived or unfunded portions of the reserve funding amount and the most recent structural integrity reserve study; requiring that funding from the line of credit or loan be immediately available for access by the board for a specified purpose without further approval by association members; requiring that such special assessments, lines of credit, or loans be included in the association's financial report; providing applicability; deleting a requirement that the majority of the members must approve of the board pausing contributions to the association's reserves for a specified purpose; authorizing the board to temporarily pause reserve fund contributions or reduce the amount of reserve funding for a specified purpose for a budget adopted on or before a specified date if the

association has completed a milestone inspection within a specified timeframe and such inspection recommended certain repairs; requiring that such temporary pause or reduction be approved by a majority of the total voting interests of the association; providing applicability; requiring associations that have paused or reduced their reserve funding to have a structural integrity reserve study performed before the continuation of reserve contributions for specified purposes; providing that an association's reserve accounts may be pooled for a specified number of required components; requiring that reserve funding for certain components be pooled within those components; requiring that reserve funding in the proposed annual budget be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent structural integrity reserve study; providing that a vote of the members is not required for the board to change the accounting method for reserves to specified accounting methods; requiring the division to annually adjust for inflation the minimum threshold amount for required reserves, based on specified criteria; requiring the division, by a specified date and annually thereafter, to conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves; revising the items to be included in a structural integrity reserve study; requiring specified design professionals or contractors who bid to perform a structural integrity reserve study to disclose in writing to the association their intent to bid on any services related to the maintenance, repair, or replacement that may be recommended by the structural integrity reserve study; prohibiting such professionals or contractors from having any interest in or being related to any person having any interest in the firm or entity providing the association's structural integrity reserve study unless such relationship is disclosed in writing; defining the term "relative"; providing that a contract for services is voidable and terminates upon the association filing a written notice terminating such a contract if such professional or contractor fails to provide a written disclosure of such relationship with the firm conducting the structural integrity reserve study; providing that such professional or contractor may be subject to discipline for his or her failure to provide such written disclosure; requiring that a structural integrity reserve study include a recommendation for a reserve funding schedule based on specified criteria; providing that the study may recommend other types of reserve funding schedules, provided each recommended schedule is sufficient to meet the association's maintenance obligations; requiring that reserves not required for certain items be separately identified as such in the structural integrity reserve study; requiring that the structural integrity reserve study take into consideration the funding method or methods used by the association to fund maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans; requiring that a structural integrity reserve study that has been performed before the approval of a special assessment or the securing of a line of credit or a loan be updated to reflect certain information regarding the reserve funding schedule; providing that a structural integrity reserve study may be updated to reflect changes in the useful life of the reserve items after such items are repaired or replaced, and the effect such repair or replacement will have on the reserve funding schedule; requiring an association to obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study; revising applicability; authorizing an association to delay a required structural integrity reserve study for a specified timeframe if it has completed a milestone inspection or similar inspection, for a specified purpose; requiring an officer or director of an association to sign an affidavit acknowledging receipt of the completed structural integrity reserve study; requiring the division to adopt rules for the form for the structural integrity reserve study in coordination with the Florida Building Commission; making technical changes; amending s. 718.113, F.S.; requiring the board to determine whose responsibility it is to pay for removal or reinstallation of hurricane protection under certain circumstances; deleting authorization for an association to enforce and collect certain charges as assessments; amending s. 718.1265, F.S.; revising the emergency powers of a condominium association; amending s. 718.128, F.S.; deleting a requirement for written notice of certain meetings; requiring, after a specified percentage of voting interests adopts a resolution, a board to hold a meeting within a certain timeframe to adopt such resolution; requiring that a petition to adopt a resolution be submitted to the board within a certain timeframe; requiring an association to designate an e-mail address for receipt of electronically transmitted ballots; requiring that electronically transmitted ballots meet specified requirements; authorizing a unit owner to electronically transmit a ballot without complying with certain provisions; requiring an association to count completed such electronically submitted ballots if such ballots comply with specified requirements; providing requirements for electronically transmitted ballots; providing a rebuttable presumption; amending s. 718.203, F.S.; providing that all condominiums, not just residential, can be covered by an insured warranty program; amending s. 718.301, F.S.; providing that certain provisions of law relating to transfer of control of an association do not apply to certain residential condominiums beginning on a specified date; amending s. 718.302, F.S.; providing that certain agreements may be cancelled by unit owners if the unit owners own a specified percentage of voting interests in certain condominiums; amending s. 718.407, F.S.; requiring that a specified report be provided to an association within a certain timeframe after the end of the fiscal year; requiring that copies of receipts and invoices be included with the report; authorizing the division to impose penalties under certain circumstances; authorizing an association to challenge the apportionment of certain costs of the shared facilities within a certain timeframe; providing construction; amending s. 718.501, F.S.; revising the duties of the Division of Florida Condominiums, Timeshares, and Mobile Homes regarding investigation of complaints; requiring condominium associations to create and maintain an online account with the division on or before a specified date; requiring condominium associations to provide requested information to the division; requiring the division to adopt rules; authorizing the division to require condominium associations to provide such information no more than once a year; requiring that certain information be updated within a specified timeframe; requiring the division to provide a condominium association a specified notice of any requirement to provide information after the condominium association creates an online account; specifying the information the division may require from a condominium association; amending s. 718.503, F.S.; revising the disclosures that must be included in a contract for the sale and resale of a residential unit; amending s. 8 of chapter 2024-244, Laws of Florida, as amended; requiring that specified documents be made available on an association's website or made available for download through an application on a mobile device within a specified timeframe; revising the documents required to be posted in digital format on an association's website or application; amending s. 31 of chapter 2024-244, Laws of Florida; revising retroactivity and applicability; amending s. 719.104, F.S.; requiring a board to use best efforts to make prudent investment decisions in fulfilling its duty to manage operating and reserve funds of the cooperative association; authorizing an association to invest reserve funds in specified financial institutions without a vote of the unit owners; amending s. 719.106, F.S.; revising the deferred maintenance expense or replacement costs threshold that must be included in reserve accounts; authorizing the board to pause contributions to its reserves or reduce reserve funding if a local building official determines the entire cooperative building is uninhabitable due to a natural emergency; authorizing any reserve account funds held by the association to be expended to make the cooperative building and its structures habitable, pursuant to the board's determination; requiring the association to immediately resume contributing funds to its reserves upon determination by the local building official that the cooperative building is habitable; providing that certain reserves may be funded by regular assessments, special assessments, lines of credit, or loans under certain circumstances; requiring that a special assessment, a line of credit, or a loan requires the approval of a majority vote of the total voting interests of an association; authorizing a unit-owner-controlled association to obtain a line of credit or a loan to fund capital expenses required by a milestone inspection or a structural integrity reserve study; requiring that such lines of credit or loans be sufficient to fund the cumulative amount of any previously waived or unfunded portion of the reserve funding amount and most recent structural integrity reserve study; requiring that funding from such line of credit or loan be immediately available for access by the board for a specified purpose without further approval by the members of the association; requiring that any special assessment, line of credit, or loan be included in the annual financial statement to be delivered to unit owners and provided to prospective unit purchasers; authorizing the board to temporarily pause reserve fund contributions or reduce the amount of reserve funding for a specified purpose for a budget adopted on or before a specified date if the association has completed a milestone inspection within a specified timeframe; requiring that such temporary pause or reduction be approved by a majority of the total voting interests of the association; providing applicability; requiring associations that have paused or reduced reserve funding contributions to have a structural

integrity reserve study performed for specified purposes before the continuation of reserve contributions; providing that an association's reserve accounts may be pooled for a specified number of required components; requiring that reserve funding for certain components be pooled within those components; requiring that reserve funding in the proposed annual budget be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent structural integrity reserve study; providing that a vote of the members is not required for the board to change the accounting method for reserves to specified accounting methods; requiring the division to annually adjust for inflation the minimum threshold amount for required reserves based on specified criteria; requiring the division, by a specified date and annually thereafter, to conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves; revising the items required to be included in a structural integrity reserve study; requiring specified design professionals or contractors, rather than any person qualified to perform a structural integrity reserve study, to perform structural integrity reserve studies; requiring such design professionals or contractors who bid to perform a structural integrity reserve study to disclose in writing to the association their intent to bid on any services related to the maintenance, repair, or replacement that may be recommended by the structural integrity reserve study; prohibiting such professionals or contractors from having any interest in or being related to any person having any interest in the firm or entity providing the association's structural integrity reserve study unless such relationship is disclosed in writing; defining the term "relative"; providing that a contract for services is voidable and terminates upon the association filing a written notice terminating such a contract if such professional or contractor fails to provide a written disclosure of such relationship with the firm conducting the structural integrity reserve study; providing that such professional or contractor may be subject to discipline for his or her failure to provide such written disclosure; requiring that a structural integrity reserve study include a recommendation for a reserve funding schedule based on specified criteria; providing that the study may recommend other types of reserve funding schedules, provided each recommended schedule is sufficient to meet the association's maintenance obligation; requiring that reserves not required for certain items be separately identified as such in the structural integrity reserve study; requiring that the structural integrity reserve study take into consideration the funding method or methods used by the association to fund its maintenance and reserve funding obligations through regular assessments, special assessments, lines of credit, or loans; requiring that a structural integrity reserve study that has been performed before the approval of a special assessment or the securing of a line of credit or a loan be updated to reflect certain information regarding the reserve funding schedule; providing that a structural integrity reserve study may be updated to reflect changes in the useful life of the reserve items after such items are repaired or replaced, and the effect of such repair or replacement will have on the reserve funding schedule; requiring an association to obtain an updated structural integrity reserve study before adopting any budget in which the reserve funding from regular assessments, special assessments, lines of credit, or loans do not align with the funding plan from the most recent version of the structural integrity reserve study; revising applicability; authorizing an association to delay a required structural integrity reserve study for a specified timeframe if it has completed a milestone inspection or similar inspection, for a specified purpose; requiring an officer or a director of the association to sign an affidavit acknowledging receipt of the completed structural integrity reserve study; requiring the division to adopt by rule the form for the structural integrity reserve study in coordination with the Florida Building Commission; amending s. 719.128, F.S.; revising the emergency powers of a cooperative association; amending s. 719.501, F.S.; requiring a cooperative association to create and maintain an online account with the division; requiring the division to adopt rules; authorizing the division to require cooperative associations to provide information to the division no more than once per year; providing an exception; requiring the division to provide associations a specified timeframe to provide any required information; specifying the information the division may request; amending s. 719.503, F.S.; revising the disclosures required to be included in a contract for the sale and resale of an interest in a cooperative; amending s. 914.21, F.S.; revising the definition of the term "official investigation"; reenacting s. 468.436(2)(b), F.S., relating to disciplinary proceedings, to incorporate the amendment made to s. 468.4335, F.S., in a reference thereto; reenacting ss. 718.106(2)(b), 718.117(4), 718.403(1)(d), and 718.405(4), F.S., relating to condominium appurtenances, termination of condominium, phase condominiums, and multicondominiums, respectively, to incorporate the amendment made to s. 718.110, F.S., in references thereto; reenacting s. 721.13(3)(e), F.S., relating to management, to incorporate the amendment made to s. 718.111, F.S., in a reference thereto; reenacting ss. 718.504(7)(a) and (21)(c) and 718.618(1)(d), F.S., relating to prospectus or offering circulars and converter reserve accounts and warranties, respectively, to incorporate the amendment made to s. 718.112, F.S., in references thereto; reenacting s. 718.115(1)(e), F.S., relating to common expenses and common surpluses, to incorporate the amendment made in s. 718.113, F.S., in a reference thereto; reenacting s. 718.706(1) and (3), F.S., relating to specific provisions pertaining to offering of units by bulk assignees or bulk buyers, to incorporate the amendments made to ss. 718.111, 718.112, and 718.503, F.S., in references thereto; reenacting s. 718.705(2), F.S., relating to the transfer of control of the board of administration, to incorporate the amendment made to s. 718.301, F.S., in a reference thereto; reenacting ss. 719.103(24) and 719.504(7)(a) and (20)(c), F.S., relating to definitions and prospectus or offering circulars, respectively, to incorporate the amendment made to s. 719.106, F.S., in references thereto; providing effective dates.

Senator Bradley moved the following amendments to **Amendment 1 (120290)**, which were adopted:

Amendment 1A (419638) (with directory and title amendments)—Between lines 226 and 227 insert:

(3)(a) An owner or owners of a building that is three *habitable* stories or more in height as determined by the Florida Building Code and that is subject, in whole or in part, to the condominium or cooperative form of ownership as a residential condominium under chapter 718 or a residential cooperative under chapter 719 must have a milestone inspection performed by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If a building reached 30 years of age before July 1, 2022, the building's initial milestone inspection must be performed before December 31, 2024. If a building reaches 30 years of age on or after July 1, 2022, and before December 31, 2024, the building's initial milestone inspection must be performed before December 31, 2025. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local building official.

And the directory clause is amended as follows:

Delete line 223 and insert: to that section, and paragraph (a) of subsection (3) and subsection (11) of that section are amended,

And the title is amended as follows:

Delete line 4226 and insert: amending s. 553.899, F.S.; revising the criteria for buildings that require a milestone inspection; requiring, rather than

Amendment 1B (201036) (with title amendment)—Delete lines 1558-1694 and insert:

b. The members of a unit-owner-controlled association may determine, by a majority vote of the total voting interests of the association, to provide no reserves or less reserves than required by this subsection. For a budget adopted on or after December 31, 2024, the members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not determine to provide no reserves or less reserves than required by this subsection for items listed in paragraph (g), except that members of an association operating a multicondominium may determine to provide no reserves or less reserves than required by this subsection if an alternative funding method has been approved by the division.

c.(I) Reserves for the items listed in paragraph (g) may be funded by regular assessments, special assessments, lines of credit, or loans. A special assessment, a line of credit, or a loan under this sub-subparagraph requires the approval of a majority vote of the total voting interests of the association.

(II) A unit-owner-controlled association that must have a structural integrity reserve study may secure a line of credit or a loan to fund capital expenses required by a milestone inspection under s. 553.899 or a structural integrity reserve study. The line of credit or loan must be sufficient to fund the cumulative amount of any previously waived or unfunded portions of the reserve funding amount required by this paragraph and the most recent structural integrity reserve study. Funding from the line of credit or loan must be immediately available for access by the board to fund required repair, maintenance, or replacement expenses without further approval by the members of the association. A special assessment, a line of credit, or a loan secured under this sub-subparagraph and related details must be included in the annual financial statement that is required under s. 718.111(13) to be delivered to unit owners and required under s. 718.503 to be provided to prospective purchasers of a unit.

(III) This sub-subparagraph does not apply to associations controlled by a developer as defined in s. 718.103, an association in which the nondeveloper unit owners have been in control for less than 1 year, or an association controlled by one or more bulk assignees or bulk buyers as those terms are defined in s. 718.703.

d. If the local building official, as defined in s. 468.603, determines that the entire condominium building is uninhabitable due to a natural emergency, as defined in s. 252.34, the board~~, upon the approval of a majority of its members,~~ may pause the contribution to its reserves or reduce reserve funding until the local building official determines that the condominium building is habitable. Any reserve account funds held by the association may be expended, pursuant to the board's determination, to make the condominium building and its structures habitable. Upon the determination by the local building official that the condominium building is habitable, the association must immediately resume contributing funds to its reserves.

e. For a budget adopted on or before December 31, 2028, if the association has completed a milestone inspection pursuant to s. 553.899 within the previous 2 calendar years, the board, upon the approval of a majority of the total voting interests of the association, may temporarily pause, for a period of no more than two consecutive annual budgets, reserve fund contributions or reduce the amount of reserve funding for the purpose of funding repairs recommended by the milestone inspection. This sub-subparagraph does not apply to an association controlled by a developer as defined in s. 718.103, an association in which the nondeveloper unit owners have been in control for less than 1 year, or an association controlled by one or more bulk assignees or bulk buyers as those terms are defined in s. 718.703. An association that has paused reserve contributions under this subparagraph must have a structural integrity reserve study performed before the continuation of reserve contributions in order to determine the association's reserve funding needs and to recommend a reserve funding plan.

f.~~b.~~ Before turnover of control of an association by a developer to unit owners other than a developer under s. 718.301, the developer-controlled association may not vote to waive the reserves or reduce funding of the reserves. If a meeting of the unit owners has been called to determine whether to waive or reduce the funding of reserves and no such result is achieved or a quorum is not attained, the reserves included in the budget shall go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves.

3. Reserve funds and any interest accruing thereon shall remain in the reserve account or accounts, and may be used only for authorized reserve expenditures unless their use for other purposes is approved in advance by a majority vote of all the total voting interests of the association. Before turnover of control of an association by a developer to unit owners other than the developer pursuant to s. 718.301, the developer-controlled association may not vote to use reserves for purposes other than those for which they were intended. For a budget adopted on or after December 31, 2024, members of a unit-owner-controlled association that must obtain a structural integrity reserve study may not vote to use reserve funds, or any interest accruing thereon, for any other purpose other than the replacement or deferred maintenance costs of the components listed in paragraph (g).

4. An association's reserve accounts may be pooled for two or more required components. Reserve funding for components listed in paragraph (g) may only be pooled with other components listed in paragraph (g). The reserve funding indicated in the proposed annual budget must be sufficient to ensure that available funds meet or exceed projected expenses for all components in the reserve pool based on the reserve funding plan or schedule of the most recent structural integrity reserve study. A vote of the members is not required for the board to change the accounting method for reserves to a pooling accounting method or a straight-line accounting method.

5.~~4.~~ The only voting interests that are eligible to vote on questions that involve waiving or reducing the funding of reserves, or using existing reserve funds for purposes other than purposes for which the reserves were intended, are the voting interests of the units subject to assessment to fund the reserves in question. Proxy questions relating to waiving or reducing the funding of reserves or using existing reserve funds for purposes other than purposes for which the reserves were intended must contain the following statement in capitalized, bold letters in a font size larger than any other used on the face of the proxy ballot:

WAIVING OF RESERVES, IN WHOLE OR IN PART, OR ALLOWING ALTERNATIVE USES OF EXISTING RESERVES MAY RESULT IN UNIT OWNER LIABILITY FOR PAYMENT OF UNANTICIPATED SPECIAL ASSESSMENTS REGARDING THOSE ITEMS.

6. The division shall annually adjust for inflation, based on the Consumer Price Index for All Urban Consumers released in January of each year, the minimum $25,000 threshold amount for required reserves. By February 1, 2026, and annually thereafter, the division must conspicuously post on its website the inflation-adjusted minimum threshold amount for required reserves.

(g) Structural integrity reserve study.—

1. A residential condominium association must have a structural integrity reserve study completed at least every 10 years after the condominium's creation for each building on the condominium property that is three *habitable* stories or higher in height,

And the title is amended as follows:

Delete lines 4361-4365 and insert: certain circumstances; deleting a

Amendment 1C (223950) (with title amendment)—Delete line 3097 and insert:
three *habitable* stories or higher in height, as determined by the Florida

And the title is amended as follows:

Delete line 4627 and insert: amount for required reserves; revising the criteria for buildings that require a structural integrity reserve study; revising the items

Amendment 1 (120290), as amended, was adopted.

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 913**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

CS for SB 7016—A bill to be entitled An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures expire and that the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting persons, beginning on a specified date, from collecting, delivering, or otherwise physically possessing more than a specified number of signed petition forms if they have not registered with the Secretary of State as a petition circulator and have not been issued a petition circulator number; authorizing specified persons to collect signed petitions forms from their immediate family under specified circumstances; defining the term "immediate family"; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring a certain statement to be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting an entity of state government or a person acting on behalf of such entity from expending or authorizing the expenditure of

public funds for political advertisements or other communications sent to electors concerning a proposed constitutional amendment or revision; providing applicability; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055, F.S.; conforming a cross-reference; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to provide criminal and civil penalties for violations of the Florida Election Code relating to irregularities or fraud involving issue petition activities; prohibiting the verification of a signed petition form for a specified timeframe; providing construction; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 7016**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1205** was withdrawn from the Committee on Appropriations.

On motion by Senators Gaetz and Grall, the rules were waived and—

CS for HB 1205—A bill to be entitled An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to immediately submit an initiative petition to the Attorney General under certain circumstances; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; amending and reenacting s. 99.097, F.S.; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter within a specified timeframe; providing that certain initiative petition signatures expire and the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting sponsors of initiative amendments from sponsoring more than one such amendment; providing requirements for sponsors before they obtain signatures; requiring a sponsor to post a specified bond; authorizing alternatives for such bond; providing requirements for specified petition forms; revising requirements for a person who collects or handles petitions; providing requirements for a person to be registered as a petition circulator; requiring a certain background check to be paid for by specified persons; requiring the Division of Elections to provide specified notification under certain circumstances; requiring the division to develop specified training; providing requirements for such training; revising requirements for petition circulator registration applications; authorizing the division to revoke a petition circulator's registration under certain circumstances; prohibiting specified compensation for petition circulators; revising the information included on the Petition Circulator's Affidavit; providing that certain acts by a person collecting initiative petition forms are violations of a specified law; providing penalties; providing that copying a completed petition or retaining specified information is a felony; providing and revising penalties; revising the frequency with which petition forms must be delivered to a supervisor of elections; prohibiting certain acts by initiative petition sponsors and persons collecting initiative petition forms; providing penalties; requiring a supervisor of elections to record the date on which each petition form is received; requiring the division to be notified of certain misfiled petitions; revising the information required on petition forms; requiring a supervisor of elections to electronically transmit signature forms to the division; providing requirements for such transmission; requiring a supervisor of elections to retain petition forms in a specified manner for a certain period of time; requiring a supervisor of elections to mail certain notification to specified voters; providing notification requirements; requiring the division to contact certain voters and provide the voters with a complaint form; requiring the division to verify signatures and revoke certain petitions; providing construction; prohibiting certain signatures from being revoked; revising the frequency with which actual costs of signature verification are posted and what is included in such costs; requiring a supervisor of elections to notify the Office of Election Crimes and Security upon a specified event; authorizing the office to investigate such event and report findings to certain authorities; authorizing a voter to challenge ballot placement certifications in a specified manner; providing requirements for such challenges; revising the voting membership of the Financial Impact Estimating Conference; amending s. 101.161, F.S.; authorizing the Legislature to define and describe elements of proposed constitutional amendments; amending s. 102.121, F.S.; requiring the Elections Canvassing Commission to make and sign separate constitutional amendment certificates; providing requirements for such certificates; amending s. 102.168, F.S.; providing that certification of the adoption of a constitutional amendment may be contested in court; providing requirements for such proceedings; amending s. 104.185, F.S.; providing criminal penalties for filling in missing information on certain petitions; amending s. 104.186, F.S.; providing a cross-reference for a specified violation of law; amending s. 104.187, F.S.; increasing criminal penalties for certain violations of law; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting the expenditure of public funds for certain purposes; providing applicability; providing construction; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; providing applicability; prohibiting the verification of a signed petition form for a specified period of time; providing construction; providing requirements for the Department of State; providing that certain registrations expire on a specified date; authorizing a supervisor of elections to increase the cost of a certain signature verification within a specified timeframe; requiring such cost to be posted on a specified website; authorizing the department to adopt certain emergency rules; amending s. 212.055, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 7016** and read the second time by title.

Senators Gaetz and Grall moved the following amendment:

Amendment 1 (842060) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *(1) The Legislature finds that the power to propose an amendment to the State Constitution is reserved to the people of Florida consistent with s. 3, Article XI of the State Constitution. Evidence of fraud related to the process of gathering signatures on petitions for constitutional amendments compels the Legislature to act to protect the integrity of the ballot, ensure a valid election process, and protect the constitutionally provided initiative process.*

(2) It is the intent of the Legislature to update the reasonable regulations in place for petition circulators, increase transparency and accountability for sponsors of initiative petitions, provide prospective signatories with objective information regarding the impact of a proposed amendment, and deter, prevent, and penalize fraudulent activities related to initiative petitions.

Section 2. Subsections (1) and (2) of section 15.21, Florida Statutes, are amended to read:

15.21 Initiative petitions; s. 3, Art. XI, State Constitution.—

(1) The Secretary of State shall immediately submit an initiative petition to the Attorney General if the sponsor has:

(a) Registered as a political committee pursuant to s. 106.03;

(b) Submitted the ballot title, *ballot summary* ~~substance~~, and *full* text of the proposed revision or amendment to the Secretary of State*, who has received a financial impact statement* pursuant to ss. 100.371 and 101.161; and

(c) Obtained a letter from the Division of Elections confirming that the sponsor has submitted to the appropriate supervisors for verification, and the supervisors have verified, forms signed and dated equal to 25 percent of the number of electors statewide required by s. 3, Art. XI of the State Constitution in one-half of the congressional districts of the state.

(2) If the Secretary of State has submitted an initiative petition to the Attorney General pursuant to subsection (1) but the validity of the signatures for such initiative petition has expired pursuant to *s. 100.371(14)(a)* ~~s. 100.371(11)(a)~~ before securing ballot placement, the Secretary of State must promptly notify the Attorney General. The Secretary of State may resubmit the initiative petition to the Attorney General if the initiative petition is later circulated for placement on the ballot of a subsequent general election and the criteria under subsection (1) are satisfied.

Section 3. Subsections (1), (2), and (3) of section 16.061, Florida Statutes, are amended to read:

16.061 Initiative petitions.—

(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, ~~and~~ the compliance of the proposed ballot title and substance with s. 101.161*, and the compliance of the financial impact statement with s. 100.371(16)*. The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

(2) A copy of the petition shall be provided to the Secretary of State and ~~the principal officer of~~ the sponsor *of the initiative petition*.

(3) Any *financial* ~~fiscal~~ impact statement that the *Supreme* Court finds not to be in accordance with *s. 100.371(16) must* ~~s. 100.371 shall~~ be remanded solely to the Financial Impact Estimating Conference for redrafting.

Section 4. Effective July 1, 2025, subsection (28) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(28) "Petition circulator" means an entity or individual who collects signatures ~~for compensation~~ for the purpose of qualifying a proposed constitutional amendment for ballot placement. *The term does not include a person who collects, delivers, or otherwise physically possesses no more than two signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to the person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.*

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to *s. 100.371(14)* ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) *Except as provided in s. 100.371(14)(d),* petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)*(a)* Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of *voters* ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment *may not sponsor more than one amendment and must* ~~shall~~, *before circulating any petition forms* ~~prior to obtaining any signatures~~, register as a political committee pursuant to s. 106.03 and submit the *ballot title, ballot summary, article and section of the State Constitution being amended, and full* text of the proposed amendment to the Secretary of State*. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats*~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~*. Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed* ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) *Beginning July 1, 2025, the petition form must prominently display all of the following:*

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the supervisor.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than two signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect*, deliver, or otherwise physically possess more than two signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse* ~~signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State~~.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as *received* ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth*, Florida driver license or Florida identification card number, and the last four digits of his or her social security number*.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) *A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.* ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to *whom* ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the *voter* ~~elector~~ signing the petition form *and shall ensure*~~, ensuring~~ that any petition form entrusted to the *sponsor or* petition circulator *is* ~~shall be~~ promptly delivered to the supervisor of elections *in the county in which the voter resides* within *10* ~~30~~ days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the supervisor of elections *in the county in which the voter resides* more than *10* ~~30~~ days after the *voter* ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of *$2,500* ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. *A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.*

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections *in the county in which the voter resides*. A fine in the amount of *$5,000* ~~$1,000~~ for any petition form not *so* submitted if the sponsor or petition circulator *acting on its behalf* acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. *If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.*

(12)~~(9)~~ The division shall adopt by rule a complaint form for *a voter* ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which *a voter* ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor *must* ~~shall~~ notify the petition sponsor *and the division* of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment *and processing* of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported *voter* ~~elector~~.

2. The purported *voter* ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported *voter's:* ~~elector's~~

a. Full name*;* ~~,~~

b. Address *and*~~, city,~~ county *of residence;*~~, and~~

c. Voter registration number or date of birth*; and*

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported *voter* ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered *voter* ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection *(4)* ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ *On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.*

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in (insert county).

The petition is for (insert the petition serial number and ballot title) and was signed on (insert the date the voter signed the petition).

Check this box □, sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 (insert the year in which the general election is held).

(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number).

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

(Voter's Signature) (Date)

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on his or her website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division.* The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(c)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(g)* ~~(11)(c)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to~~

~~meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with *s. 100.371(16)* ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office *and for each constitutional amendment*. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal *officers,* ~~and~~ state officers, *and constitutional amendments,* which certificates *must* ~~shall~~ be written and contain the total number of votes cast for *and against* each person for each office *and the total number of votes cast for and against each constitutional amendment*. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the *adoption of a constitutional amendment or the* result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any *voter* ~~elector~~ qualified to vote in the election related to such candidacy *or constitutional amendment*, or by any taxpayer, respectively.

(3) The complaint *must* ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office*;* or set aside the result of the election on a ~~submitted~~ referendum *or constitutional amendment*. The grounds for contesting an election *or a constitutional amendment* under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute *or of the proposed constitutional amendment for placement on the ballot*.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any *voter* ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum *or constitutional amendment*.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections*, in elections for constitutional amendments,* and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. *The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.*

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition*, or who fills in missing information on a signed petition,* to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered*, as prohibited by s. 100.371(5),* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates *s. 100.371(4)(a)* ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Effective July 1, 2025, section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered from immediate family; violations.—

(1) For the purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(2) A person who collects, delivers, or otherwise physically possesses more than two signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member, and who is not registered as a petition circulator pursuant to s. 100.371(4)(a), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 16. Section 106.151, Florida Statutes, is created to read:

106.151 Use of public funds prohibited.—

(1) As used in this section, the term "public funds" means all moneys under the jurisdiction or control of the state government.

(2) The state government or any person acting on behalf of the state government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning any proposed constitutional amendment or revision that is subject to a vote of the electors. This subsection applies to a communication initiated by the state government or a person acting on behalf of the state government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of a proposed constitutional amendment or revision. This subsection does not preclude the state government or a person acting on behalf of the state government from reporting on official actions of the state government in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

(3) With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the state government from expressing an opinion on any issue at any time.

Section 17. Subsection (3) of section 106.19, Florida Statutes, is amended to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a ~~paid~~ petition circulator which does not provide the name and address of the ~~paid~~ petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

Section 18. Paragraph (c) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(c)1. The proposal to adopt a discretionary sales surtax as provided in this subsection and to create a trust fund within the county accounts *must* ~~shall~~ be placed on the ballot in accordance with law and must be approved in a referendum held at a general election in accordance with subsection (10).

2. If the proposal to adopt a surtax is by initiative, the petition sponsor must, at least 180 days before the proposed referendum, comply with all of the following:

a. Provide a copy of the final resolution or ordinance to the Office of Program Policy Analysis and Government Accountability. The Office of Program Policy Analysis and Government Accountability shall procure a certified public accountant in accordance with subsection (11) for the performance audit.

b. File the initiative petition and its required valid signatures with the supervisor of elections. The supervisor of elections shall verify signatures and retain signature forms in the same manner as required for initiatives under *s. 100.371(14)* ~~s. 100.371(11)~~.

3. The failure of an initiative sponsor to comply with the requirements of subparagraph 2. renders any referendum held void.

Section 19. Paragraph (d) is added to subsection (8) of section 895.02, Florida Statutes, to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(d) A violation of the Florida Election Code relating to irregularities or fraud involving issue petition activities.

Section 20. *(1) To ensure uniformity and integrity in the initiative process, a signed petition form may not be verified between July 1, 2025, and September 30, 2025.*

(2) A petition form gathered after July 1, 2025, must be delivered as provided in this act to the appropriate entity. The processing hold described in subsection (1) does not toll any timeframe requirements that petition circulators are required to meet and may not be used as a defense to any fine imposed for the late submission of any petition forms to the appropriate entity.

Section 21. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures expire and that the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from

sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting persons, beginning on a specified date, from collecting, delivering, or otherwise physically possessing more than a specified number of signed petition forms if they have not registered with the Secretary of State as a petition circulator and have not been issued a petition circulator number; authorizing specified persons to collect signed petitions forms from their immediate family under specified circumstances; defining the term "immediate family"; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring a certain statement to be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting an entity of state government or a person acting on behalf of such entity from expending or authorizing the expenditure of public funds for political advertisements or other communications sent to electors concerning a proposed constitutional amendment or revision; providing applicability; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055, F.S.; conforming a cross-reference; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to provide criminal and civil penalties for violations of the Florida Election Code relating to irregularities or fraud involving issue petition activities; prohibiting the verification of a signed petition form for a specified timeframe; providing construction; providing effective dates.

WHEREAS, the Legislature and the Secretary of State, in their official capacities, have the duty and obligation to ensure ballot integrity and a valid election process, and

WHEREAS, ballot integrity is necessary to ensure the effectiveness of the constitutionally provided initiative process, and

WHEREAS, investigations conducted by the Office of Election Crimes and Security have shown that agents of political committees sponsoring initiative petitions engaged in illegal and fraudulent activities while gathering petition signatures in the lead-up to recent elections, and

WHEREAS, the evidence brought forward indicates numerous instances of petition circulators being paid per signature, signing petition forms on behalf of deceased individuals, forging or misrepresenting voter signatures on petition forms, using voters' personal identifying information without consent, committing perjury, and swearing false oaths, and

WHEREAS, compensating a petition circulator based on the number of petition forms gathered is a violation of s. 104.186, Florida Statutes; signing another person's name, whether dead or alive, or a fictitious name on a petition form is a violation of s. 104.185(2), Florida Statutes; and perjury or swearing a false oath is a violation of s. 837.02(1), Florida Statutes, and all such violations are third degree felonies under Florida law, and

WHEREAS, fraudulently using another individual's personal identification without his or her consent is a violation of s. 817.568, Florida Statutes, and is, at minimum, a third degree felony, and

WHEREAS, the fraudulent use of another individual's personal identifying information becomes a second degree felony with a 3-year mandatory minimum prison sentence if the violation involves the information of more than 10 but fewer than 20 persons, a 5-year mandatory minimum prison sentence if the violation involves the information of more than 20 but fewer than 30 persons, and a 10-year mandatory minimum prison sentence if the violation involves the information of more than 30 persons, and

WHEREAS, despite the fiduciary duty prescribed by Florida law, sponsors of initiative petitions have failed to cooperate with investigations and have attempted to deflect responsibility for the actions of petition circulators to contractors and subcontractors, with the sponsors denying that they have custody or control of documents requested by state officials, and

WHEREAS, sponsors, contractors, and petition circulators have blatantly attempted to evade investigation by delegating key aspects of petition activities to out-of-state entities, who then subcontracted with other individuals who were even further outside the reach of Florida authorities, and

WHEREAS, evidence provided to the Office of Election Crimes and Security by supervisors of elections in several counties showed that petition circulators submitted petition forms on behalf of more than 50 deceased Floridians, and

WHEREAS, information provided to the Office of Election Crimes and Security from multiple supervisors of elections and individual Florida voters showed that petition circulators committed perjury and swore false oaths by distributing petition forms with pre-signed attestations to groups of unregistered circulators, who then obtained signatures outside the registered circulator's presence, and

WHEREAS, investigations revealed that after petition forms were signed and submitted by voters, petition circulators tampered with the signed forms by using a website to obtain missing personal identifying information, and then filled in the incomplete petition forms, and

WHEREAS, investigations indicated that some otherwise valid petition forms were obtained by fraud, with circulators misleading prospective signatories by telling them that the amendment did something other than what was described in the ballot summary or amendment language, or not showing the signatories what was on the ballot at all, and

WHEREAS, evidence showed that petition circulators were able to obtain the four necessary elements of personal identifying information required on petitions — name, address, voter registration number or birthdate, and signature — using publicly available data to commit identity theft and complete dozens, hundreds, or even thousands of petitions without ever actually circulating a petition, and

WHEREAS, the Office of Election Crimes and Security received complaints from many Florida voters whose information was fraudulently submitted on forms for at least four initiative petitions circulated for inclusion in the 2024 General Election, and

WHEREAS, many of those complaints arose because some supervisors of elections notified a voter when a petition form bearing his or her name was rejected, which prompted such voters to contact the supervisor of elections or the Office of Election Crimes and Security to report potential fraud, and

WHEREAS, Florida does not currently restrict eligibility of persons to register as petition circulators, even in cases where such persons are not United States citizens, reside in another state, or have been convicted of a felony but have not had their right to vote restored, and

WHEREAS, at least one sponsor of an initiative amendment circulated during the 2024 General Election cycle settled a complaint with the Office of Election Crimes and Security for violations related to the petition process and agreed to pay $164,000 in fines, and

WHEREAS, existing fines and penalties levied against petition sponsors engaging in, encouraging, or, at the very least, turning a blind eye to illegal activities related to the petition process appear to be inadequate deterrents, and

WHEREAS, given its constitutional underpinnings, the right to propose an initiative by petition is inherent and absolute, but subject to reasonable regulations as necessary to ensure ballot integrity and a valid election process, NOW, THEREFORE,

Senators Gaetz and Grall moved the following amendment to **Amendment 1 (842060)** which was adopted:

Amendment 1A (532910) (with title amendment)—Delete lines 80-982 and insert:

delivers, or otherwise physically possesses no more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to the person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to *s. 100.371(14)* ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) *Except as provided in s. 100.371(14)(d),* petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)*(a)* Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of *voters* ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment *may not sponsor more than one amendment and must* ~~shall~~, *before circulating any petition forms* ~~prior to obtaining any signatures~~, register as a political commit-

tee pursuant to s. 106.03 and submit the *ballot title, ballot summary, article and section of the State Constitution being amended, and full* text of the proposed amendment to the Secretary of State. *The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats*~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. *Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed* ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) *Beginning July 1, 2025, the petition form must prominently display all of the following:*

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the supervisor.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than five signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect*, deliver, or otherwise physically possess more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. This paragraph may not be construed to prohibit a person from distributing petition forms designated for personal use as described in paragraph (3)(e). For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse* ~~signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State~~.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as *received* ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth*, Florida driver license or Florida identification card number, and the last four digits of his or her social security number*.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) *A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.* ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to *whom* ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the *voter* ~~elector~~ signing the petition form *and shall ensure*~~, ensuring~~ that any petition form entrusted to the *sponsor or* petition circulator *is* ~~shall be~~ promptly delivered to the supervisor of elections *in the county in which the voter resides* within *10* ~~30~~ days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the supervisor of elections *in the county in which the voter resides* more than *10* ~~30~~ days after the *voter* ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of *$2,500* ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. *A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.*

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections *in the county in which the voter resides*. A fine in the amount of *$5,000* ~~$1,000~~ for any petition form not *so* submitted if the sponsor or petition circulator *acting on its behalf* acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. *If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.*

(12)~~(9)~~ The division shall adopt by rule a complaint form for *a voter* ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator

to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which *a voter* ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor *must* ~~shall~~ notify the petition sponsor *and the division* of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment *and processing* of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported *voter* ~~elector~~.

2. The purported *voter* ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported *voter's:* ~~elector's~~

a. Full name*;*~~,~~

b. Address *and*~~, city,~~ county *of residence*;~~, and~~

c. Voter registration number or date of birth*; and*

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported *voter* ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered *voter* ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection *(4)* ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ *On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.*

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in ____*(insert county)*____.

The petition is for ____*(insert the petition serial number and ballot title)*____ *and was signed on* ____*(insert the date the voter signed the petition)*____.

Check this box □, sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 ____*(insert the year in which the general election is held)*____.

____*(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number)*____.

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

____*(Voter's Signature)*____ ____*(Date)*____

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on his or her website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division.* The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(c)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid sig-

natures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(g)* ~~(11)(e)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the~~

~~election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with *s. 100.371(16)* ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office *and for each constitutional amendment*. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal *officers,* ~~and~~ state officers, *and constitutional amendments,* which certificates *must* ~~shall~~ be written and contain the total number of votes cast for *and against* each person for each office *and the total number of votes cast for and against each constitutional amendment*. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the *adoption of a constitutional amendment or the* result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any *voter* ~~elector~~ qualified to vote in the election related to such candidacy *or constitutional amendment*, or by any taxpayer, respectively.

(3) The complaint *must* ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office*;* or set aside the result of the election on a ~~submitted~~ referendum *or constitutional amendment*. The grounds for contesting an election *or a constitutional amendment* under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute *or of the proposed constitutional amendment for placement on the ballot*.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any *voter* ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum *or constitutional amendment*.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections*, in elections for constitutional amendments,* and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. *The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.*

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition*, or who fills in missing information on a signed petition,* to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered*, as prohibited by s. 100.371(5),* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates *s. 100.371(4)(a)* ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Effective July 1, 2025, section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered from immediate family; violations.—

(1) For the purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(2) A person who collects, delivers, or otherwise physically possesses more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member, and who is not registered as a petition circulator pursuant to s. 100.371(4)(a), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) This section may not be construed to prohibit a person from distributing petition forms designed for personal use as described in s. 100.371(3)(e).

And the title is amended as follows:

Delete lines 1141-1294 and insert: specified circumstances; providing construction; defining the term "immediate family"; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney;

providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring that a certain statement be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; providing construction; creating s. 106.151, F.S.; defining the term

Senator Berman moved the following substitute amendment:

Substitute Amendment 2 (570150) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *(1) The Legislature finds that the power to propose an amendment to the State Constitution is reserved to the people of Florida consistent with s. 3, Article XI of the State Constitution. Evidence of fraud related to the process of gathering signatures on petitions for constitutional amendments compels the Legislature to act to protect the integrity of the ballot, ensure a valid election process, and protect the constitutionally provided initiative process.*

(2) It is the intent of the Legislature to update the reasonable regulations in place for petition circulators, increase transparency and accountability for sponsors of initiative petitions, provide prospective signatories with objective information regarding the impact of a proposed amendment, and deter, prevent, and penalize fraudulent activities related to initiative petitions.

Section 2. Subsections (1) and (2) of section 15.21, Florida Statutes, are amended to read:

15.21 Initiative petitions; s. 3, Art. XI, State Constitution.—

(1) The Secretary of State shall immediately submit an initiative petition to the Attorney General if the sponsor has:

(a) Registered as a political committee pursuant to s. 106.03;

(b) Submitted the ballot title, *ballot summary* ~~substance~~, and *full* text of the proposed revision or amendment to the Secretary of State*, who has received a financial impact statement* pursuant to ss. 100.371 and 101.161; and

(c) Obtained a letter from the Division of Elections confirming that the sponsor has submitted to the appropriate supervisors for verification, and the supervisors have verified, forms signed and dated equal to 25 percent of the number of electors statewide required by s. 3, Art. XI of the State Constitution in one-half of the congressional districts of the state.

(2) If the Secretary of State has submitted an initiative petition to the Attorney General pursuant to subsection (1) but the validity of the signatures for such initiative petition has expired pursuant to *s. 100.371(14)(a)* ~~s. 100.371(11)(a)~~ before securing ballot placement, the Secretary of State must promptly notify the Attorney General. The Secretary of State may resubmit the initiative petition to the Attorney General if the initiative petition is later circulated for placement on the ballot of a subsequent general election and the criteria under subsection (1) are satisfied.

Section 3. Subsections (1), (2), and (3) of section 16.061, Florida Statutes, are amended to read:

16.061 Initiative petitions.—

(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, ~~and~~ the compliance of the proposed ballot title and substance with s. 101.161*, and the compliance of the financial impact statement with s. 100.371(16)*. The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

(2) A copy of the petition shall be provided to the Secretary of State and ~~the principal officer of~~ the sponsor *of the initiative petition*.

(3) Any *financial* ~~fiscal~~ impact statement that the *Supreme* Court finds not to be in accordance with *s. 100.371(16) must* ~~s. 100.371 shall~~ be remanded solely to the Financial Impact Estimating Conference for redrafting.

Section 4. Effective July 1, 2025, subsection (28) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(28) "Petition circulator" means an entity or individual who collects signatures ~~for compensation~~ for the purpose of qualifying a proposed constitutional amendment for ballot placement. *The term does not include a person who collects, delivers, or otherwise physically possesses no more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to the person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.*

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of

the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to *s. 100.371(14)* ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) *Except as provided in s. 100.371(14)(d),* petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)*(a)* Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of *voters* ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment *may not sponsor more than one amendment and must* ~~shall~~, *before circulating any petition forms* ~~prior to obtaining any signatures~~, register as a political committee pursuant to s. 106.03 and submit the *ballot title, ballot summary, article and section of the State Constitution being amended, and full* text of the proposed amendment to the Secretary of State*. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats*~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. *Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed* ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) *Beginning July 1, 2025, the petition form must prominently display all of the following:*

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the supervisor.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than five signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect*, deliver, or otherwise physically possess more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. This paragraph may not be construed to prohibit a person from distributing petition forms designated for personal use as described in paragraph (3)(e). For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse* ~~sig-~~

~~natures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State~~.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as *received* ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth*, Florida driver license or Florida identification card number, and the last four digits of his or her social security number*.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) *A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.* ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to *whom* ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the *voter* ~~elector~~ signing the petition form *and shall ensure*~~, ensuring~~ that any petition form entrusted to the *sponsor or* petition circulator *is* ~~shall be~~ promptly delivered to the supervisor of elections *in the county in which the voter resides* within *10* ~~30~~ days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the supervisor of elections *in the county in which the voter resides* more than *10* ~~30~~ days after the *voter* ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of *$2,500* ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. *A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.*

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections *in the county in which the voter resides*. A fine in the amount of *$5,000*

~~$1,000~~ for any petition form not *so* submitted if the sponsor or petition circulator *acting on its behalf* acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. *If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.*

(12)~~(9)~~ The division shall adopt by rule a complaint form for *a voter* ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which *a voter* ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor *must* ~~shall~~ notify the petition sponsor *and the division* of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment *and processing* of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported *voter* ~~elector~~.

2. The purported *voter* ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported *voter's:* ~~elector's~~

a. Full name*;* ~~,~~

b. Address *and*~~, city,~~ county *of residence;* ~~, and~~

c. Voter registration number or date of birth*; and*

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported *voter* ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered *voter* ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection *(4)* ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ *On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.*

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in _____ *(insert county)* _____.

The petition is for _____ *(insert the petition serial number and ballot title)* _____ *and was signed on* _____ *(insert the date the voter signed the petition)* _____.

Check this box □, sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question

will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 (insert the year in which the general election is held).

(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number).

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

(Voter's Signature) (Date)

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on his or her website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division.* The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(e)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(g)* ~~(11)(e)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have ap-

propriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with *s. 100.371(16)* ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office *and for each constitutional amendment*. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal *officers,* ~~and~~ state officers, *and constitutional amendments,* which certificates *must* ~~shall~~ be written and contain the total number of votes cast for *and against* each person for each office *and the total number of votes cast for and against each constitutional amendment*. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the *adoption of a constitutional amendment or the* result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any *voter* ~~elector~~ qualified to vote in the election related to such candidacy *or constitutional amendment*, or by any taxpayer, respectively.

(3) The complaint *must* ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office*;* or set aside the result of the election on a ~~submitted~~ referendum *or constitutional amendment*. The grounds for contesting an election *or a constitutional amendment* under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute *or of the proposed constitutional amendment for placement on the ballot*.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any *voter* ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum *or constitutional amendment*.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections*, in elections for constitutional amendments,* and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. *The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.*

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition*, or who fills in missing information on a signed petition,* to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered*, as prohibited by s. 100.371(5),* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates *s. 100.371(4)(a)* ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Effective July 1, 2025, section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered from immediate family; violations.—

(1) For the purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(2) A person who collects, delivers, or otherwise physically possesses more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member, and who is not registered as a petition circulator pursuant to s. 100.371(4)(a), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) This section may not be construed to prohibit a person from distributing petition forms designed for personal use as described in s. 100.371(3)(e).

Section 16. Section 106.151, Florida Statutes, is created to read:

106.151 Use of public funds prohibited.—

(1) As used in this section, the term "public funds" means all moneys under the jurisdiction or control of the state government.

(2) The state government or any person acting on behalf of the state government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning any proposed constitutional amendment or revision that is subject to a vote of the electors. This subsection applies to a communication initiated by the state gov-

ernment or a person acting on behalf of the state government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of a proposed constitutional amendment or revision. This subsection does not preclude the state government or a person acting on behalf of the state government from reporting on official actions of the state government in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

(3) With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the state government from expressing an opinion on any issue at any time.

Section 17. Subsection (3) of section 106.19, Florida Statutes, is amended to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a ~~paid~~ petition circulator which does not provide the name and address of the ~~paid~~ petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

Section 18. Paragraph (c) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(c)1. The proposal to adopt a discretionary sales surtax as provided in this subsection and to create a trust fund within the county accounts *must* ~~shall~~ be placed on the ballot in accordance with law and must be approved in a referendum held at a general election in accordance with subsection (10).

2. If the proposal to adopt a surtax is by initiative, the petition sponsor must, at least 180 days before the proposed referendum, comply with all of the following:

a. Provide a copy of the final resolution or ordinance to the Office of Program Policy Analysis and Government Accountability. The Office of Program Policy Analysis and Government Accountability shall procure a certified public accountant in accordance with subsection (11) for the performance audit.

b. File the initiative petition and its required valid signatures with the supervisor of elections. The supervisor of elections shall verify signatures and retain signature forms in the same manner as required for initiatives under *s. 100.371(14)* ~~s. 100.371(11)~~.

3. The failure of an initiative sponsor to comply with the requirements of subparagraph 2. renders any referendum held void.

Section 19. Paragraph (d) is added to subsection (8) of section 895.02, Florida Statutes, to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(d) A violation of the Florida Election Code relating to irregularities or fraud involving issue petition activities.

Section 20. *(1) To ensure uniformity and integrity in the initiative process, a signed petition form may not be verified between July 1, 2025, and September 30, 2025.*

(2) A petition form gathered after July 1, 2025, must be delivered as provided in this act to the appropriate entity. The processing hold described in subsection (1) does not toll any timeframe requirements that petition circulators are required to meet and may not be used as a defense to any fine imposed for the late submission of any petition forms to the appropriate entity.

Section 21. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures expire and that the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting persons, beginning on a specified date, from collecting, delivering, or otherwise physically possessing more than a specified number of signed petition forms if they have not registered with the Secretary of State as a petition circulator and have not been issued a petition circulator number; authorizing specified persons to collect signed petitions forms from their immediate family under specified circumstances; providing construction; defining the term "immediate family"; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the

division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring that a certain statement be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; providing construction; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting an entity of state government or a person acting on behalf of such entity from expending or authorizing the expenditure of public funds for political advertisements or other communications sent to electors concerning a proposed constitutional amendment or revision; providing applicability; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055, F.S.; conforming a cross-reference; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to provide criminal and civil penalties for violations of the Florida Election Code relating to irregularities or fraud involving issue petition activities; prohibiting the verification of a signed petition form for a specified timeframe; providing construction; providing effective dates.

WHEREAS, the Legislature and the Secretary of State, in their official capacities, have the duty and obligation to ensure ballot integrity and a valid election process, and

WHEREAS, ballot integrity is necessary to ensure the effectiveness of the constitutionally provided initiative process, and

WHEREAS, investigations conducted by the Office of Election Crimes and Security have shown that agents of political committees sponsoring initiative petitions engaged in illegal and fraudulent activities while gathering petition signatures in the lead-up to recent elections, and

WHEREAS, the evidence brought forward indicates numerous instances of petition circulators being paid per signature, signing petition forms on behalf of deceased individuals, forging or misrepresenting voter signatures on petition forms, using voters' personal identifying information without consent, committing perjury, and swearing false oaths, and

WHEREAS, compensating a petition circulator based on the number of petition forms gathered is a violation of s. 104.186, Florida Statutes; signing another person's name, whether dead or alive, or a fictitious name on a petition form is a violation of s. 104.185(2), Florida Statutes; and perjury or swearing a false oath is a violation of s. 837.02(1), Florida Statutes, and all such violations are third degree felonies under Florida law, and

WHEREAS, fraudulently using another individual's personal identification without his or her consent is a violation of s. 817.568, Florida Statutes, and is, at minimum, a third degree felony, and

WHEREAS, the fraudulent use of another individual's personal identifying information becomes a second degree felony with a 3-year mandatory minimum prison sentence if the violation involves the information of more than 10 but fewer than 20 persons, a 5-year mandatory minimum prison sentence if the violation involves the information of more than 20 but fewer than 30 persons, and a 10-year mandatory minimum prison sentence if the violation involves the information of more than 30 persons, and

WHEREAS, despite the fiduciary duty prescribed by Florida law, sponsors of initiative petitions have failed to cooperate with investigations and have attempted to deflect responsibility for the actions of petition circulators to contractors and subcontractors, with the sponsors denying that they have custody or control of documents requested by state officials, and

WHEREAS, sponsors, contractors, and petition circulators have blatantly attempted to evade investigation by delegating key aspects of petition activities to out-of-state entities, who then subcontracted with other individuals who were even further outside the reach of Florida

authorities, and

WHEREAS, evidence provided to the Office of Election Crimes and Security by supervisors of elections in several counties showed that petition circulators submitted petition forms on behalf of more than 50 deceased Floridians, and

WHEREAS, information provided to the Office of Election Crimes and Security from multiple supervisors of elections and individual Florida voters showed that petition circulators committed perjury and swore false oaths by distributing petition forms with pre-signed attestations to groups of unregistered circulators, who then obtained signatures outside the registered circulator's presence, and

WHEREAS, investigations revealed that after petition forms were signed and submitted by voters, petition circulators tampered with the signed forms by using a website to obtain missing personal identifying information, and then filled in the incomplete petition forms, and

WHEREAS, investigations indicated that some otherwise valid petition forms were obtained by fraud, with circulators misleading prospective signatories by telling them that the amendment did something other than what was described in the ballot summary or amendment language, or not showing the signatories what was on the ballot at all, and

WHEREAS, evidence showed that petition circulators were able to obtain the four necessary elements of personal identifying information required on petitions — name, address, voter registration number or birthdate, and signature — using publicly available data to commit identity theft and complete dozens, hundreds, or even thousands of petitions without ever actually circulating a petition, and

WHEREAS, the Office of Election Crimes and Security received complaints from many Florida voters whose information was fraudulently submitted on forms for at least four initiative petitions circulated for inclusion in the 2024 General Election, and

WHEREAS, many of those complaints arose because some supervisors of elections notified a voter when a petition form bearing his or her name was rejected, which prompted such voters to contact the supervisor of elections or the Office of Election Crimes and Security to report potential fraud, and

WHEREAS, Florida does not currently restrict eligibility of persons to register as petition circulators, even in cases where such persons are not United States citizens, reside in another state, or have been convicted of a felony but have not had their right to vote restored, and

WHEREAS, at least one sponsor of an initiative amendment circulated during the 2024 General Election cycle settled a complaint with the Office of Election Crimes and Security for violations related to the petition process and agreed to pay $164,000 in fines, and

WHEREAS, existing fines and penalties levied against petition sponsors engaging in, encouraging, or, at the very least, turning a blind eye to illegal activities related to the petition process appear to be inadequate deterrents, and

WHEREAS, given its constitutional underpinnings, the right to propose an initiative by petition is inherent and absolute, but subject to reasonable regulations as necessary to ensure ballot integrity and a valid election process, NOW, THEREFORE,

Senator Davis moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2A (848000) (with title amendment)—Delete lines 34-1060 and insert:

confirming that the sponsor has submitted to the *division* ~~appropriate supervisors~~ for verification, and the *division has* ~~supervisors have~~ verified, forms signed and dated equal to 25 percent of the number of electors statewide required by s. 3, Art. XI of the State Constitution in one-half of the congressional districts of the state.

(2) If the Secretary of State has submitted an initiative petition to the Attorney General pursuant to subsection (1) but the validity of the signatures for such initiative petition has expired pursuant to *s. 100.371(14)(a)* ~~s. 100.371(11)(a)~~ before securing ballot placement, the Secretary of State must promptly notify the Attorney General. The Secretary of State may resubmit the initiative petition to the Attorney General if the initiative petition is later circulated for placement on the ballot of a subsequent general election and the criteria under subsection (1) are satisfied.

Section 3. Subsections (1), (2), and (3) of section 16.061, Florida Statutes, are amended to read:

16.061 Initiative petitions.—

(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, ~~and~~ the compliance of the proposed ballot title and substance with s. 101.161*, and the compliance of the financial impact statement with s. 100.371(16)*. The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

(2) A copy of the petition shall be provided to the Secretary of State and ~~the principal officer of~~ the sponsor *of the initiative petition*.

(3) Any *financial* ~~fiscal~~ impact statement that the *Supreme* Court finds not to be in accordance with *s. 100.371(16) must* ~~s. 100.371 shall~~ be remanded solely to the Financial Impact Estimating Conference for redrafting.

Section 4. Effective July 1, 2025, subsection (28) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(28) "Petition circulator" means an entity or individual who collects signatures ~~for compensation~~ for the purpose of qualifying a proposed constitutional amendment for ballot placement. *The term does not include a person who collects, delivers, or otherwise physically possesses no more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to the person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.*

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to *the division* ~~supervisors~~.

(4)(a) The *division* ~~supervisor~~ must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the *division* ~~supervisor~~ in advance the cost posted by the *division* ~~supervisor~~ pursuant to *s. 100.371(14)* ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) *Except as provided in s. 100.371(14)(d),* petitions must be retained by the *division* ~~supervisors~~ for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)*(a)* Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of *voters* ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment *may not sponsor more than one amendment and must* ~~shall~~, *before circulating any petition forms* ~~prior to obtaining any signatures~~, register as a political committee pursuant to s. 106.03 and submit the *ballot title, ballot summary, article and section of the State Constitution being amended, and full* text of the proposed amendment to the Secretary of State. *The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats*~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. *Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed* ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) *Beginning July 1, 2025, the petition form must prominently display all of the following:*

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the division.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than five signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect*, deliver, or otherwise physically possess more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. This paragraph may not be construed to prohibit a person from distributing petition forms designated for personal use as described in paragraph (3)(e). For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse* ~~signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State~~.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as *received* ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth*, Florida driver license or Florida identification card number, and the last four digits of his or her social security number*.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) *A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.* ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to *whom* ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. ~~Each supervisor of elections shall provide to the division information on petition forms assigned to and received from petition circulators.~~ The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the *voter* ~~elector~~ signing the petition form *and shall ensure*~~, ensuring~~ that any petition form entrusted to the *sponsor or* petition circulator *is* ~~shall be~~ promptly delivered to the *division* ~~supervisor of elections~~ within *10* ~~30~~ days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the *division* ~~supervisor of elections~~, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the *division* ~~supervisor of elections~~ more than *10* ~~30~~ days after the *voter* ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of *$2,500* ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. *A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the division after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.*

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the *division* ~~supervisor of elections~~. A fine in the amount of *$5,000* ~~$1,000~~ for any petition form not *so* submitted if the sponsor or petition circulator *acting on its behalf* acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. *If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.*

(12)~~(9)~~ The division shall adopt by rule a complaint form for *a voter* ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the *division* ~~supervisor~~. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which *a voter* ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the *division* ~~supervisor of elections for the county of residence listed by the person signing the form~~ for verification of the number of valid signatures obtained.

(b) The division shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the *division must* ~~supervisor shall~~ notify the petition sponsor of the misfiled petition. The *division* ~~supervisor~~ shall promptly verify the signatures within 60 days after receipt of the petition forms and payment *and processing* of a fee for the actual cost of signature verification incurred by the *division* ~~supervisor~~. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the *division* ~~supervisor~~ shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the *division* ~~supervisor~~ shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the *division* ~~supervisor~~, and the date the signature on the form is verified as valid. The *division* ~~supervisor~~ may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported *voter* ~~elector~~.

2. The purported *voter* ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported *voter's:* ~~elector's~~

a. Full name*;* ~~;~~

b. Address *and*~~, city,~~ county *of residence;*~~, and~~

c. Voter registration number or date of birth*; and*

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported *voter* ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered *voter* ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection *(4)* ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ *On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, the division shall electronically store all received petition forms. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.*

2. The division shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the division shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Division of Elections.

The petition is for _____ *(insert the petition serial number and ballot title)* _____ *and was signed on* _____ *(insert the date the voter signed the petition)* _____.

Check this box □, sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 _____ *(insert the year in which the general election is held)* _____.

_____ *(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number)* _____.

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

_____ *(Voter's Signature)* _____ *(Date)*

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) The division ~~Each supervisor~~ shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on *its* ~~his or her~~ website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures and printing and all postage costs related to the verification notice required by paragraph (e).* The division shall also publish each county's current

cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(c)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, *the division* ~~each supervisor~~ shall post on *its* ~~his or her~~ website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the division exceeds a total of 25 percent of the petition forms received by the division for that reporting period, the division shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the *division* ~~supervisors of elections~~ the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(g)* ~~(11)(c)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, the division may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. The division shall post the cost of signature verification on its publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with *s. 100.371(16)* ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office *and for each constitutional amendment*. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal *officers,* ~~and~~ state officers, *and constitutional amendments,* which certificates *must* ~~shall~~ be written and contain the total number of votes cast for *and against* each person for each office *and the total number of votes cast for and against each constitutional amendment*. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the *adoption of a constitutional amendment or the* result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any *voter* ~~elector~~ qualified to vote in the election related to such candidacy *or constitutional amendment*, or by any taxpayer, respectively.

(3) The complaint *must* ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office*;* or set aside the result of the election on a ~~submitted~~ referendum *or constitutional amendment*. The grounds for contesting an election *or a constitutional amendment* under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute *or of the proposed constitutional amendment for placement on the ballot*.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any *voter* ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum *or constitutional amendment*.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections*, in elections for constitutional amendments,* and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. *The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.*

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition*, or who fills in missing information on a signed petition,* to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered*, as prohibited by s. 100.371(5),* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates *s. 100.371(4)(a)* ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Effective July 1, 2025, section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered from immediate family; violations.—

(1) For the purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(2) A person who collects, delivers, or otherwise physically possesses more than five signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member, and who is not registered as a petition circulator pursuant to s. 100.371(4)(a), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) This section may not be construed to prohibit a person from distributing petition forms designed for personal use as described in s. 100.371(3)(e).

Section 16. Section 106.151, Florida Statutes, is created to read:

106.151 Use of public funds prohibited.—

(1) As used in this section, the term "public funds" means all moneys under the jurisdiction or control of the state government.

(2) The state government or any person acting on behalf of the state government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning any proposed constitutional amendment or revision that is subject to a vote of the electors. This subsection applies to a communication initiated by the state government or a person acting on behalf of the state government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of a proposed constitutional amendment or revision. This subsection does not preclude the state government or a person acting on behalf of the state government from reporting on official actions of the state government in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

(3) With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the state government from expressing an opinion on any issue at any time.

Section 17. Subsection (3) of section 106.19, Florida Statutes, is amended to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a ~~paid~~ petition circulator which does not provide the name and address of the ~~paid~~ petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

Section 18. Paragraph (c) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the

duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(c)1. The proposal to adopt a discretionary sales surtax as provided in this subsection and to create a trust fund within the county accounts *must* ~~shall~~ be placed on the ballot in accordance with law and must be approved in a referendum held at a general election in accordance with subsection (10).

2. If the proposal to adopt a surtax is by initiative, the petition sponsor must, at least 180 days before the proposed referendum, comply with all of the following:

a. Provide a copy of the final resolution or ordinance to the Office of Program Policy Analysis and Government Accountability. The Office of Program Policy Analysis and Government Accountability shall procure a certified public accountant in accordance with subsection (11) for the performance audit.

b. File the initiative petition and its required valid signatures with the *division* ~~supervisor of elections~~. The *division* ~~supervisor of elections~~ shall verify signatures and retain signature forms in

And the title is amended as follows:

Delete lines 1101-1315 and insert: General; conforming provisions to changes made by the act; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures expire and that the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting persons, beginning on a specified date, from collecting, delivering, or otherwise physically possessing more than a specified number of signed petition forms if they have not registered with the Secretary of State as a petition circulator and have not been issued a petition circulator number; authorizing specified persons to collect signed petitions forms from their immediate family under specified circumstances; providing construction; defining the term "immediate family"; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to petition circulators; requiring sponsors to deliver forms promptly to the division within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the division to adopt specified rules; requiring the sponsor to submit signed and dated forms to the division; requiring the division to record the date a submitted petition is received; requiring the division to notify the petition sponsor of any misfiled petition; requiring the division to verify signatures within a specified timeframe; revising the conditions under which the division verifies signatures to include processing of a certain fee; requiring the division, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which the division may verify a signature on an initiative petition form; requiring the division to electronically store, in a specified manner, all received petition forms; requiring that such forms be identified as valid or invalid; requiring the division to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring the division to retain such forms for a specified timeframe; requiring the division to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that the division is required to post on its website the actual costs of signature verification for all petition forms, and that it may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring the division to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring that a certain statement be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing the division to increase the costs of signature verification before a specified date; requiring the division to post such cost on its

publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term "immediate family"; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; providing construction; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting an entity of state government or a person acting on behalf of such entity from expending or authorizing the expenditure of public funds for political advertisements or other communications sent to electors concerning a proposed constitutional amendment or revision; providing applicability; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055, F.S.; conforming a provision to changes made by the act; conforming a cross-reference; amending s.

Senator Smith moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2B (563088) (with title amendment)—Delete lines 73-988 and insert:

Section 4. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to *s. 100.371(14)* ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) *Except as provided in s. 100.371(14)(d),* petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 5. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)*(a)* Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of *voters* ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment *may not sponsor more than one amendment and must* ~~shall~~, *before circulating any petition forms* ~~prior to obtaining any signatures~~, register as a political committee pursuant to s. 106.03 and submit the *ballot title, ballot summary, article and section of the State Constitution being amended, and full* text of the proposed amendment to the Secretary of State. *The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats*~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. *Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed* ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) *Beginning July 1, 2025, the petition form must prominently display all of the following:*

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the supervisor.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) A person may not collect signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as *received* ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth*, Florida driver license or Florida identification card number, and the last four digits of his or her social security number*.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) *A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.* ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain

information identifying the petition circulator to *whom* ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the *voter* ~~elector~~ signing the petition form *and shall ensure*~~, ensuring~~ that any petition form entrusted to the *sponsor or* petition circulator *is* ~~shall be~~ promptly delivered to the supervisor of elections *in the county in which the voter resides* within *10* ~~30~~ days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the supervisor of elections *in the county in which the voter resides* more than *10* ~~30~~ days after the *voter* ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of *$2,500* ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. *A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.*

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections *in the county in which the voter resides*. A fine in the amount of *$5,000* ~~$1,000~~ for any petition form not *so* submitted if the sponsor or petition circulator *acting on its behalf* acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. *If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.*

(12)~~(9)~~ The division shall adopt by rule a complaint form for *a voter* ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which *a voter* ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor *must* ~~shall~~ notify the petition sponsor *and the division* of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment *and processing* of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported *voter* ~~elector~~.

2. The purported *voter* ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported *voter's:* ~~elector's~~

a. Full name~~,~~;

b. Address *and*~~, city,~~ county *of residence;*~~, and~~

c. Voter registration number or date of birth*; and*

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported *voter* ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered *voter* ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection *(4)* ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ *On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.*

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in (insert county).

The petition is for (insert the petition serial number and ballot title) and was signed on (insert the date the voter signed the petition).

Check this box □, sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 (insert the year in which the general election is held).

(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number).

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

(Voter's Signature) (Date)

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on his or her website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division.* The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(e)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(g)* ~~(11)(e)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 6. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 7. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with *s. 100.371(16)* ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 8. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office *and for each constitutional amendment*. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 9. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal *officers,* ~~and~~ state officers, *and constitutional amendments,* which certificates *must* ~~shall~~ be written and contain the total number of votes cast for *and against* each person for each office *and the total number of votes cast for and against each constitutional amendment*. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 10. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the *adoption of a constitutional amendment or the* result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any *voter* ~~elector~~ qualified to vote in the election related to such candidacy *or constitutional amendment*, or by any taxpayer, respectively.

(3) The complaint *must* ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office*;* or set aside the result of the election on a ~~submitted~~ referendum *or constitutional amendment*. The grounds for contesting an election *or a constitutional amendment* under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute *or of the proposed constitutional amendment for placement on the ballot*.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any *voter* ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum *or constitutional amendment*.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections*, in elections for constitutional amendments,* and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. *The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.*

Section 11. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition*, or who fills in missing information on a signed petition,* to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 12. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered*, as prohibited by s. 100.371(5),* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 13. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates *s. 100.371(4)(a)* ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Delete lines 1108-1300 and insert: reference; making a technical change; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative's signatures and disbanding of the sponsor's political committee; providing that certain initiative petition signatures expire and that the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring a certain statement to be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 106.151,

Senator Bernard moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2C (662550) (with title amendment)—Delete lines 81-982 and insert:
delivers, or otherwise physically possesses signed petition forms for personal use only.

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to *s. 100.371(14)* ~~s. 100.371(11) for the actual cost of checking signatures to place a statewide issue on the ballot~~.

(d) *Except as provided in s. 100.371(14)(d),* petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:

100.371 Initiatives; procedure for placement on ballot.—

(1)*(a)* Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of *voters* ~~electors~~ under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment *may not sponsor more than one amendment and must* ~~shall~~, *before circulating any petition forms* ~~prior to obtaining any signatures~~, register as a political committee pursuant to s. 106.03 and submit the *ballot title, ballot summary, article and section of the State Constitution being amended, and full* text of the proposed amendment to the Secretary of State*. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats*~~, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form~~. *Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed* ~~The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats~~.

(3)(a) *Beginning July 1, 2025, the petition form must prominently display all of the following:*

1. The petition number.

2. The ballot title.

3. The ballot summary.

4. A notice that the form becomes a public record upon receipt by the supervisor.

5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.

6. A notice that the form will not be validated if all of the requested information is not completed.

7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.

2. The name and address of the sponsor.

3. The date received by the Secretary of State.

4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.

2. The voter's address and county of legal residence.

3. The voter's Florida voter registration number or date of birth.

4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.

5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.

6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.

2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than five signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect*, deliver, or otherwise physically possess more than five signed petition forms, unless the forms are designated for personal use only* ~~signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State~~.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)~~(4)~~ An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.~~(a)~~ The information required to be on the petition form under s. 101.161, including the ballot summary and title as *received* ~~approved~~ by the Secretary of State.

2.~~(b)~~ The applicant's name, permanent address, temporary address, if applicable, ~~and~~ date of birth*, Florida driver license or Florida identification card number, and the last four digits of his or her social security number*.

3.~~(c)~~ An address in this state at which the applicant will accept service of process related to disputes concerning the petition process~~, if the applicant is not a resident of this state~~.

4.~~(d)~~ A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.~~(e)~~ Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.

2. An overview of the petition circulator registration requirements.

3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.

4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of $50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) *A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.* ~~All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:~~

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

(6) The division ~~or the supervisor of elections~~ shall make ~~hard copy petition forms or~~ electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to *whom* ~~which~~ the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms ~~assigned to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the *voter* ~~elector~~ signing the petition form *and shall ensure*~~, ensuring~~ that any petition form entrusted to the *sponsor or* petition circulator *is* ~~shall be~~ promptly delivered to the supervisor of elections *in the county in which the voter resides* within *10* ~~30~~ days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the supervisor of elections *in the county in which the voter resides* more than *10* ~~30~~ days after the *voter* ~~elector~~ signed the petition form ~~or the next business day, if the office is closed~~. A fine in the amount of *$2,500* ~~$250~~ for each petition form received if the sponsor or petition circulator acted willfully.

2. *A fine in the amount of $100 per each day late, up to a maximum of $5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of $5,000 for each such petition form received if the sponsor or petition circulator acted willfully.*

3. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections *in the county in which the voter resides*. A fine in the amount of *$5,000* ~~$1,000~~ for any petition form not *so* submitted if the sponsor or petition circulator *acting on its behalf* acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any

petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of $5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of $50 for each petition form that is a violation of this subsection.

(11)~~(8)~~ If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. *If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.*

(12)~~(9)~~ The division shall adopt by rule a complaint form for *a voter* ~~an elector~~ who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)~~(10)~~ The date on which *a voter* ~~an elector~~ signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)~~(11)(a)~~ An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor *must* ~~shall~~ notify the petition sponsor *and the division* of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment *and processing* of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported *voter* ~~elector~~.

2. The purported *voter* ~~elector~~ has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported *voter's:* ~~elector's~~

a. Full name~~;~~

b. Address *and*~~, city,~~ county *of residence;*~~, and~~

c. Voter registration number or date of birth*; and*

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported *voter* ~~elector~~ is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered *voter* ~~elector~~ in the state.

5. The signature was obtained legally, including that if a ~~paid~~ petition circulator was used, the circulator was validly registered under subsection *(4)* ~~(3)~~ when the signature was obtained.

~~The supervisor shall retain all signature forms, separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.~~(b)~~ *On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.*

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in (insert county).

The petition is for (insert the petition serial number and ballot title) and was signed on (insert the date the voter signed the petition).

Check this box □, sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 (insert the year in which the general election is held).

(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number).

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

(Voter's Signature) *(Date)*

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on his or her website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division.* The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)~~(e)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(g)* ~~(11)(e)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact~~

~~Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with *s. 100.371(16)* ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.

The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office *and for each constitutional amendment*. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal *officers,* ~~and~~ state officers, *and constitutional amendments,* which certificates *must* ~~shall~~ be written and contain the total number of votes cast for *and against* each person for each office *and the total number of votes cast for and against each constitutional amendment*. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the *adoption of a constitutional amendment or the* result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any *voter* ~~elector~~ qualified to vote in the election related to such candidacy *or constitutional amendment*, or by any taxpayer, respectively.

(3) The complaint *must* ~~shall~~ set forth the grounds on which the contestant intends to establish his or her right to such office*;* or set aside the result of the election on a ~~submitted~~ referendum *or constitutional amendment*. The grounds for contesting an election *or a constitutional amendment* under this section are:

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute *or of the proposed constitutional amendment for placement on the ballot*.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any *voter* ~~elector~~, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question ~~submitted~~ by referendum *or constitutional amendment*.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections*, in elections for constitutional amendments,* and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. *The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.*

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition*, or who fills in missing information on a signed petition,* to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered*, as prohibited by s. 100.371(5),* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates *s. 100.371(4)(a)* ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Effective July 1, 2025, section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered not for personal use.—A person who collects, delivers, or otherwise physically possesses more than five signed petition forms that are not for personal use, and who

And the title is amended as follows:

Delete lines 1145-1300 and insert: prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator's registration by filing a petition in circuit court; authorizing the court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically

transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring a certain statement to be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than for personal use; creating s. 106.151,

Senator Osgood moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2D (794936)—Delete lines 365-371 and insert:
resides within 30 days after the *voter* ~~elector~~ signs the form. If a petition form collected by *the sponsor or* any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 *per each day late* for each petition form received by the supervisor of elections *in the county in which the voter resides* more than 30 days after the

Senator Arrington moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2E (151824)—Delete line 599 and insert:
supervisor exceeds a total of 40 percent of the petition forms

Senator Berman moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2F (688188) (with title amendment)—Delete lines 612-615.

And the title is amended as follows:

Delete lines 1231-1233 and insert: revising information related to signature

Senator Davis moved the following amendment to **Substitute Amendment 2 (570150)** which was adopted:

Amendment 2G (232784) (with title amendment)—Delete lines 750-768 and insert:

(e)1. Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion.

2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.

And the title is amended as follows:

Delete lines 1251-1255 and insert: requiring the Department of State to

Substitute Amendment 2 (570150), as amended, was withdrawn.

Senator Polsky moved the following amendment to **Amendment 1 (842060)** which failed:

Amendment 1B (369878) (with title amendment)—Delete lines 567-826 and insert:

(f) Beginning October 1, 2025, if the signature on a petition form is unable to be verified as valid, including if the form does not meet the requirements of paragraph (c), the supervisor must, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System, provided the form contains enough information to identify the voter. Such notice must be sent by forwardable mail. The notice must include contact information for the supervisor and the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information, in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name, has been received by the Supervisor of Elections Office in _____ *(insert county)* _____.

The petition is for ____ *(insert the petition serial number and ballot title)* ____ *and was signed on* ____ *(insert the date the voter signed the petition)* ____.

The signature on the petition form was unable to be verified due to a deficiency on the form. If you intended to sign the petition, please submit a new petition form.

Please notify the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition.

____ *(Insert the voter's Florida voter registration number and, if applicable, the petition circulator's number)* ____.

(g) Each supervisor shall post the actual cost of signature verification *for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year* on his or her website*,* and may increase such cost~~,~~ as necessary, *annually* on *March 1* ~~February 2 of each even-numbered year~~. *These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division.* The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(h)~~(c)~~ On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. *For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.*

(i) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15)~~(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures*, less any signatures that were invalidated pursuant to subsection (14),* and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph *(14)(h)* ~~(11)(c)~~. Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. 101.161. *The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.*

(16)(a)~~(13)(a)~~ *Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research* ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference~~.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the ~~Attorney General and~~ Secretary of State. If the ~~initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference.~~ ~~The~~ Financial Impact Estimating Conference *does* ~~is~~ not ~~required to~~ complete an analysis and financial impact statement for an initiative petition ~~that fails to meet the requirements of subsection (1) for placement on the ballot~~ before the 75-day time limit, including any tolling period, expires*, the ballot must include the statement required by s. 101.161(1)(e)*. ~~The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).~~

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) *The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly.* All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall *be composed* ~~consist~~ of four principals: one person from *the professional staff of* the Executive Office of the Governor *or from a state agency, designated by the Governor*; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate*, designated by the President of the Senate*; and one person from the professional staff of the House of Representatives*, designated by the Speaker of the House of Representatives*. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact~~

~~Estimating Conference shall redraft the financial impact statement within 15 days.~~

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained *on the petition form and the ballot* and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

(e)~~1.~~ Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting~~, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented~~. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. *The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.*

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

(f)~~3.~~ In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)~~4.~~ The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)~~5.~~ The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)~~(14)~~ The Department of State may adopt rules in accordance with s. 120.54 to *implement this section* ~~carry out the provisions of subsections (1)-(14)~~.

(18)~~(15)~~ No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. *(1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.*

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(g), Florida

And the title is amended as follows:

Delete line 1213 and insert: completed notice is received; requiring supervisors to mail a notice to voters if their petition form cannot be verified or does not meet certain requirements, beginning on a specified date; providing requirements for such notice; providing that

The vote was:

Yeas—10

Arrington	Jones	Rouson
Berman	Osgood	Smith
Bernard	Pizzo	
Davis	Polsky	

Nays—26

Mr. President	DiCeglie	McClain
Avila	Gaetz	Passidomo
Boyd	Garcia	Rodriguez
Bradley	Grall	Simon
Brodeur	Harrell	Truenow
Burgess	Hooper	Trumbull
Burton	Ingoglia	Wright
Calatayud	Leek	Yarborough
Collins	Martin	

Amendment 1 (842060), as amended, was adopted.

On motion by Senators Gaetz and Grall, further consideration of **CS for HB 1205**, as amended, was deferred.

RECESS

On motion by Senator Passidomo, the Senate recessed at 12:37 p.m. to reconvene at 1:30 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by Senator Brodeur at 1:30 p.m. A quorum present—37:

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

MOTIONS

On motion by Senator Passidomo, the rules were waived and **CS for HB 4001**, **HB 4007**, **HB 4009**, **CS for HB 4011**, **HB 4013**, **HB 4015**, **CS for HB 4017**, **HB 4021**, **HB 4023**, **CS for HB 4025**, **HB 4029**, **HB 4031**, **CS for HB 4033**, **HB 4035**, **HB 4037**, **CS for HB 4041**, **CS for HB 4043**, **CS for HB 4045**, **CS for HB 4047**, **CS for HB 4049**, **CS for HB 4053**, **HB 4057**, **HB 4059**, **CS for HB 4061**, **CS for HB 4065**, **CS for HB 4067**, **CS for HB 4071**, **CS for CS for HB 4073**, **HB 4075**, and **CS for HB 4051** on the Local Bill Calendar were withdrawn from the Committee on Rules, read a second and third time by title, and passed this day.

LOCAL BILL CALENDAR

CS for HB 4001—A bill to be entitled An act relating to Lee County; amending the Lee County Home Rule Charter to provide requirements for single-member districts; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **CS for HB 4001** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4007—A bill to be entitled An act relating to compensation for health care services for inmates in Martin County; providing definitions; limiting compensation to a health care provider that provides any and all medical services for an inmate housed in a Martin County detention center under certain conditions; requiring certain compensation for a specified hospital that provides medical services for specified inmates if the hospital does not have a contract with the county to provide such services; limiting compensation to an entity that provides emergency medical transportation services for an inmate housed in a Martin County detention center if the entity does not have a contract with the county to provide such services; providing nonapplicability; providing an effective date.

—was read the second time by title. On motion by Senator Harrell, by two-thirds vote, **HB 4007** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4009—A bill to be entitled An act relating to the St. Augustine-St. Johns County Airport Authority, St. Johns County; amending chapter 2002-347, Laws of Florida, as amended; renaming the Northeast Florida Regional Airport as the "St. Augustine Airport"; providing an effective date.

—was read the second time by title. On motion by Senator Leek, by two-thirds vote, **HB 4009** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4011—A bill to be entitled An act relating to Palm Beach County; amending chapter 74-565, Laws of Florida, as amended; revising the definition of the term "building official"; providing an effective date.

—was read the second time by title. On motion by Senator Berman, by two-thirds vote, **CS for HB 4011** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	Collins	Jones
Avila	Davis	Leek
Berman	DiCeglie	Martin
Bernard	Gaetz	McClain
Boyd	Garcia	Osgood
Bradley	Grall	Passidomo
Brodeur	Gruters	Pizzo
Burgess	Harrell	Polsky
Burton	Hooper	Rodriguez
Calatayud	Ingoglia	Rouson

Simon	Truenow	Wright
Smith	Trumbull	Yarborough

Nays—None

HB 4013—A bill to be entitled An act relating to Citrus County; repealing chapter 2001-296, Laws of Florida, relating to rights of certain employees and appointees of the Citrus County Sheriff; providing an effective date.

—was read the second time by title. On motion by Senator Ingoglia, by two-thirds vote, **HB 4013** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4015—A bill to be entitled An act relating to the Broward County Narcotics and Dangerous Drug Intelligence and Enforcement Unit, Broward County; repealing chapter 71-574, Laws of Florida, relating to the Broward County Narcotics and Dangerous Drug Intelligence and Enforcement Unit; providing an effective date.

—was read the second time by title. On motion by Senator Pizzo, by two-thirds vote, **HB 4015** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4017—A bill to be entitled An act relating to the Bermont Drainage District, Charlotte County; creating the Bermont Drainage District in Charlotte County as a public corporation; providing that all subsequent proceedings concerning the district are ratified, confirmed, and approved; creating the district's charter; providing the district's status and boundaries; providing minimum charter requirements; providing applicability of specified laws to the district; providing severability; providing retroactive application; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **CS for HB 4017** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4021—A bill to be entitled An act relating to the North River Ranch Improvement Stewardship District, Manatee County; amending chapter 2020-191, Laws of Florida, as amended; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Boyd, by two-thirds vote, **HB 4021** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4023—A bill to be entitled An act relating to officers and employees of the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida, as amended; adding to the district charter a prohibition for conflicting employment or contractual relationships; providing an effective date.

—was read the second time by title. On motion by Senator Pizzo, by two-thirds vote, **HB 4023** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4025—A bill to be entitled An act relating to Lee County; creating the Duke Farm Stewardship District; providing a short title, legislative findings and intent, and definitions; establishing compliance with minimum requirements for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board; providing for membership, election, and terms of office; providing for meetings; providing administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district employees; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for disclosure of public information; providing the general powers of the district; providing the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for borrowing; providing for trust agreements; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing requirements for termination, contraction, or expansion of the district; authorizing mergers; providing for required notices to purchasers of residential units within the district; specifying that certain district property is public; providing construction; providing severability; providing for a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **CS for HB 4025** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4029—A bill to be entitled An act relating to the Greater Naples Fire Rescue District, Collier County; amending chapter 2014-240, Laws of Florida; deleting obsolete language; providing for the election of fire commissioners district-wide; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **HB 4029** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4031—A bill to be entitled An act relating to the City of Oviedo, Seminole County; designating boundaries of an arts and entertainment district; providing an exception to general law; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue special licenses or modify existing licenses for bona fide licensees operating within such entertainment district for the sale of certain alcoholic beverages for consumption off the premises; providing that special licenses or modifications of existing licenses are in addition to certain other authorized temporary permits; requiring the bona fide licensees to comply with all other statutory requirements; providing an effective date.

—was read the second time by title. On motion by Senator Brodeur, by two-thirds vote, **HB 4031** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	

Nays—1

Yarborough

CS for HB 4033—A bill to be entitled An act relating to San Carlos Estates Water Control District, Lee County; providing that the San Carlos Estates Water Control District, an independent special district, shall become a dependent district of the City of Bonita Springs; reenacting, amending, and repealing a certain circuit court decree; providing for transition; providing that members of the city council shall assume the offices of the board of supervisors of said district; providing boundaries; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **CS for HB 4033** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4035—A bill to be entitled An act relating to Lee County; amending chapter 98-461, Laws of Florida; revising the boundaries of the Lee County Mosquito Control District; repealing chapter 2001-335, Laws of Florida, relating to the Fort Myers Beach Mosquito Control District; providing for merger of the districts; transferring assets and

liabilities of the Fort Myers Beach Mosquito Control District to the Lee County Mosquito Control District; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **HB 4035** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4037—A bill to be entitled An act relating to the Downtown Development Authority of the City of Fort Lauderdale, Broward County; amending chapter 2005-346, Laws of Florida; removing the expiration date of the Downton Development Authority of the City of Fort Lauderdale; providing for transfer of assets upon dissolution pursuant to law; providing an effective date.

—was read the second time by title. On motion by Senator Pizzo, by two-thirds vote, **HB 4037** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4041—A bill to be entitled An act relating to Collier County; creating the Corkscrew Grove Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a board of supervisors; providing for election, membership, terms, meetings, and duties of board members; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing the general and special powers of the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for termination, contraction, expansion, or merger of the district; providing for required notices to purchasers of residential units within the district; specifying district public property; providing severability; providing for a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Passidomo, by two-thirds vote, **CS for HB 4041** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4043—A bill to be entitled An act relating to Osceola County; creating the Waterlin Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board and establishing membership criteria and election procedures; providing for board members' terms of office; providing for board meetings; providing for administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation; providing for special assessments; providing for issuance of certificates of indebtedness; providing for tax liens; providing for competitive procurement; providing for fees and charges; providing for amendment to charter; providing for required notices to purchasers of residential units within the district; defining district public property; providing for construction; providing severability; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Arrington, by two-thirds vote, **CS for HB 4043** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4045—A bill to be entitled An act relating to the City Pension Fund for Firefighters and Police Officers in the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental contract with certain firefighters and police officers to increase Deferred Retirement Option Program participation from 5 years to 8 years; removing the full scale contribution rate; revising, updating, and conforming terminology; providing effective dates.

—was read the second time by title. On motion by Senator Rouson, by two-thirds vote, **CS for HB 4045** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4047—A bill to be entitled An act relating to the Fort Pierce Farms Water Control District, St. Lucie County; amending chapter 2013-256, Laws of Florida; increasing the maximum annual maintenance tax; limiting the annual assessment rate increases; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **CS for HB 4047** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4049—A bill to be entitled An act relating to the North St. Lucie River Water Control District, St. Lucie County; amending chapter 2013-257, Laws of Florida; revising the maintenance tax assessments by the district and increasing the maximum annual maintenance tax levy; limiting the annual assessment rate increases; requiring a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Grall, by two-thirds vote, **CS for HB 4049** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	Boyd	Burton
Avila	Bradley	Calatayud
Berman	Brodeur	Collins
Bernard	Burgess	Davis
DiCeglie	Jones	Rodriguez
Gaetz	Leek	Rouson
Garcia	Martin	Simon
Grall	McClain	Smith
Gruters	Osgood	Truenow
Harrell	Passidomo	Trumbull
Hooper	Pizzo	Wright
Ingoglia	Polsky	Yarborough

Nays—None

CS for HB 4053—A bill to be entitled An act relating to Duval County; providing space and seating requirements for the issuance of special alcoholic beverage licenses to event centers; providing an exception to general law; providing boundaries; providing an effective date.

—was read the second time by title. On motion by Senator Davis, by two-thirds vote, **CS for HB 4053** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	

Nays—1

Yarborough

HB 4057—A bill to be entitled An act relating to the Tohopekaliga Water Authority, Osceola County; amending ch. 2003-368, Laws of Florida; providing that the Central Florida Tourism Oversight District is the successor to the Reedy Creek Improvement District; revising district boundaries; providing that the boundaries may be changed by special act of the Legislature; providing an effective date.

—was read the second time by title. On motion by Senator Arrington, by two-thirds vote, **HB 4057** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4059—A bill to be entitled An act relating to the Sunbridge Stewardship District, Osceola County; amending ch. 2017-220, Laws of Florida; expanding the district to include areas of the City of Orlando;

revising legislative intent, definitions, legislative policy, creation and establishment, board of supervisors administrative duties, budgets reports and reviews, and district powers to include references to the City of Orlando and Orange County; amending the district's legal boundaries to include areas of the City of Orlando; requiring district governing board election procedures to involve officials from both counties; requiring general obligation bond elections to occur in both counties; authorizing the levy and collection of non-ad valorem maintenance taxes in both counties; providing for required notices to be published in both counties; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Arrington, by two-thirds vote, **HB 4059** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4061—A bill to be entitled An act relating to the West Villages Improvement District, Sarasota County; amending chapter 2004-456, Laws of Florida, as amended; revising statutory references; removing a prohibition on the district obtaining fee simple title to certain real property; revising board member election procedures; revising the district's right and power of eminent domain; providing an effective date.

—was read the second time by title. On motion by Senator Gruters, by two-thirds vote, **CS for HB 4061** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4065—A bill to be entitled An act relating to City of Auburndale, Polk County; transferring real property from the Board of Trustees of the Internal Improvement Trust Fund to the City Commission of the City of Auburndale; providing requirements for the use and the sale or disposition of the real property; requiring conveyance of the real property by a specified date; providing an effective date.

—was read the second time by title. On motion by Senator Burton, by two-thirds vote, **CS for HB 4065** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4067—A bill to be entitled An act relating to special beverage licenses for equestrian sport facilities in Marion County; defining the term "equestrian sport facility"; providing for the issuance of special beverage licenses to certain equestrian sport facilities located in Marion County; authorizing the package sale of wine and malt beverages for off-premises consumption and the sale of all alcoholic beverages for on-premises consumption under such licenses; providing for conditions and restrictions; providing for compliance with the Beverage Law, with certain exceptions; providing rulemaking authority; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote, **CS for HB 4067** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—35

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	

Nays—1

Yarborough

CS for HB 4071—A bill to be entitled An act relating to the City of Coral Springs and the City of Parkland, Broward County; reducing and contracting from the corporate limits of the City of Coral Springs and enlarging and extending the corporate limits of the City of Parkland approximately 8.7 acres of land contiguous to the corporate limits of the City of Parkland; providing boundaries; providing construction; providing an effective date.

—was read the second time by title. On motion by Senator Pizzo, by two-thirds vote, **CS for HB 4071** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	Burgess	Garcia
Avila	Burton	Grall
Berman	Calatayud	Gruters
Bernard	Collins	Harrell
Boyd	Davis	Hooper
Bradley	DiCeglie	Ingoglia
Brodeur	Gaetz	Jones

Leek	Pizzo	Smith
Martin	Polsky	Truenow
McClain	Rodriguez	Trumbull
Osgood	Rouson	Wright
Passidomo	Simon	Yarborough

Nays—None

CS for CS for HB 4073—A bill to be entitled An act relating to Leon County; amending ch. 83-456, Laws of Florida; providing applicability; providing for permanent status; providing cause for suspension or dismissal; providing for transition to new Sheriff; providing beginning date of employees; revising procedures of Career Service Appeals Boards; requiring the Sheriff to be represented by the Sheriff's General Counsel or other specified representative; prohibiting certain evidence from inclusion; authorizing the chairperson to rule on the admissibility of evidence; deleting provisions relating to complaints against employees, Complaint Review Boards, and employment status of commissioned and noncommissioned employees; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Simon, by two-thirds vote, **CS for CS for HB 4073** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

HB 4075—A bill to be entitled An act relating to Leon County; providing an exception to general law; providing definitions; limiting compensation to a health care provider that provides medical services for an inmate housed in a Leon County detention center if the provider does not have a contract with the county to provide such services; limiting compensation to an entity that provides emergency medical transportation services for an inmate housed in a Leon County detention center if the entity does not have a contract with the county to provide such services; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Simon, by two-thirds vote, **HB 4075** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

CS for HB 4051—A bill to be entitled An act relating to the Pasco County Mosquito Control District, Pasco County; amending chapter 2005-322, Laws of Florida; providing applicability of laws on term limits for independent special district board members; providing for geographical subdistricts; requiring the Pasco County Board of County Commissioners to draw geographical subdistricts subject to certain requirements; providing qualifications for district board candidates and members; removing obsolete language; providing an effective date.

—was read the second time by title. On motion by Senator Hooper, by two-thirds vote, **CS for HB 4051** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 108, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 108—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; defining the term "technical change"; amending s. 120.54, F.S.; requiring agencies to publish a certain notice of intended agency action within a specified timeframe; deleting a provision related to the timeframe within which rules are required to be drafted and formally proposed; prohibiting materials from being incorporated by reference for certain rules reviewed after a specified date unless certain conditions are met; prohibiting rules proposed after a specified date from having materials incorporated by reference unless certain conditions are met; requiring agencies to use specific coding if they are updating or making changes to certain documents incorporated by reference; requiring that certain notices of rule development include incorporated documents; revising the notices required to be issued by agencies before the adoption, amendment, or repeal of certain rules; requiring that such notices be published in the Florida Administrative Register within a specified timeframe; requiring that specified information be available for public inspection; requiring that materials incorporated by reference be made available in a specified manner; requiring that certain notices be delivered electronically to all persons who made requests for such notice; requiring agencies to publish a notice of correction for certain changes within a specified timeframe; providing that notices of correction do not affect certain timeframes; requiring that technical changes be published as notices of correction; requiring agencies to provide copies of any offered regulatory alternatives to the Administrative Procedures Committee before the agency files a rule for adoption; requiring that certain materials incorporated by reference be made available in a specified manner; requiring that certain rules be withdrawn if not ratified within the legislative session immediately following the filing for adoption; providing that agencies are authorized to initiate rulemaking, or required to initiate rulemaking under a specified circumstance, within a specified timeframe of the adjournment of such legislative session; reducing the

number of certified copies of a proposed rule that must be electronically filed with the Department of State; authorizing agencies to adopt emergency rules under specified conditions; requiring that specified information be published in the first available issue of the Florida Administrative Register and provided to the Administrative Procedures Committee; providing that if a proposed rule is not ratified within a specified timeframe, the emergency rule expires; requiring that the proposed rule be withdrawn in accordance with a specified provision; requiring that notices of renewal for emergency rules be published in the Florida Administrative Register before expiration of the existing emergency rule; requiring that such notices contain specified information; requiring that a note be added to a certain history note for certain emergency rules; requiring that emergency rules be published in the Florida Administrative Code; authorizing agencies to adopt emergency rules that supersede other emergency rules; requiring that the reason for such superseding rules be stated in accordance with specified provisions; authorizing agencies to make technical changes to emergency rules within a specified timeframe; requiring that such changes be published in the Florida Administrative Register as a notice of correction; authorizing agencies to repeal emergency rules by providing a certain notice in the Florida Administrative Register; requiring agencies to provide specified petitions to the committee within a specified timeframe after receipt; requiring agencies to provide a certain notification to the committee within a specified timeframe; reenacting and amending s. 120.541, F.S.; providing that a proposal for a lower cost regulatory alternative submitted after a notice of change is made in good faith only if the proposal contains certain statements; requiring agencies to provide a copy of such proposals and responses thereto to the committee within specified timeframes; prohibiting agencies from filing a rule for adoption unless such documents are provided to the committee; requiring agencies to notify the committee within a specified timeframe that a rule has been submitted for legislative ratification; providing that if a proposed rule is not ratified within a specified timeframe, the agency must withdraw such rule and the agency may initiate rulemaking again, or must initiate rulemaking again under a specified condition; creating s. 120.5435, F.S.; requiring agencies, by a specified date and in coordination with the committee, to review specified rules adopted before a specified date; defining the term "rule"; requiring agencies to include a list of existing rules and a schedule of rules they plan to review each year in a certain regulatory plan; authorizing agencies to amend such schedules under specified circumstances but requiring that at least a specified percentage of an agency's rules be reviewed each year until completion of all reviews; requiring agencies to make specified determinations during rule review; providing that certain determinations are not subject to challenge as a proposed rule; requiring agencies to submit a certain report to the Legislature annually by a specified date; requiring agencies to take one of certain specified actions during rule reviews by a specified date; providing requirements for the agencies in connection with each of the specified actions; requiring the committee to examine agencies' rule review submissions; authorizing the committee to request certain information from such agencies; requiring that such review occur within a specified timeframe under specified conditions; requiring the committee to issue a certain certification upon completion of examinations; specifying circumstances under which rule review is considered completed; requiring the department to publish a certain notice in the Florida Administrative Register; requiring the department to adopt rules before a specified date; providing for future review and repeal; amending s. 120.55, F.S.; revising the contents of the Florida Administrative Code to conform to changes made by the act; requiring, after a specified date, that any material incorporated by reference be filed in a specified electronic format with the department; requiring that the Florida Administrative Register contain a certain list; requiring that the department prescribe coding for certain documents incorporated by reference; amending s. 120.74, F.S.; requiring that regulatory plans submitted by agencies include certain schedules for rule review and certain desired updates to such plans; requiring agencies to take certain actions if the agencies have not completed reviewing a rule; requiring agencies to include information regarding the prior year's licensing practices in their regulatory plan; requiring Office of Program Policy Analysis and Government Accountability to submit a consolidated report of the agency licensing data; requiring the Department of State to publish a hyperlink to the licensing data reports; deleting provisions related to deadlines for rule development; deleting deadlines for publishing proposed rules; deleting provisions requiring agencies to file certain certifications with the committee; authorizing agencies to correct a regulatory plan to conclude affected rulemaking proceedings by identifying certain rules; revising the timeframes within which agencies must publish certain notices; conforming provisions to changes made by the act; providing an effective date.

House Amendment 1 (080275) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsections (20), (21), and (22) of section 120.52, Florida Statutes, are renumbered as subsections (21), (22), and (23), respectively, and a new subsection (20) is added to that section, to read:

120.52 Definitions.—As used in this act:

(20) "Technical change" means a change to a rule or a statement of estimated regulatory cost that is limited to correcting citations or grammatical, typographical, or similar errors that do not affect the substance of the rule or statement.

Section 2. Subsection (5) is added to section 120.536, Florida Statutes, to read:

120.536 Rulemaking authority; repeal; challenge.—

(5) Unless otherwise expressly authorized by law, a rule may not include a provision whereby the entire rule, or a provision thereof, automatically expires or is repealed on a specific date or at the end of a specified period.

Section 3. Paragraphs (b) and (i) of subsection (1), paragraphs (a), (c), and (d) of subsection (2), paragraphs (a), (b), (d), and (e) of subsection (3), subsection (4), and paragraph (a) of subsection (7) of section 120.54, Florida Statutes, are amended to read:

120.54 Rulemaking.—

(1) GENERAL PROVISIONS APPLICABLE TO ALL RULES OTHER THAN EMERGENCY RULES.—

(b) Whenever an act of the Legislature is enacted which requires implementation of the act by rules of an agency within the executive branch of state government, *the agency must publish a notice of rule development* ~~such rules shall be drafted and formally proposed~~ as provided in this section within *30 days after the effective date of the law that requires rulemaking and provides a grant of rulemaking authority* ~~the times provided in s. 120.74(4) and (5)~~.

(i)1. A rule may incorporate material by reference but only as the material exists on the date the rule is adopted. For purposes of the rule, changes in the material are not effective unless the rule is amended to incorporate the changes.

2. An agency rule that incorporates by specific reference another rule of that agency automatically incorporates subsequent amendments to the referenced rule unless a contrary intent is clearly indicated in the referencing rule. A notice of amendments to a rule that has been incorporated by specific reference in other rules of that agency must explain the effect of those amendments on the referencing rules.

3. In rules adopted after December 31, 2010, *or reviewed pursuant to s. 120.5435,* material may not be incorporated by reference unless:

a. The material has been submitted in the prescribed electronic format to the Department of State and the full text of the material can be made available for free public access through an electronic hyperlink from the rule making the reference in the Florida Administrative Code; or

b. The agency has determined that posting the material on the Internet for purposes of public examination and inspection would constitute a violation of federal copyright law, in which case a statement to that effect, along with the *addresses* ~~address~~ of *the* locations at the Department of State and the agency at which the material is available for public inspection and examination, must be included in the notice required by subparagraph (3)(a)1.

4. In rules proposed after July 1, 2025, material may not be incorporated by reference unless:

a. The material has been submitted in the prescribed electronic format to the Department of State and the full text of the material, in a text-searchable format, can be made available for free public access through an electronic hyperlink from the rule making the reference in the Florida Administrative Register; or

b. The agency has determined that posting the material on the Internet for purposes of public examination and inspection would constitute a violation of federal copyright law, in which case a statement to that effect, along with the addresses of the locations at the Department of State and the agency at which the material is available for public inspection and examination, must be included in the notice required by subparagraph (3)(a)1.

5.~~4.~~ A rule may not be amended by reference only. Amendments must set out the amended rule in full in the same manner as required by the State Constitution for laws.

6.~~5.~~ Notwithstanding any contrary provision in this section, when an adopted rule of the Department of Environmental Protection or a water management district is incorporated by reference in the other agency's rule to implement a provision of part IV of chapter 373, subsequent amendments to the rule are not effective as to the incorporating rule unless the agency incorporating by reference notifies the committee and the Department of State of its intent to adopt the subsequent amendment, publishes notice of such intent in the Florida Administrative Register, and files with the Department of State a copy of the amended rule incorporated by reference. Changes in the rule incorporated by reference are effective as to the other agency 20 days after the date of the published notice and filing with the Department of State. The Department of State shall amend the history note of the incorporating rule to show the effective date of such change. Any substantially affected person may, within 14 days after the date of publication of the notice of intent in the Florida Administrative Register, file an objection to rulemaking with the agency. The objection *must* ~~shall~~ specify the portions of the rule incorporated by reference to which the person objects and the reasons for the objection. The agency *does* ~~shall~~ not have the authority under this subparagraph to adopt those portions of the rule specified in such objection. The agency shall publish notice of the objection and of its action in response in the next available issue of the Florida Administrative Register.

7. If an agency updates or makes a change to a document that the agency created and which is incorporated by reference pursuant to paragraph (3)(a) or subparagraph (3)(e)1., the update or change must be coded by underlining new text and striking through deleted text.

8.~~6.~~ The Department of State may adopt by rule requirements for incorporating materials pursuant to this paragraph.

(2) RULE DEVELOPMENT; WORKSHOPS; NEGOTIATED RULEMAKING.—

(a)*1.* Except when the intended action is the repeal of a rule, agencies shall provide notice of the development of proposed rules by publication of a notice of rule development in the Florida Administrative Register *at least 7 days* before providing notice of a proposed rule as required by paragraph (3)(a). The notice of rule development *must:*

a. ~~shall~~ Indicate the subject area to be addressed by rule development.~~,~~

b. Provide a short, plain explanation of the purpose and effect of the proposed rule.~~,~~

c. Cite the *grant of rulemaking authority for the proposed rule and the law being implemented.* ~~specific legal authority for the proposed rule, and~~

d. Include *the proposed rule number and, if available, either* the preliminary text of the proposed *rule and any incorporated documents* ~~rules~~, ~~if available,~~ or a statement of how a person may promptly obtain, without cost, a copy of any preliminary draft *of such rule or documents*~~, if available~~.

2. A notice of a proposed rule must be published in the Florida Administrative Register within 180 days after the most recent notice of rule development, unless the Legislature expressly provides a different date. The agency may only exceed this timeframe if it submits to the committee, at least 7 business days before the end of the 180-day timeframe, a concise statement that identifies the reasons for the delay in rulemaking. The agency must update this statement each quarter thereafter until it has filed a notice of proposed rule in the applicable matter.

(c) An agency may hold public workshops for purposes of rule development *or information gathering for the preparation of the statement of estimated regulatory costs*. An agency must hold public workshops, including workshops in various regions of the state or the agency's service area, for purposes of rule development if requested in writing by any affected person, unless the agency head explains in writing why a workshop is unnecessary. The explanation is not final agency action subject to review pursuant to ss. 120.569 and 120.57. The failure to provide the explanation when required may be a material error in procedure pursuant to s. 120.56(1)(c). When a workshop or public hearing is held, the agency must ensure that the persons responsible for preparing the proposed rule *and the statement of estimated regulatory costs, if applicable,* are available to explain the agency's proposal and to respond to questions or comments regarding the rule being developed. The workshop may be facilitated or mediated by a neutral third person, or the agency may employ other types of dispute resolution alternatives for the workshop that are appropriate for rule development. Notice of a *workshop for* rule development *or for information gathering for the preparation of a statement of estimated regulatory costs must* ~~workshop shall~~ be by publication in the Florida Administrative Register not less than 14 days *before* ~~prior to~~ the date on which the workshop is scheduled to be held and *must* ~~shall~~ indicate the subject area *that* ~~which~~ will be addressed; the agency contact person; and the place, date, and time of the workshop.

(d)1. An agency may use negotiated rulemaking in developing and adopting rules. The agency should consider the use of negotiated rulemaking when complex rules are being drafted or strong opposition to the rules is anticipated. The agency should consider, but is not limited to considering, whether a balanced committee of interested persons who will negotiate in good faith can be assembled, whether the agency is willing to support the work of the negotiating committee, and whether the agency can use the group consensus as the basis for its proposed rule. Negotiated rulemaking uses a committee of designated representatives to draft a mutually acceptable proposed rule.

2. An agency that chooses to use the negotiated rulemaking process described in this paragraph shall publish in the Florida Administrative Register a notice of negotiated rulemaking that includes a listing of the representative groups that will be invited to participate in the negotiated rulemaking process. Any person who believes that his or her interest is not adequately represented may apply to participate within 30 days after publication of the notice. All meetings of the negotiating committee *must* ~~shall~~ be noticed and open to the public pursuant to ~~the provisions of~~ this chapter. The negotiating committee shall be chaired by a neutral facilitator or mediator.

3. The agency's decision to use negotiated rulemaking, its selection of the representative groups, and approval or denial of an application to participate in the negotiated rulemaking process are not agency action. ~~Nothing in~~ This subparagraph is *not* intended to affect the rights of *a substantially* ~~an~~ affected person to challenge a proposed rule developed under this paragraph in accordance with s. 120.56(2).

(3) ADOPTION PROCEDURES.—

(a) Notices.—

1. *Before* ~~Prior to~~ the adoption, amendment, or repeal of any rule other than an emergency rule, an agency *shall*, upon approval of the agency head, ~~shall~~ give notice of its intended action*. The notice must include the following:*~~;~~

a. ~~setting forth~~ A short, plain explanation of the purpose and effect of the proposed action.~~;~~

b. The *proposed rule number.*

c. The full text of the proposed rule or amendment and a summary thereof.~~;~~

d. A reference to the grant of rulemaking authority pursuant to which the rule is adopted.~~; and~~

e. A reference to the section or subsection of the Florida Statutes or the Laws of Florida being implemented or interpreted.

f. The name, e-mail address, and telephone number of the agency employee who may be contacted regarding the intended action. ~~The notice must include~~

g. A *concise* summary of the agency's statement of the estimated regulatory costs, if one has been prepared, based on the factors set forth in s. 120.541(2) *that describes the regulatory impact of the rule in readable language.*

h. An agency website address where the statement of estimated regulatory costs can be viewed in its entirety, if one has been prepared.~~;~~

i. A statement that any person who wishes to provide the agency with information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by s. 120.541(1), must do so in writing within 21 days after publication of the notice.~~; and~~

j. A statement as to whether, based on the statement of the estimated regulatory costs or other information expressly relied upon and described by the agency if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification pursuant to s. 120.541(3).

k. A description of the ~~notice must state the~~ procedure for requesting a public hearing on the proposed rule.

l. Except when the intended action is the repeal of a rule,~~ the notice must include~~ a reference both to the date on which and to the place where the notice of rule development that is required by subsection (2) appeared.

2. The notice *must* ~~shall~~ be published in the Florida Administrative Register *at least 7 days after the notice of rule development and at least* ~~not less than~~ 28 days *before* ~~prior to~~ the intended action. The proposed rule*, including all material proposed to be incorporated by reference, must* ~~shall~~ be available for inspection and copying by the public at the time of the publication of notice. *Material proposed to be incorporated by reference in the notice must be made available in the manner prescribed by sub-subparagraph (1)(i)3.a. or sub-subparagraph (1)(i)3.b.*

3. The notice *must* ~~shall~~ be mailed *or delivered electronically* to all persons named in the proposed rule and *mailed or delivered electronically* to all persons who, at least 14 days *before publication of the notice* ~~prior to such mailing~~, have made requests of the agency for advance notice of its proceedings. The agency shall also give such notice as is prescribed by rule to those particular classes of persons to whom the intended action is directed.

4. The adopting agency shall file with the committee, at least 21 days *before* ~~prior to~~ the proposed adoption date, a copy of each rule it proposes to adopt; a copy of any material incorporated by reference in the rule; a detailed written statement of the facts and circumstances justifying the proposed rule; a copy of any statement of estimated regulatory costs that has been prepared pursuant to s. 120.541; a statement of the extent to which the proposed rule relates to federal standards or rules on the same subject; and the notice required by subparagraph 1.

5. If any of the information that is required to be included in the notice under subparagraph 1., other than substantive changes to the rule text, is omitted or is incorrect, the agency must publish a notice of correction in the Florida Administrative Register at least 7 days before the intended agency action. The publication of a notice of correction does not affect the timeframes for filing the rule for adoption as set forth in paragraph (e). Technical changes must be published as a notice of correction.

(b) Special matters to be considered in rule adoption.—

1. Statement of estimated regulatory costs.—Before the adoption, amendment, or repeal of any rule*,* other than an emergency rule, an agency is encouraged to prepare a statement of estimated regulatory costs of the proposed rule, as provided by s. 120.541. However, an agency must prepare a statement of estimated regulatory costs of the proposed rule, as provided by s. 120.541, if:

a. The proposed rule will have an adverse impact on small business; or

b. The proposed rule is likely to directly or indirectly increase regulatory costs in excess of $200,000 in the aggregate in this state within 1 year after the implementation of the rule.

The agency must make available any information created or used by the agency in determining whether a proposed rule meets the factors listed in sub-subparagraphs a. and b. and such information shall be a part of the rulemaking record. The agency must consider in this determination the factors outlined in s. 120.541(2); however, the agency is not required to estimate the proposed rule's impact to these factors as part of this determination.

2. Small businesses, small counties, and small cities.—

a. Each agency, before the adoption, amendment, or repeal of a rule, shall consider the impact of the rule on small businesses as defined by s. 288.703 and the impact of the rule on small counties or small cities as defined by s. 120.52. Whenever practicable, an agency shall tier its rules to reduce disproportionate impacts on small businesses, small counties, or small cities to avoid regulating small businesses, small counties, or small cities that do not contribute significantly to the problem the rule is designed to address. ~~An agency may define "small business" to include businesses employing more than 200 persons, may define "small county" to include those with populations of more than 75,000, and may define "small city" to include those with populations of more than 10,000, if it finds that such a definition is necessary to adapt a rule to the needs and problems of small businesses, small counties, or small cities.~~ The agency shall consider each of the following methods for reducing the impact of the proposed rule on small businesses, small counties, and small cities, or any combination of these entities:

(I) Establishing less stringent compliance or reporting requirements in the rule.

(II) Establishing less stringent schedules or deadlines in the rule for compliance or reporting requirements.

(III) Consolidating or simplifying the rule's compliance or reporting requirements.

(IV) Establishing performance standards or best management practices to replace design or operational standards in the rule.

(V) Exempting small businesses, small counties, or small cities from any or all requirements of the rule.

b.(I) If the agency determines that the proposed action will affect small businesses ~~as defined by the agency as provided in sub-subparagraph a.~~, the agency shall send written notice of the rule to the rules ombudsman in the Executive Office of the Governor at least 28 days before the intended action.

(II) Each agency shall adopt those regulatory alternatives offered by the rules ombudsman in the Executive Office of the Governor and provided to the agency no later than 21 days after the rules ombudsman's receipt of the written notice of the rule which it finds are feasible and consistent with the stated objectives of the proposed rule and which would reduce the impact on small businesses. When regulatory alternatives are offered by the rules ombudsman in the Executive Office of the Governor, the 90-day period for filing the rule in subparagraph (e)2. is extended for a period of 21 days. *An agency shall provide the committee a copy of any regulatory alternative offered to the agency within 7 days after its delivery to the agency. The agency may not file a rule for adoption before such regulatory alternative, if applicable, has been provided to the committee.*

(III) If an agency does not adopt all alternatives offered pursuant to this sub-subparagraph, it *must* ~~shall~~, before rule adoption or amendment and pursuant to subparagraph (d)1., file a detailed written statement with the committee explaining the reasons for failure to adopt such alternatives. Within 3 working days after the filing of such notice, the agency shall send a copy of such notice to the rules ombudsman in the Executive Office of the Governor.

(d) Modification or withdrawal of proposed rules.—

1. After the final public hearing on the proposed rule, or after the time for requesting a hearing has expired, if the *proposed* rule has not been changed from the rule as previously filed with the committee, or contains only technical changes, the adopting agency *must* ~~shall~~ file a notice to that effect with the committee at least 7 days *before* ~~prior to~~ filing the *proposed* rule for adoption. Any change, other than a technical change ~~that does not affect the substance of the rule~~, must be supported by the record of public hearings held on the *proposed* rule, must be in response to written material submitted to the agency within 21 days after the date of publication of the notice of intended agency action or submitted to the agency between the date of publication of the notice and the end of the final public hearing, or must be in response to a proposed objection by the committee. *Any change, other than a technical change, to a statement of estimated regulatory costs requires a notice of change.* In addition, ~~when~~ any change*, other than a technical change, to* ~~is made in a~~ proposed rule *text or any material incorporated by reference requires*~~, other than a technical change,~~ the adopting agency *to* ~~shall~~ provide a copy of a notice of change by certified mail or actual delivery to any person who requests it in writing no later than 21 days after the notice required in paragraph (a). The agency shall file the notice of change with the committee, along with the reasons for the change, and provide the notice of change to persons requesting it, at least 21 days *before* ~~prior to~~ filing the rule for adoption. The notice of change *must* ~~shall~~ be published in the Florida Administrative Register at least 21 days *before* ~~prior to~~ filing the *proposed* rule for adoption. *The notice of change must include a summary of any revision to the statement of estimated regulatory costs required by s. 120.541(1)(c).* This subparagraph does not apply to emergency rules adopted pursuant to subsection (4). *Material proposed to be incorporated by reference in the notice of change must be made available in the manner prescribed by sub-subparagraph (1)(i)3.a. or sub-subparagraph (1)(i)3.b. and include a summary of substantive revisions to any material proposed to be incorporated by reference in the proposed rule.*

2. After the notice required by paragraph (a) and *before* ~~prior to~~ adoption, the agency may withdraw the *proposed* rule in whole or in part.

3. After the notice required by paragraph (a), the agency must withdraw the proposed rule if the agency has either failed to adopt it within the prescribed timeframes in this chapter or failed to submit the concise statement required under subparagraph (2)(a)2. If, 30 days after notice by the committee that the agency has failed to either adopt the proposed rule within the prescribed timeframes in this chapter or submit the required statement, the agency has not given notice of the withdrawal of the proposed rule, the committee must notify the Department of State that the date for adoption of the rule or submission of the required statement has expired, and the Department of State must publish a notice of withdrawal of the proposed rule. Within 30 days after the withdrawal, the agency must initiate rulemaking again if the mandatory grant of rulemaking authority the agency relied upon as authority to pursue the original rule action is still in effect at the time of the original rule's withdrawal.

4.~~3.~~ After adoption and before the rule becomes effective, a rule may be modified or withdrawn only in the following circumstances:

a. When the committee objects to the rule;

b. When a final order, which is not subject to further appeal, is entered in a rule challenge brought pursuant to s. 120.56 after the date of adoption but before the rule becomes effective pursuant to subparagraph (e)6.;

c. If the rule requires ratification, when ~~more than 90 days have passed since the rule was filed for adoption without~~ the Legislature *does not ratify* ~~ratifying~~ the rule *by the adjournment sine die of the regular session immediately following the timely filing for adoption of the rule*, in which case the rule *must* ~~may~~ be withdrawn*, and within 90 days after adjournment sine die, the agency:*

(I) May initiate rulemaking again by publishing the notice required by paragraph (3)(a); or

(II) Must initiate rulemaking again by publishing the notice required by paragraph (3)(a), if the mandatory grant of rulemaking authority the agency relied upon as authority to pursue the original rule action is still in effect at the time of the original rule's withdrawal ~~but may not be modified~~; or

d. When the committee notifies the agency that an objection to the rule is being considered, in which case the rule may be modified to extend the effective date by not more than 60 days.

5.~~4.~~ The agency shall give notice of its decision to withdraw or modify a rule in the first available issue of the publication in which the original notice of rulemaking was published, shall notify those persons described in subparagraph (a)3. in accordance with the requirements of that subparagraph, and *must* ~~shall~~ notify the Department of State if the rule is required to be filed with the Department of State.

6.~~5.~~ After a rule has become effective, it may be repealed or amended only through the rulemaking procedures specified in this chapter.

7. The committee must, within 15 days after the end of each calendar quarter, compile and post on its website a list of each failure by an agency to file a notice of proposed rule within the timeframe prescribed by subparagraph (2)(a)2. that has occurred within the last quarter. The committee's list must provide the following:

a. The name of the agency that failed to timely file a notice of proposed rule.

b. The website address where the relevant notice of rule development may be found.

c. A citation to the applicable grant of rulemaking authority for the proposed rule and the law being implemented.

d. If the timeframe for filing a notice of proposed rule prescribed in subparagraph (2)(a)2. has been exceeded but a notice of proposed rule has not been filed, the length of time since the filing of the notice of rule development.

e. If the timeframe for filing a notice of proposed rule in subparagraph (2)(a)2. has been exceeded and a notice of proposed rule has been filed, the length of time between the agency filing the notice of rule development and the filing of the notice of proposed rule.

f. A copy of the agency's concise statement required under subparagraph (2)(a)2.

(e) Filing for final adoption; effective date.—

1. If the adopting agency is required to publish its rules in the Florida Administrative Code, the agency, upon approval of the agency head, *must electronically* ~~shall~~ file with the Department of State *a* ~~three~~ certified *copy* ~~copies~~ of the rule it proposes to adopt; one copy of any material incorporated by reference in the rule, certified by the agency; a summary of the rule; a summary of any hearings held on the rule; and a detailed written statement of the facts and circumstances justifying the rule. Agencies not required to publish their rules in the Florida Administrative Code shall file one certified copy of the proposed rule, and the other material required by this subparagraph, in the office of the agency head, and such rules *must* ~~shall~~ be open to the public.

2. A rule may not be filed for adoption less than 28 days or more than 90 days after the notice required by paragraph (a), until 21 days after the notice of change required by paragraph (d), until 14 days after the final public hearing, until 21 days after a statement of estimated regulatory costs required under s. 120.541 has been provided to all persons who submitted a lower cost regulatory alternative and made available to the public, or until the administrative law judge has rendered a decision under s. 120.56(2), whichever applies. When a required notice of change is published *before* ~~prior to~~ the expiration of the time to file the rule for adoption, the period during which a rule must be filed for adoption is extended to 45 days after the date of publication. If notice of a public hearing is published *before* ~~prior to~~ the expiration of the time to file the rule for adoption, the period during which a rule must be filed for adoption is extended to 45 days after adjournment of the final hearing on the rule, 21 days after receipt of all material authorized to be submitted at the hearing, or 21 days after receipt of the transcript, if one is made, whichever is latest. The term "public hearing" includes any public meeting held by any agency at which the rule is considered. If a petition for an administrative determination under s. 120.56(2) is filed, the period during which a rule must be filed for adoption is extended to

60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete.

3. At the time a rule is filed, the agency shall certify that the time limitations prescribed by this paragraph have been complied with, that all statutory rulemaking requirements have been met, and that there is no administrative determination pending on the rule.

4. At the time a rule is filed, the committee shall certify whether the agency has responded in writing to all material and timely written comments or written inquiries made on behalf of the committee. The department shall reject any rule that is not filed within the prescribed time limits; that does not comply with all statutory rulemaking requirements and rules of the department; upon which an agency has not responded in writing to all material and timely written inquiries or written comments; upon which an administrative determination is pending; or which does not include a statement of estimated regulatory costs, if required.

5. If a rule has not been adopted within the time limits imposed by this paragraph or has not been adopted in compliance with all statutory rulemaking requirements, the agency proposing the rule *must* ~~shall~~ withdraw the rule and give notice of its action in the next available issue of the Florida Administrative Register.

6. The proposed rule *is* ~~shall be~~ adopted *upon* ~~on~~ being filed with the Department of State and *becomes* ~~become~~ effective 20 days after being filed, on a later date specified in the notice required by subparagraph (a) 1., on a date required by statute, or upon ratification by the Legislature pursuant to s. 120.541(3). Rules not required to be filed with the Department of State ~~shall~~ become effective when adopted by the agency head, on a later date specified by rule or statute, or upon ratification by the Legislature pursuant to s. 120.541(3). If the committee notifies an agency that an objection to a rule is being considered, the agency may postpone the adoption of the rule to accommodate review of the rule by the committee. When an agency postpones adoption of a rule to accommodate review by the committee, the 90-day period for filing the rule is tolled until the committee notifies the agency that it has completed its review of the rule.

For the purposes of this paragraph, the term "administrative determination" does not include subsequent judicial review.

(4) EMERGENCY RULES.—

(a) If an agency finds that an immediate danger to the public health, safety, or welfare requires emergency action, *or if the Legislature authorizes the agency to adopt emergency rules and finds that all conditions specified in this paragraph are met,* the agency may*, within the authority granted to the agency under the State Constitution or delegated to it by the Legislature,* adopt any rule necessitated by the immediate danger *or legislative finding*. The agency may adopt a rule by any procedure which is fair under the circumstances if:

1. The procedure provides at least the procedural protection given by other statutes, the State Constitution, or the United States Constitution.

2. The agency takes only that action necessary to protect the public interest under the emergency procedure.

3. The agency publishes in writing at the time of, or prior to, its action the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and its reasons for concluding that the procedure used is fair under the circumstances. In any event, notice of emergency rules, other than those of educational units or units of government with jurisdiction in only one or a part of one county, including the full text of the rules *and the agency's findings of immediate danger, necessity, and procedural fairness or a citation to the grant of emergency rulemaking authority*, *must* ~~shall~~ be published in the first available issue of the Florida Administrative Register and provided to the committee along with any material incorporated by reference in the rules. The agency's findings of immediate danger, necessity, and procedural fairness *are* ~~shall be~~ judicially reviewable.

(b) Rules pertaining to the public health, safety, or welfare *must* ~~shall~~ include rules pertaining to perishable agricultural commodities or rules pertaining to the interpretation and implementation of the requirements of chapters 97-102 and chapter 105 of the Election Code.

(c)*1.* An emergency rule adopted under this subsection *may* ~~shall~~ not be effective for a period longer than 90 days and *may* ~~shall~~ not be renewable, except when the agency has initiated rulemaking to adopt rules addressing the subject of the emergency rule and either:

a.~~1.~~ A challenge to the proposed rules has been filed and remains pending; or

b.~~2.~~ The proposed rules are awaiting ratification by the Legislature pursuant to s. 120.541(3). *If the proposed rule is not ratified during the next regular legislative session, the emergency rule shall expire at adjournment sine die of that regular legislative session. The proposed rule must be withdrawn from ratification in accordance with s. 120.54(3)(d).*

2. ~~Nothing in~~ This paragraph *does not prohibit* ~~prohibits~~ the agency from adopting a rule or rules identical to the emergency rule through the rulemaking procedures specified in subsection (3).

(d) Notice of the renewal of an emergency rule must be published in the Florida Administrative Register before the expiration of the existing emergency rule. The notice of renewal must state the specific facts and reasons for such renewal.

(e) For emergency rules with an effective period greater than 90 days which are intended to replace existing rules, a note must be added to the history note of the existing rule which specifically identifies the emergency rule that is intended to supersede the existing rule and includes the date that the emergency rule was filed with the Department of State.

(f) Emergency rules must be published in the Florida Administrative Code.

(g) An agency may supersede an emergency rule in effect through adoption of another emergency rule before the superseded rule expires. The reason for adopting the superseding rule must be stated in accordance with the procedures set forth in paragraph (a). The superseding rule may not be in effect longer than the duration of the effective period of the superseded rule.

(h) An agency may make technical changes to an emergency rule within the first 7 days after the rule is adopted, and such changes must be published in the Florida Administrative Register as a notice of correction.

(i)~~(d)~~ Subject to applicable constitutional and statutory provisions, an emergency rule becomes effective immediately on filing, or on a date less than 20 days thereafter if specified in the rule, if the adopting agency finds that such effective date is necessary because of immediate danger to the public health, safety, or welfare.

(j) An agency may repeal an emergency rule before it expires by providing notice of its intended action in the Florida Administrative Register. The notice must include the full text of the emergency rule and a summary thereof; if applicable, a reference to the rule number; and a short, plain explanation as to why the conditions specified in accordance with paragraph (a) no longer require the emergency rule.

(7) PETITION TO INITIATE RULEMAKING.—

(a) Any person regulated by an agency or having substantial interest in an agency rule may petition an agency to adopt, amend, or repeal a rule or to provide the minimum public information required by this chapter. The petition *must* ~~shall~~ specify the proposed rule and action requested. *The agency shall provide to the committee a copy of the petition within 7 days after its receipt. No* ~~Not~~ later than 30 calendar days following the date of filing a petition, the agency shall initiate rulemaking proceedings under this chapter, otherwise comply with the requested action, or deny the petition with a written statement of its reasons for the denial. *The agency shall notify the committee of its intended action or response within 7 days.*

Section 4. Paragraph (a) of subsection (1) and subsections (2) and (3) of section 120.541, Florida Statutes, are amended, paragraph (d) is added to subsection (4), and subsections (6) and (7) are added to that section, to read:

120.541 Statement of estimated regulatory costs.—

(1)(a) Within 21 days after publication of the notice required under s. 120.54(3)(a), a substantially affected person may submit to an agency a good faith written proposal for a lower cost regulatory alternative to a proposed rule which substantially accomplishes the objectives of the law being implemented. The proposal may include the alternative of not adopting any rule if the proposal explains how the lower costs and objectives of the law will be achieved by not adopting any rule. *If submitted after a notice of change, a proposal for a lower cost regulatory alternative is deemed to be made in good faith only if the person reasonably believes, and the proposal states the person's reasons for believing that the proposed rule, as changed by the notice of change, increases the regulatory costs or creates an adverse impact on small businesses which was not created by the previously proposed rule.* If such a proposal is submitted, the 90-day period for filing the rule is extended 21 days. Upon the submission of the lower cost regulatory alternative, the agency shall prepare a statement of estimated regulatory costs as provided in subsection (2), or shall revise its prior statement of estimated regulatory costs, and either adopt the alternative or provide a statement of the reasons for rejecting the alternative in favor of the proposed rule. *The agency shall provide to the committee, within 7 days after its receipt, a copy of any proposal for a lower cost regulatory alternative, and within 7 days after its release, a copy of the agency's response thereto. The agency may not file a rule for adoption before such documents, if applicable, have been provided to the committee.*

(2) A statement of estimated regulatory costs shall include:

(a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of $1 million in the aggregate within 5 years after the implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of $1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of $1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable *by the agency* based upon standard business practices, and *may* include*:*

1. Filing fees.

2. Expenses to obtain a license.

3. Necessary equipment.

4. Installation, utilities for, and maintenance of necessary equipment.

5. Necessary operations or procedures.

6. Accounting, financial, information management, and other administrative processes.

7. Labor, based on relevant wages, salaries, and benefits.

8. Materials and supplies.

9. Capital expenditures, including financing costs.

10. Professional and technical services, including contracted services necessary to implement and maintain compliance.

11. Monitoring and reporting.

12. Qualifying and recurring education, training, and testing.

13. Travel.

14. Insurance and surety requirements.

15. A fair and reasonable allocation of administrative costs and other overhead.

16. Reduced sales or other revenue.

17. Other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative ~~filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule~~.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.

(f) *In evaluating the impacts described in paragraphs (a) and (e), an agency must include, if applicable, the market impacts likely to result from compliance with the proposed rule, including:*

1. Changes to customer charges for goods or services.

2. Changes to the market value of goods or services produced, provided, or sold.

3. Changes to costs resulting from the purchase of substitute or alternative goods or services.

4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

(g) Any additional information that the agency determines may be useful.

(h)~~(g)~~ In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

(3) If the adverse impact or regulatory costs of the rule exceed any of the criteria established in paragraph (2)(a), the rule *must* ~~shall~~ be submitted to the President of the Senate and Speaker of the House of Representatives no later than 30 days *before* ~~prior to~~ the next regular legislative session, and the rule may not take effect until it is ratified by the Legislature. *The agency shall notify the committee of its submission of the rule to the Legislature for ratification within 3 business days after submittal.*

(4) Subsection (3) does not apply to the adoption of:

(d) Emergency rules adopted pursuant to s. 120.54(4).

(6)(a) The Department of State shall include on the Florida Administrative Register website the agency website addresses where statements of estimated regulatory costs can be viewed in their entirety.

(b) An agency that prepares a statement of estimated regulatory costs must provide, as part of the notice required under s. 120.54(3)(a), the agency website address where the statement of estimated regulatory costs can be read in its entirety to the Department of State for publication in the Florida Administrative Register.

(c) If an agency revises its statement of estimated regulatory costs, the agency must provide notice that a revision has been made in the manner provided under s. 120.54(3)(d)1. Such notice must also include the agency website address where the revision can be viewed in its entirety.

(7) The rules ombudsman in the Executive Office of the Governor must prescribe and post on a publicly accessible website a form that incorporates the factors in subsection (2). Agencies must use this form to prepare a statement of estimated regulatory costs as required by this section.

Section 5. Section 120.5435, Florida Statutes, is created to read:

120.5435 Agency review of rules.—

(1) For the purposes of this section, the term "rule" means the rule number assigned by the Department of State.

(2)(a) By July 1, 2030, each agency, in coordination with the committee, shall review all existing rules adopted by the agency before July 1, 2025, in accordance with this section.

(b) Beginning October 1, 2025, each agency shall include a list of its existing rules in its annual regulatory plan, prepared and submitted pursuant to s. 120.74. The agency shall include a schedule of the rules it will review each year during the 5-year rule review period. The agency may amend its yearly schedule in subsequent regulatory plans, but must provide for the completed review of at least 20 percent of the agency's rules per year, until all of its subject rules have been reviewed.

(c) This subsection stands repealed July 1, 2032.

(3) Any rule initially adopted after July 1, 2025, must be reviewed in accordance with this section in the fifth year following adoption. Such review must be completed before the day that marks the sixth year since the adoption of the rule.

(4) The agency rule review must determine whether each rule:

(a) Is a valid exercise of delegated legislative authority;

(b) Has current statutory authority;

(c) Reiterates or paraphrases statutory material;

(d) Is in proper form;

(e) Is consistent with expressed legislative intent pertaining to the specific provisions of law which the rule implements;

(f) Requires a technical or substantive update to reflect current use; and

(g) Requires updated references to statutory citations and incorporated materials.

(5) By January 1 of each year, the agency shall submit to the President of the Senate, the Speaker of the House of Representatives, and the committee a report that summarizes the agency's intended action on each rule under review during the current fiscal year.

(6) The agency shall take one of the following actions during its rule review:

(a) Make no change to the rule. If the agency determines that no change is necessary, the agency must submit to the committee by April 1 a copy of the reviewed rule, a written statement of its intended action, and its assessment of factors specified in subsection (4). This determination is not subject to a challenge as a proposed rule pursuant to s. 120.56(2).

(b) Make a technical change to the rule. If the agency determines that one or more technical changes are necessary, the agency must submit to the committee by April 1 a copy of the reviewed rule and the recommended technical change or changes coded by underlining new text and striking through deleted text, a written statement of its intended action, its assessment of the factors specified in subsection (4), and the facts and circumstances justifying the technical change or changes to the reviewed rule. This determination is not subject to a challenge as a proposed rule pursuant to s. 120.56(2).

(c) Make a substantive change to the rule. If the agency determines that the rule requires a substantive change, the agency must make all changes, including any technical changes, to the rule in accordance with this chapter. The agency shall publish a notice of rule development in the Florida Administrative Register by April 1. The agency shall also submit to the committee by April 1 a copy of the reviewed rule and the recommended change or changes coded by underlining new text and striking through deleted text, a written statement of its intended action, and its assessment of factors specified in subsection (4). This submission to the committee does not constitute a notice of rule development as contemplated by s. 120.54(2)(a) and is not required to be in the same form as the rule that will be proposed by the agency.

(d) Repeal the rule. If an agency determines that the rule should be repealed, the agency must repeal the rule in accordance with this chapter and publish the required notice in the Florida Administrative Register by April 1. The agency shall also submit to the committee by April 1 a written statement of its intended action and its assessment of factors specified in subsection (4). This submission to the committee does not constitute a notice of proposed rule as contemplated by s. 120.54(3)(a).

(7)(a) By July 1, the committee shall examine each agency's rule review submissions. The committee may request from an agency any information that is reasonably necessary for examination of a rule as required by subsections (2) and (3).

(b) If the agency recommends no change or a technical change to a rule, the committee must certify whether the agency has responded in writing to all material and timely written comments or inquiries made on behalf of the committee.

(8) The rule review is completed upon:

(a) The agency, upon approval of the agency head or his or her designee, electronically filing a certified copy of the reviewed rule to which no changes or only technical changes were made, and the committee's certification granted pursuant to subsection (7), with the Department of State; or

(b) The agency, for a reviewed rule subject to substantive change or repeal, timely filing the appropriate notice pursuant to s. 120.54.

(9) The Department of State shall publish in the Florida Administrative Register a notice of the completed rule review and shall update the history note of the rule in the Florida Administrative Code to reflect the date of completion, if applicable.

Section 6. Subsection (1) of section 120.545, Florida Statutes, is amended to read:

120.545 Committee review of agency rules.—

(1) As a legislative check on legislatively created authority, the committee shall examine each proposed rule, except for those proposed rules exempted by s. 120.81(1)(e) and (2), ~~and its accompanying material, and~~ each emergency rule, *each rule reviewed under s. 120.5435,* and may examine any existing rule, *and any accompanying material or associated documents used to interpret a proposed or existing rule,* for the purpose of determining whether:

(a) The rule is an invalid exercise of delegated legislative authority.

(b) The statutory authority for the rule has been repealed.

(c) The rule reiterates or paraphrases statutory material.

(d) The rule is in proper form.

(e) The notice given *before* ~~prior to~~ its adoption was sufficient to give adequate notice of the purpose and effect of the rule.

(f) The rule is consistent with expressed legislative intent pertaining to the specific provisions of law which the rule implements.

(g) The rule is necessary to accomplish the apparent or expressed objectives of the specific provision of law which the rule implements.

(h) The rule is a reasonable implementation of the law as it affects the convenience of the general public or persons particularly affected by the rule.

(i) The rule could be made less complex or more easily comprehensible to the general public.

(j) The rule's statement of estimated regulatory costs complies with the requirements of s. 120.541 and whether the rule does not impose regulatory costs on the regulated person, county, or city which could be reduced by the adoption of less costly alternatives that substantially accomplish the statutory objectives.

(k) The rule will require additional appropriations.

(l) If the rule is an emergency rule, there exists an emergency justifying the adoption of such rule, the agency is within its statutory authority, and the rule was adopted in compliance with the requirements and limitations of s. 120.54(4).

(m) The rule includes a provision not authorized by statute, whereby the entire rule, or a provision thereof, automatically expires or is repealed on a specific date or at the end of a specified period.

Section 7. Subsection (1) of section 120.55, Florida Statutes, is amended to read:

120.55 Publication.—

(1) The Department of State shall:

(a)1. Through a continuous revision and publication system, compile and publish electronically, on a website managed by the department, the "Florida Administrative Code." The Florida Administrative Code *must* ~~shall~~ contain all rules adopted by each agency, citing the grant of rulemaking authority and the specific law implemented pursuant to which each rule was adopted, all history notes as authorized in *ss. 120.5435 and 120.545(7)* ~~s. 120.545(7)~~, complete indexes to all rules *and any material incorporated by reference* contained in the code, and any other material required or authorized by law or deemed useful by the department. The electronic code *must* ~~shall~~ display each rule chapter currently in effect in browse mode and allow full text search of the code and each rule chapter. The department may contract with a publishing firm for a printed publication; however, the department *retains* ~~shall retain~~ responsibility for the code as provided in this section. The electronic publication *is* ~~shall be~~ the official compilation of the administrative rules of this state. The Department of State *retains* ~~shall retain~~ the copyright over the Florida Administrative Code.

2. Rules general in form but applicable to only one school district, community college district, or county, or a part thereof, or state university rules relating to internal personnel or business and finance *may* ~~shall~~ not be published in the Florida Administrative Code. Exclusion from publication in the Florida Administrative Code *does* ~~shall~~ not affect the validity or effectiveness of such rules.

3. At the beginning of the section of the code dealing with an agency that files copies of its rules with the department, the department shall publish the address and telephone number of the executive offices of each agency, the manner by which the agency indexes its rules, a listing of all rules of that agency excluded from publication in the code, *a listing of all forms and material incorporated by reference adopted by rule which are used by the agency,* and a statement as to where those rules may be inspected.

4. Forms *may* ~~shall~~ not be published in the Florida Administrative Code; but any form which an agency uses in its dealings with the public, along with any accompanying instructions, *must* ~~shall~~ be filed with the committee before it is used. Any form or instruction which meets the definition of *the term* "rule" provided in s. 120.52 *must* ~~shall~~ be incorporated by reference into the appropriate rule. The reference *must* ~~shall~~ specifically state that the form is being incorporated by reference and ~~shall~~ include the number, title, and effective date of the form and an explanation of how the form may be obtained. Each form created by an agency which is incorporated by reference in a rule notice of which is given under s. 120.54(3)(a) after December 31, 2007, must clearly display the number, title, and effective date of the form and the number of the rule in which the form is incorporated.

5. *After December 31, 2025,* the department shall *require any material incorporated by reference in* ~~allow~~ adopted rules ~~and material incorporated by reference~~ to be filed in *the manner prescribed by s. 120.54(1)(i)3.a. or b.* ~~electronic form as prescribed by department rule.~~ When a *proposed* rule is filed for adoption with incorporated material in electronic form, the department's publication of the Florida Administrative Code on its website must contain a hyperlink from the incorporating reference in the rule directly to that material. The department may not allow hyperlinks from rules in the Florida Administrative Code to any material other than that filed with and maintained by the department, but may allow hyperlinks to incorporated material maintained by the department from the adopting agency's website or other sites.

6. The department shall include the date of any technical changes in the history note of the rule in the Florida Administrative Code. A technical change does not affect the effective date of the rule. A technical change made after the adoption of a rule must be published as a notice of correction.

(b) Electronically publish on a website managed by the department a continuous revision and publication entitled the "Florida Administrative Register," which *serves* ~~shall serve~~ as the official publication and must contain:

1. All notices required by s. 120.54(2) and (3)(a), showing the text of all rules proposed for consideration.

2. All notices of public meetings, hearings, and workshops conducted in accordance with s. 120.525, including a statement of the manner in which a copy of the agenda may be obtained.

3. A notice of each request for authorization to amend or repeal an existing uniform rule or for the adoption of new uniform rules.

4. Notice of petitions for declaratory statements or administrative determinations.

5. A list of all rules that were not timely reviewed by their respective agency, pursuant to s. 120.5435, updated at least annually.

6. ~~5.~~ A summary of each objection to any rule filed by the Administrative Procedures Committee.

7. ~~6.~~ A list of rules filed for adoption in the previous 7 days.

8. ~~7.~~ A list of all rules filed for adoption pending legislative ratification under s. 120.541(3). A rule shall be removed from the list once notice of ratification or withdrawal of the rule is received.

9. The full text of each emergency rule in effect on the date of publication.

10. ~~8.~~ Any other material required or authorized by law or deemed useful by the department.

The department may contract with a publishing firm for a printed publication of the Florida Administrative Register and make copies available on an annual subscription basis.

(c) Prescribe by rule the style and form required for rules, notices, and other materials submitted for filing*, including any rule requiring that documents created by an agency which are proposed to be incorporated by reference in notices published pursuant to s. 120.54(3)(a) and (d) be coded as required in s. 120.54(1)(i)7.*

(d) Charge each agency using the Florida Administrative Register a space rate to cover the costs related to the Florida Administrative Register and the Florida Administrative Code.

(e) Maintain a permanent record of all notices published in the Florida Administrative Register.

Section 8. Paragraph (c) of subsection (1) and subsections (4) through (8) of section 120.74, Florida Statutes, are amended, and paragraphs (e), (f), and (g) are added to subsection (1) of that section, to read:

120.74 Agency annual rulemaking and regulatory plans; reports.—

(1) REGULATORY PLAN.—By October 1 of each year, each agency shall prepare a regulatory plan.

(c) The plan must include any desired update to the prior year's regulatory plan or supplement published pursuant to subsection *(5)* ~~(7)~~. If, in a prior year, a law was identified under this paragraph or under subparagraph (a)1. as a law requiring rulemaking to implement but a notice of proposed rule has not been published:

1. The agency shall identify and again list such law, noting the applicable notice of rule development by citation to the Florida Administrative Register; or

2. If the agency has subsequently determined that rulemaking is not necessary to implement the law, the agency shall identify such law, reference the citation to the applicable notice of rule development in the Florida Administrative Register, and provide a concise written explanation of the reason why the law may be implemented without rulemaking.

(e) The plan also includes all of the following:

1. A list of the agency's existing rules scheduled for review pursuant to s. 120.5435.

2. A 5-year schedule for the review of all existing rules as of July 1, 2025.

3. A yearly schedule for the rules it will review each year during the 5-year rule review. The agency may amend this schedule, if necessary.

(f) The plan must include any desired update to the prior year's regulatory plan or supplement thereof, published pursuant to subsection (5). If, in a prior year, the agency identified a rule under this paragraph as one requiring review pursuant to s. 120.5435, but the agency has not yet completed an action described in s. 120.5435(5):

1. The agency must identify and list such rule in its regulatory plan as an untimely rule review and notify the committee of such action; or

2. If the agency subsequently determined that the rule review is not necessary, the agency must identify the rule and provide a concise written explanation of the reason why the rule does not require a rule review.

(g)1. Beginning October 1, 2025, each agency issuing licenses in accordance with s. 120.60 shall track the agency's compliance with the licensing timeframes established in s. 120.60, and beginning October 1, 2026, must include in the regulatory plan required by subsection (1), all of the following information regarding its licensing activities of the prior fiscal year, categorized by type of license:

a. The number of license applications submitted to the agency.

b. The number of license applications that required one or more requests for additional information.

c. The number of license applications for which the applicant was nonresponsive to one or more requests for additional information.

d. The number of license applications that were not completed by the applicant.

e. The number of license applications for which the agency requested that the applicant grant an extension of time for the agency to issue a request for additional information, determine that an application is complete, or issue a decision to approve or deny an application.

f. The number of license applications for which an extension was requested by the applicant and for which an extension was required by the state agency or judicial branch.

g. The number of license applications that were not approved or denied within the statutory timeframe.

h. The average and median number of days it takes the agency to approve or deny an application after receipt of a completed application.

i. The number of license applications for which final agency action was appealed and the number of informal and formal hearings requested.

j. The number of employees dedicated to processing license applications, if available.

2. No later than December 31 of each year, the committee must submit a consolidated annual agency licensing performance report that provides all of the information required by subparagraph 1. The Department of State must publish a hyperlink to these reports in the first available issue of the Florida Administrative Register.

~~(4) DEADLINE FOR RULE DEVELOPMENT. By November 1 of each year, each agency shall publish a notice of rule development under s. 120.54(2) for each law identified in the agency's regulatory plan pursuant to subparagraph (1)(a)1. for which rulemaking is necessary to implement but for which the agency did not report the publication of a notice of rule development under subparagraph (1)(a)2.~~

(4)~~(5)~~ *CORRECTING THE REGULATORY PLAN.*—~~DEADLINE TO PUBLISH PROPOSED RULE. For each law for which implementing rulemaking is necessary as identified in the agency's plan pursuant to subparagraph (1)(a)1. or subparagraph (1)(c)1., the agency shall publish a notice of proposed rule pursuant to s. 120.54(3)(a) by April 1 of the year following the deadline for the regulatory plan. This deadline may be extended if the agency publishes a notice of extension in the Florida Administrative Register identifying each rulemaking proceeding for which an extension is being noticed by citation to the applicable notice of rule development as published in the Florida Administrative Register. The agency shall include a concise statement in the notice of extension identifying any issues that are causing the delay in rulemaking. An extension shall expire on October 1 after the April 1 deadline, provided that the regulatory plan due on October 1 may further extend the rulemaking proceeding by identification pursuant to subparagraph (1)(c)1. or conclude the rulemaking proceeding by identification pursuant to subparagraph (1)(c)2.~~ A published regulatory plan may be corrected at any time to accomplish the purpose of ~~extending or~~ concluding an affected rulemaking proceeding *by identifying the applicable rule pursuant to subparagraph (1)(c)2. The regulatory plan* ~~and~~ is deemed corrected as of the October 1 due date. Upon publication of a correction, the agency shall publish in the Florida Administrative Register a notice of the date of the correction identifying the affected rulemaking proceeding by applicable citation to the Florida Administrative Register.

~~(6) CERTIFICATIONS. Each agency shall file a certification with the committee upon compliance with subsection (4) and upon filing a notice under subsection (5) of either a deadline extension or a regulatory plan correction. A certification may relate to more than one notice or contemporaneous act. The date or dates of compliance shall be noted in each certification.~~

(5)~~(7)~~ SUPPLEMENTING THE REGULATORY PLAN.—After publication of the regulatory plan, the agency shall supplement the plan within 30 days after a bill becomes a law if the law is enacted before the next regular session of the Legislature and the law substantively modifies the agency's specifically delegated legal duties, unless the law affects all or most state agencies as identified by letter to the committee from the Governor or the Attorney General. The supplement must include the information required in paragraph (1)(a) and shall be published as required in subsection (2), but no certification or delivery to the committee is required. The agency shall publish in the Florida Administrative Register notice of publication of the supplement, and include a hyperlink on its website or web address for direct access to the published supplement. For each law reported in the supplement, if rulemaking is necessary to implement the law, the agency shall publish a notice of rule development *no later than 30* ~~by the later of the date provided in subsection (4) or 60~~ days after the *effective date of the act that requires rulemaking and provides a grant of rulemaking authority* ~~bill becomes a law~~, and a notice of proposed rule shall be published *no later than 180 days after the publication of the applicable notice of rule development* ~~by the later of the date provided in subsection (5) or 120 days after the bill becomes a law. The proposed rule deadline may be extended to the following October 1 by notice as provided in subsection (5).~~ If such proposed rule has not been filed by October 1, a law included in a supplement shall also be included in the next annual plan pursuant to subsection (1).

(6)~~(8)~~ FAILURE TO COMPLY.—If an agency fails to comply with a requirement of paragraph (2)(a) ~~or subsection (5),~~ within 15 days after written demand from the committee or from the chair of any other legislative committee, the agency shall deliver a written explanation of the reasons for noncompliance to the committee, the President of the Senate, the Speaker of the House of Representatives, and the chair of any legislative committee requesting the explanation of the reasons for noncompliance.

Section 9. This act shall take effect July 1, 2025.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; defining the term "technical change"; amending s. 120.536, F.S.; prohibiting certain provisions in a rule; amending s. 120.54, F.S.; requiring agencies to publish a notice of rule development within a specified timeframe; deleting a provision related to the timeframe within which rules are required to be drafted and formally proposed; prohibiting materials from being incorporated by reference for certain rules reviewed after a specified date unless certain conditions are met; prohibiting rules proposed after a specified date from having materials incorporated by reference unless certain conditions are met; requiring agencies to use specific coding if they are updating or making changes to certain documents incorporated by reference; requiring a certain number of days between a notice of rule development and notice of proposed rule; requiring that notices of rule development contain certain information as well as incorporated documents; requiring that a notice of rule development contain a proposed rule number and specified statements; requiring a notice of proposed rule to be published within a specified timeframe; requiring a specified statement if an agency must exceed such timeframe; requiring the agency to update such specified statement for a certain timeframe; revising the scope of public workshops to include information gathered for the preparation of statements of estimated regulatory costs; revising who may challenge a proposed rule developed through negotiated rulemaking; revising the notices required to be issued by agencies before the adoption, amendment, or repeal of certain rules; requiring certain information be included in the notices; requiring a certain number of days between a notice of rule development and notice of proposed rule; requiring that specified information be available for public inspection; requiring that materials incorporated by reference be made available in a specified manner; requiring that certain notices be delivered electronically to all persons who made requests for such notice; requiring agencies to publish a notice of correction for certain changes within a specified timeframe; providing that notices of correction do not affect certain timeframes; requiring that technical changes be published as notices of correction; requiring agencies to provide copies of any offered regulatory alternatives to the Administrative Procedures Committee before the agency files a rule for adoption; requiring the agency to consider certain factors; removing the definition of the term "small business"; revising the requirements for the contents of a notice of change; requiring that certain materials incorporated by reference be made available in a specified manner; requiring the department to publish a notice of withdrawal of the proposed rule under certain circumstances; requiring agencies to restart rulemaking following a notice of withdrawal in certain circumstances; requiring that certain rules be withdrawn if not ratified within the legislative session immediately following the filing for adoption; providing that agencies are authorized to initiate rulemaking, or required to initiate rulemaking under a specified circumstance, within a specified timeframe of the adjournment of such legislative session; requiring the committee to compile and post on its website certain information within a specified timeframe after each calendar quarter; reducing the number of certified copies of a proposed rule that must be electronically filed with the Department of State; authorizing agencies to adopt emergency rules under specified conditions; requiring that specified information be published in the first available issue of the Florida Administrative Register and provided to the Administrative Procedures Committee; providing that if a proposed rule is not ratified within a specified timeframe, the emergency rule expires; requiring that the proposed rule be withdrawn in accordance with a specified provision; requiring that notices of renewal for emergency rules be published in the Florida Administrative Register before expiration of the existing emergency rule; requiring that such notices contain specified information; requiring that a note be added to a certain history note for certain emergency rules; requiring that emergency rules be published in the Florida Administrative Code; authorizing agencies to adopt emergency rules that supersede other emergency rules; requiring that the reason for such superseding rules be stated in accordance with specified provisions; authorizing agencies to make technical changes to emergency rules within a specified timeframe; requiring that such changes be published in the Florida Administrative Register as a notice of correction; authorizing agencies to repeal emergency rules by providing a certain notice in the Florida Administrative Register; requiring agencies to provide specified petitions to the committee within a specified timeframe after receipt; requiring agencies to provide a certain notification to the committee within a specified timeframe; reenacting and amending s. 120.541, F.S.; providing that a proposal for a lower cost regulatory alternative submitted after a notice of change is made in good faith only if the proposal contains certain statements; requiring agencies to provide a copy of such proposals and responses thereto to the committee within specified timeframes; prohibiting agencies from filing a rule for adoption unless such documents are provided to the committee; revising the definition of the term "transactional costs"; requiring an agency to include specified market impacts that may result from compliance with a proposed rule; requiring agencies to notify the committee within a specified timeframe that a rule has been submitted for legislative ratification; providing an exemption from legislative ratification for emergency rules; providing requirements for the calculation of estimated regulatory costs; requiring the department to include the agency website on which statements of estimated regulatory costs can be viewed; requiring an agency to take specified actions relating to statements of estimated regulatory costs; requiring the rules ombudsman of the Executive Office of the Governor to prescribe and post on a publicly accessible website a specified form; requiring agencies to use such form; creating s. 120.5435, F.S.; defining the term "rule"; requiring agencies, by a specified date and in coordination with the committee, to review specified rules adopted before a specified date; providing for future review and repeal; requiring rules promulgated after a certain date to be reviewed; requiring agencies to include a list of existing rules and a schedule of rules they plan to review each year in a certain regulatory plan; authorizing agencies to amend such schedules under specified circumstances but requiring that at least a specified percentage of an agency's rules be reviewed each year until completion of all reviews; requiring agencies to make specified determinations during rule review; providing that certain determinations are not subject to challenge as a proposed rule; requiring agencies to submit a certain report to the Legislature annually by a specified date; requiring agencies to take one of certain specified actions during rule reviews by a specified date; providing requirements for the agencies in connection with each of the specified actions; requiring the committee to examine agencies' rule review submissions; authorizing the committee to request certain information from such agencies; requiring that such review occur within a specified timeframe under specified conditions; requiring the committee to issue a certain certification upon completion of examinations; specifying circumstances under which rule review is considered completed; requiring the department to publish a certain notice in the Florida Administrative Register; amending s. 120.545, F.S.; requiring the Joint Administrative Procedures Committee to review each rule being reviewed; permitting the committee to review certain material and documents; providing that the committee may examine rules to determine if certain unauthorized provisions are included; amending s. 120.55, F.S.; revising the contents of the Florida Administrative Code to conform to changes made by the act; requiring, after a specified date, that any material incorporated by reference be filed in a specified electronic format with the department; requiring that the Florida Administrative Register contain a certain list; requiring that the full text of emergency rules be published; requiring that the department prescribe coding for certain documents incorporated by reference; amending s. 120.74, F.S.; requiring that regulatory plans submitted by agencies include certain schedules for rule review and certain desired updates to such plans; requiring agencies to take certain actions if the agencies have not completed reviewing a rule; requiring agencies to include information regarding the prior year's licensing practices in their regulatory plan; requiring the committee to submit a consolidated report of the agency licensing data; requiring the Department of State to publish a hyperlink to the licensing data reports; deleting provisions related to deadlines for rule development; deleting deadlines for publishing proposed rules; deleting provisions requiring agencies to file certain certifications with the committee; authorizing agencies to correct a regulatory plan to conclude affected rulemaking proceedings by identifying certain rules; revising the timeframes within which agencies must publish certain notices; conforming provisions to changes made by the act; providing an effective date.

On motion by Senator Grall, the Senate concurred in **House Amendment 1 (080275)**.

CS for SB 108 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1620, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 1620—A bill to be entitled An act relating to mental health and substance use disorders; amending s. 394.457, F.S.; requiring the Department of Children and Families to require certain providers to use a specified assessment tool; revising the minimum standards for a mobile crisis response service; amending s. 394.459, F.S.; requiring facilities to update treatment plans within specified timeframes; amending s. 394.468, F.S.; revising requirements for discharge planning regarding medications; amending s. 394.495, F.S.; requiring use of a specified assessment tool; providing an exception; requiring the Department of Children and Families, in consultation with the Department of Education, to conduct a review biennially of school-based behavioral health access through telehealth; providing requirements for review; requiring the Department of Children and Families to submit its findings to the Governor and the Legislature by a specified date; providing for expiration of the review; amending s. 394.659, F.S.; requiring the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center at the Louis de la Parte Florida Mental Health Institute at the University of South Florida to disseminate among grantees certain evidence-based practices and best practices; defining the term "person-first language"; amending s. 394.875, F.S.; requiring the Department of Children and Families, in consultation with the Agency for Health Care Administration, to conduct a review biennially to identify needs regarding short-term residential treatment facilities and beds; specifying actions the department must take under certain conditions; amending s. 394.9082, F.S.; requiring managing entities to promote use of person-first language and trauma-informed care and require use of a specified assessment tool; amending s. 1004.44, F.S.; revising the assistance and services the Louis de la Parte Florida Mental Health Institute is required to provide; revising the requirements of the Florida Center for Behavioral Health Workforce to promote behavioral health professions; creating the Senator Darryl E. Rouson Center for Substance Abuse and Mental Health Research within the institute; specifying the purpose of the center; specifying the goals of the center; specifying the responsibilities of the center; requiring the center to submit a report by a specified date each year to the Governor and the Legislature; specifying the contents of the report; amending s. 1006.041, F.S.; revising the plan components for mental health assistance programs; reenacting s. 394.463(2)(g), F.S., relating to involuntary examination, to incorporate the amendment made to s. 394.468, F.S., in a reference thereto; reenacting s. 394.4955(2)(c) and (6), F.S., relating to coordinated system of care and child and adolescent mental health treatment and support, to incorporate the amendment made to s. 394.495, F.S., in references thereto; reenacting s. 1001.212(7), F.S., relating to the Office of Safe Schools, to incorporate the amendment made to s. 1004.44, F.S., in a reference thereto; providing an effective date.

House Amendment 1 (852013) (with directory and title amendments)—Remove lines 366-440

And the directory clause is amended as follows:

Remove line 292 and insert:

subsection (1) is added to that section, to

And the title is amended as follows:

Remove lines 42-49 and insert: behavioral health profession; amending s.

Senator Rouson moved that the Senate concur in **House Amendment 1 (852013)**.

On motion by Senator Rouson, further consideration of **CS for CS for SB 1620** was deferred.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 110, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for SB 110—A bill to be entitled An act relating to rural communities; reenacting and amending s. 20.60, F.S.; revising the list of divisions and offices within the Department of Commerce to conform to changes made by the act; revising the annual program reports that must be included in the annual report of the Department of Commerce; amending s. 163.3168, F.S.; requiring the state land planning agency to give preference for technical assistance funding to local governments located in a rural area of opportunity; requiring the agency to consult with the Office of Rural Prosperity when awarding certain funding; amending s. 201.15, F.S.; requiring that a certain sum be paid to the credit of the State Transportation Trust Fund for the exclusive use of the Florida Arterial Road Modernization Program; amending s. 202.18, F.S.; redirecting the transfer of certain communication services tax revenue; amending s. 212.20, F.S.; revising the distribution of sales and use tax revenue to include a transfer to fiscally constrained counties; amending s. 215.971, F.S.; providing construction regarding agreements funded with federal or state assistance; requiring the agency to expedite payment requests from a county, municipality, or rural area of opportunity for a specified purpose; requiring each state agency to report to the Office of Rural Prosperity by a certain date with a summary of certain information; requiring the office to summarize the information it receives for its annual report; amending s. 218.67, F.S.; revising the conditions required for a county to be considered a fiscally constrained county; authorizing eligible counties to receive a distribution of sales and use tax revenue; revising the sources that the Department of Revenue must use to determine the amount distributed to fiscally constrained counties; revising the factors for allocation of the distribution of revenue to fiscally constrained counties; requiring that the computation and amount distributed be calculated based on a specified rounding algorithm; authorizing specified uses for the revenue; conforming a cross-reference; amending s. 288.0001, F.S.; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to prepare a report for a specified purpose; specifying requirements for the report; providing that the Office of Economic and Demographic Research and OPPAGA must be provided with all data necessary to complete the rural communities or areas report upon request; authorizing the Office of Economic and Demographic Research and OPPAGA to collaborate on all data collection and analysis; requiring the Office of Economic and Demographic Research and OPPAGA to submit the report to the Legislature by a specified date; providing additional requirements for the report; providing for expiration; amending s. 288.001, F.S.; requiring the Florida Small Business Development Center Network to use certain funds appropriated for a specified purpose;

authorizing the network to dedicate funds to facilitate certain events; amending s. 288.007, F.S.; revising which local governments and economic development organizations seeking to recruit businesses are required to submit a specified report; creating s. 288.013, F.S.; providing legislative findings; creating the Office of Rural Prosperity within the Department of Commerce; requiring the Governor to appoint a director, subject to confirmation by the Senate; providing that the director reports to and serves at the pleasure of the secretary of the department; providing the duties of the office; requiring the office to establish by a specified date a certain number of regional rural community liaison centers across this state for a specified purpose; providing the powers, duties, and functions of the liaison centers; requiring the liaison centers, to the extent possible, to coordinate with certain entities; requiring the liaison centers to engage with the Rural Economic Development Initiative (REDI); requiring at least one staff member of a liaison center to attend the monthly meetings in person or by means of electronic communication; requiring the director of the office to submit an annual report to the Administration Commission in the Executive Office of the Governor; specifying requirements for the annual report; requiring that the annual report also be submitted to the Legislature by a specified date and published on the office's website; requiring the director of the office to attend the next Administration Commission meeting to present detailed information from the annual report; requiring OPPAGA to review the effectiveness of the office by a certain date annually until a specified date; requiring OPPAGA to review the office at specified intervals; requiring such reviews to include certain information to be considered by the Legislature; requiring that such reports be submitted to the Legislature; requiring OPPAGA to review certain strategies from other states; requiring OPPAGA to submit to the Legislature its findings at certain intervals; creating s. 288.014, F.S.; providing legislative findings; requiring the Office of Rural Prosperity to administer the Renaissance Grants Program to provide block grants to eligible communities; requiring the Office of Economic and Demographic Research to certify to the Office of Rural Prosperity certain information by a specified date; defining the term "growth-impeded"; requiring the Office of Economic and Demographic Research to certify annually that a county remains growth-impeded until such county has positive population growth for a specified amount of time; providing that such county, after 3 consecutive years of population growth, is eligible to participate in the program for 1 additional year; requiring a county eligible for the program to enter into an agreement with the Office of Rural Prosperity in order to receive the block grant; giving such counties broad authority to design their specific plans; prohibiting the Office of Rural Prosperity from determining how such counties implement the block grant; requiring regional rural community liaison center staff to provide assistance, upon request; requiring participating counties to report annually to the Office of Rural Prosperity with certain information; providing that a participating county receives a specified amount from funds appropriated to the program; requiring participating counties to make all attempts to limit the amount spent on administrative costs; authorizing participating counties to contribute other funds for block grant purposes; requiring participating counties to hire a renaissance coordinator; providing that funds from the block grant may be used to hire the renaissance coordinator; providing the responsibilities of the renaissance coordinator; requiring the regional rural community liaison center staff to provide assistance and training to the renaissance coordinator, upon request; requiring participating counties to design a plan to make targeted investments to achieve population growth and increase economic vitality; providing requirements for such plans; requiring participating counties to develop intergovernmental agreements with certain entities in order to implement the plan; requiring the Auditor General to conduct an operational audit every 2 years for a specified purpose; requiring the Office of Economic and Demographic Research to provide an annual report on a specified date of renaissance block grant recipients by county; providing requirements for the annual report; requiring that the report be submitted to the Legislature; prohibiting funds appropriated for the program from being subject to reversion; providing for an expiration of the section; creating s. 288.0175, F.S.; creating the Public Infrastructure Smart Technology Grant Program within the Office of Rural Prosperity; defining terms; requiring the office to contract with one or more smart technology lead organizations to administer a grant program for a specified purpose; providing the criteria for such contracts; requiring that projects funded by the grant program be included in the office's annual report; amending s. 288.018, F.S.; requiring the office, rather than the Department of Commerce, to establish a grant program to provide funding for regional economic development organizations; revising who may apply for such grants; providing that a grant award may not exceed a certain amount in a year; providing exceptions to a provision that the department may expend a certain amount for a certain purpose; amending s. 288.019, F.S.; revising the program criteria and procedures that agencies and organizations of REDI are required to review; revising the list of impacts each REDI agency and organization must consider in its review; requiring REDI agencies and organizations to develop a proposal for modifications which minimizes the financial and resource impacts to a rural community; requiring that ranking of evaluation criteria and scoring procedures be used only when ranking is a component of the program; requiring that match requirements be waived or reduced for rural communities; providing that donations of land may be treated as in-kind matches; requiring each agency and organization that applies for or receives federal funding to request federal approval to waive or reduce the financial match requirements, if any, for projects in rural communities; requiring that proposals be submitted to the office, rather than the department; requiring each REDI agency and organization to modify rules or policies as necessary to reflect the finalized proposal; requiring that information about authorized waivers be included on the office's online rural resource directory; conforming a cross-reference; amending s. 288.021, F.S.; requiring, when practicable, the economic development liaison to serve as the agency representative for REDI; amending s. 288.065, F.S.; defining the term "unit of local government"; requiring the office to include in its annual report certain information about the Rural Community Development Revolving Loan Fund; conforming provisions to changes made by the act; amending s. 288.0655, F.S.; revising the list of grants that may be awarded by the office; deleting the authorization for local match requirements to be waived for a catalyst site; revising the list of departments the office must consult with to certify applicants; requiring the office to include certain information about the Rural Infrastructure Trust Fund in its annual report; conforming provisions to changes made by the act; amending s. 288.0656, F.S.; providing legislative findings; providing that REDI is created within the Office of Rural Prosperity, rather than the department; deleting the definitions of the terms "catalyst project" and "catalyst site"; requiring that an alternate for each designated deputy secretary be a deputy secretary or higher-level staff person; requiring that the names of such alternates be reported to the director of the office; requiring at least one rural liaison to participate in REDI meetings; requiring REDI to meet at least each month; deleting a provision that a rural area of opportunity may designate catalyst projects; requiring REDI to submit a certain report to the office, rather than to the department; specifying requirements for such report; conforming provisions to changes made by the act; repealing s. 288.06561, F.S., relating to reduction or waiver of financial match requirements; amending s. 288.0657, F.S.; requiring the office, rather than the department, to provide grants to assist rural communities; providing that such grants may be used for specified purposes; requiring the rural liaison to assist those applying for such grants; providing that marketing grants may include certain funding; amending s. 288.1226, F.S.; revising required components of the 4-year marketing plan of the Florida Tourism Industry Marketing Corporation; repealing s. 288.12266, F.S., relating to the Targeted Marketing Assistance Program; amending s. 288.9961, F.S.; revising the definition of the term "underserved"; requiring the office to consult with regional rural community liaison centers on development of a certain strategic plan; requiring rural liaisons to assist rural communities with providing feedback in applying for federal grants for broadband Internet services; requiring the office to submit reports with specified information to the Governor and the Legislature within certain timeframes; repealing s. 290.06561, F.S., relating to designation of rural enterprise zones as catalyst sites; amending s. 319.32, F.S.; revising the disposition of fees collected for certain title certificates; amending s. 334.044, F.S.; revising the powers and duties of the Department of Transportation; amending s. 339.0801, F.S.; revising the allocation of funds received in the State Transportation Trust Fund; amending s. 339.2816, F.S.; requiring, rather than authorizing, that certain funds received from the State Transportation Trust Fund be used for the Small County Road Assistance Program; requiring the department to use other additional revenues for the Small County Road Assistance Program; providing an exception from the prohibition against funding capacity improvements on county roads; amending s. 339.2817, F.S.; revising the criteria that the Department of Transportation must consider for evaluating projects for County Incentive Grant Program assistance; requiring the department to give priority to counties located either wholly or partially within the Everglades Agricultural Area and which request a specified percentage of project costs for eligible projects; specifying a limitation on such requests; providing

for future expiration; amending s. 339.2818, F.S.; deleting a provision that the funds allocated under the Small County Outreach Program are in addition to the Small County Road Assistance Program; deleting a provision that a local government within the Everglades Agricultural Area, the Peace River Basin, or the Suwannee River Basin may compete for additional funding; conforming provisions to changes made by the act; making a technical change; amending s. 339.68, F.S.; providing legislative findings; creating the Florida Arterial Road Modernization Program within the Department of Commerce; defining the term "rural community"; requiring the department to allocate from the State Transportation Trust Fund a minimum sum in each fiscal year to fund the program; providing that such funding is in addition to any other funding provided to the program; providing criteria the department must use to prioritize projects for funding under the program; requiring the department to submit a report to the Governor and the Legislature by a specified date; requiring that such report be submitted every 2 years thereafter; providing the criteria for such report; requiring the Department of Transportation to allocate additional funds to implement the Small County Road Assistance Program and amend the tentative work program for a specified number of fiscal years; requiring the department to submit a budget amendment before the adoption of the work program; requiring the department to allocate sufficient funds to implement the Florida Arterial Road Modernization Program; requiring the department to amend the current tentative work program for a specified number of fiscal years to include the program's projects; requiring the department to submit a budget amendment before the implementation of the program; requiring that the revenue increases in the State Transportation Trust Fund which are derived from the act be used to fund the work program; amending s. 381.402, F.S.; revising eligibility requirements for the Florida Reimbursement Assistance for Medical Education Program; revising the proof required to make payments for participation in the program; creating s. 381.403, F.S.; providing legislative findings; creating the Rural Access to Primary and Preventive Care Grant Program within the Department of Health for a specified purpose; defining terms; requiring the department to award grants under the program to physicians, physician assistants, and autonomous advanced practice registered nurses intending to open new practices or practice locations in qualifying rural areas; specifying eligibility criteria for the grants; requiring the department, by a specified date, to create an application process for applying for grants under the program; specifying requirements for the application and application process; authorizing the department, subject to specific appropriation, to award grants under the program; specifying limitations on the awarding of grants; specifying expenses for which grant funds are authorized and prohibited; requiring the department to enter into a contract with each grant recipient; specifying requirements for the contracts; authorizing the department to adopt rules; requiring the department, beginning on a specified date and annually thereafter, to provide a report containing specified information to the Governor and the Legislature; providing for future legislative review and repeal of the program; creating s. 381.9856, F.S.; creating the Stroke, Cardiac, and Obstetric Response and Education Grant Program within the Department of Health; specifying the purpose of the program; defining terms; requiring the department to award grants under the program to certain entities meeting specified criteria; requiring the department to give priority to certain applicants; limiting individual grants to a specified amount per year; requiring grant recipients to submit quarterly reports to the department; requiring the department to monitor program implementation and outcomes; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; authorizing the department to adopt rules; providing construction; providing for future legislative review and repeal of the program; amending s. 395.6061, F.S.; providing that rural hospital capital grant improvement program funding may be awarded to rural hospitals to establish mobile care units and telehealth kiosks for specified purposes; defining terms; amending s. 420.9073, F.S.; revising the calculation of guaranteed amounts distributed from the Local Government Housing Trust Fund; reenacting and amending s. 420.9075, F.S.; authorizing a certain percentage of the funds made available in each county and eligible municipality from the local housing distribution to be used to preserve multifamily affordable rental housing; specifying what such funds may be used for; providing an expiration; amending s. 1001.451, F.S.; revising the services required to be provided by regional consortium service organizations when such services are found to be necessary and appropriate by such organizations' boards of directors; revising the allocation that certain regional consortium service organizations are eligible to receive from the General Appropriations Act; requiring each regional consortium service organization to submit an annual report to the Department of Education; requiring that unexpended amounts in certain funds be carried forward; requiring each regional consortium service organization to provide quarterly financial reports to member districts; requiring member districts to designate a district to serve as a fiscal agent for certain purposes; providing for compensation of the fiscal agent district; requiring regional consortium service organizations to retain all funds received from grants or contracted services to cover indirect or administrative costs associated with the provision of such services; requiring the regional consortium service organization board of directors to determine products and services provided by the organization; requiring a regional consortium service organization board of directors to recommend the establishment of positions and appointments to a fiscal agent district; requiring that personnel be employed under specified personnel policies; authorizing the regional consortium service organization board of directors to recommend a salary schedule for personnel; authorizing regional consortium service organizations to purchase or lease property and facilities essential to their operations; providing for the distribution of revenue if a regional consortium service organization is dissolved; deleting a provision requiring applications for incentive grants; authorizing regional consortium service organization boards of directors to contract to provide services to nonmember districts; requiring that a fund balance be established for specified purposes; deleting a requirement for the use of certain funds; authorizing a regional consortium service organization to administer a specified program; creating s. 1001.4511, F.S.; creating the Regional Consortia Service Organization Supplemental Services Program; providing the purpose of the program; authorizing funds to be used for specified purposes; requiring each regional consortium service organization to report the distribution of funds annually to the Legislature; providing for the carryforward of funds; providing appropriations; creating s. 1009.635, F.S.; establishing the Rural Incentive for Professional Educators Program within the Department of Education; requiring the program to provide financial assistance for the repayment of student loans to eligible participants who establish permanent residency and employment in rural communities; providing that eligible participants may receive up to a certain amount in total student loan repayment assistance over a certain timeframe; requiring the department to verify certain information of participants in the program before it disburses awards; providing that the program is administered through the Office of Student Financial Assistance within the department; requiring the department to develop procedures and monitor compliance; requiring the State Board of Education to adopt rules by a certain date; amending s. 1013.62, F.S.; revising the calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school; amending s. 1013.64, F.S.; revising conditions under which a school district may receive funding on an approved construction project; providing appropriations for specified purposes; amending ss. 163.3187, 212.205, 257.191, 257.193, 265.283, 288.11621, 288.11631, 443.191, 571.26, and 571.265, F.S.; conforming cross-references and provisions to changes made by the act; reenacting s. 288.9935(8), F.S., relating to the Microfinance Guarantee Program, to incorporate the amendment made to s. 20.60, F.S., in a reference thereto; reenacting ss. 125.0104(5)(c), 193.624(3), 196.182(2), 218.12(1), 218.125(1), 218.135(1), 218.136(1), 252.35(2)(cc), 288.102(4), 403.064(16)(g), 589.08(2) and (3), and 1011.62(1)(f), F.S., relating to authorized uses of tourist development tax; applicability of assessments of renewable energy source devices; application of exemptions of renewable energy source devices; appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties; offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties; offset for tax loss associated with reductions in value of certain citrus fruit packing and processing equipment; offset for ad valorem revenue loss affecting fiscally constrained counties; Division of Emergency Management powers; one-to-one match requirement under the Supply Chain Innovation Grant Program; applicability of provisions related to reuse of reclaimed water; land acquisition restrictions; and funds for operation of schools, respectively, to incorporate the amendment made to s. 218.67, F.S., in references thereto; reenacting s. 403.0741(6)(c), F.S., relating to grease waste removal and disposal, to incorporate the amendments made to ss. 218.67 and 339.2818, F.S., in references thereto; reenacting s. 163.3177(7)(e), F.S., relating to required and optional elements of comprehensive plans and studies and surveys, to incorporate the amendment made to s. 288.0656, F.S., in a reference thereto; reenacting s. 288.9962(7)(a), F.S., relating to the Broadband Opportunity Program, to incorporate the amendment made to s. 288.9961, F.S., in a reference thereto; reenacting s.

215.211(1), F.S., relating to service charges and elimination or reduction for specified proceeds, to incorporate the amendment made to s. 319.32, F.S., in a reference thereto; reenacting s. 339.66(5) and (6), F.S., relating to upgrades of arterial highways with controlled access facilities, to incorporate the amendment made to s. 339.68, F.S., in references thereto; reenacting ss. 420.9072(4) and (6), 420.9076(7)(b), and 420.9079(2), F.S., relating to the State Housing Initiatives Partnership Program, adoption of affordable housing incentive strategies and committees, and the Local Government Housing Trust Fund, respectively, to incorporate the amendment made to s. 420.9073, F.S., in references thereto; providing an effective date.

House Amendment 1 (605877) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 163.3755, Florida Statutes, is amended to read:

163.3755 Termination of community redevelopment agencies*; prohibition on future creation and expansion*.—

(1) A community redevelopment agency in existence on *July 1, 2025* ~~October 1, 2019~~, shall terminate on the expiration date provided in the agency's charter on *July 1, 2025* ~~October 1, 2019~~, or on *September 30, 2045* ~~September 30, 2039~~, whichever is earlier~~, unless the governing body of the county or municipality that created the community redevelopment agency approves its continued existence by a majority vote of the members of the governing body~~.

(2) A community redevelopment agency may not initiate any new projects or issue any new debt on or after October 1, 2025, unless:

(a) The new project initiated is completed by the agency's termination date.

(b) Any new debt issued to finance a new project matures on or before the agency's termination date.

For purposes of this subsection, the term "new project" means any project for which there is no appropriation in the community redevelopment agency's budget for the fiscal year ending on September 30, 2025, or for which the community redevelopment agency has not retained appropriated funds pursuant to s. 163.387(7)(d) for the fiscal year ending on September 30, 2025.

(3)~~(2)~~(a) *Notwithstanding subsection (1)* ~~If the governing body of the county or municipality that created the community redevelopment agency does not approve its continued existence by a majority vote of the governing body members~~, a community redevelopment agency with outstanding bonds as of *July 1, 2025* ~~October 1, 2019~~, that do not mature until after the termination date of the agency or *September 30, 2045* ~~September 30, 2039~~, whichever is earlier, remains in existence until the date the bonds mature.

(b) A community redevelopment agency operating under this subsection on or after *September 30, 2045* ~~September 30, 2039~~, may not extend the maturity date of any outstanding bonds.

(c) The county or municipality that created the community redevelopment agency must issue *an amended community redevelopment plan* ~~a new finding of necessity~~ limited to timely meeting the remaining bond obligations of the community redevelopment agency.

(4) Subsections (1), (2), and (3) do not apply to a community redevelopment agency created by a county if the county that created such agency is the only taxing authority that contributes to the community redevelopment agency's redevelopment trust fund pursuant to s. 163.387 and the county charter establishes a limitation on the amount of revenue the county may collect. However, such community redevelopment agency may not issue any new bond debt on or after October 1, 2025.

(5)(a) A community redevelopment agency may not be created on or after July 1, 2025.

(b) A community redevelopment agency, or the governing body of the county or municipality that created the community redevelopment agency, may not expand the boundaries of its community redevelopment area on or after July 1, 2025.

(c) A community redevelopment agency in existence before July 1, 2025, may continue to operate within its community redevelopment area as provided in this part.

Section 2. Section 20.165, Florida Statutes, is amended to read:

20.165 Department of Business and Professional Regulation.—There is created a Department of Business and Professional Regulation.

(1) The head of the Department of Business and Professional Regulation is the Secretary of Business and Professional Regulation. The secretary shall be appointed by the Governor, subject to confirmation by the Senate. The secretary shall serve at the pleasure of the Governor.

(2) The following divisions of the Department of Business and Professional Regulation are established:

(a) Division of Administration.

(b) Division of Alcoholic Beverages and Tobacco.

(c) Division of Certified Public Accounting.

1. The director of the division shall be appointed by the secretary of the department~~, subject to approval by a majority of the Board of Accountancy~~.

2. The offices of the division shall be located in *Tallahassee* ~~Gainesville~~.

(d) Division of Drugs, Devices, and Cosmetics.

(e) Division of Florida Condominiums, Timeshares, and Mobile Homes.

(f) Division of Hotels and Restaurants.

(g) Division of Professions.

(h) Division of Real Estate.

1. The director of the division shall be appointed by the secretary of the department~~, subject to approval by a majority of the Florida Real Estate Commission~~.

2. The offices of the division shall be located in *Tallahassee* ~~Orlando~~.

(i) Division of Regulation.

(j) Division of Technology.

(k) Division of Service Operations.

(3) The secretary shall appoint a director for each division established within this section. Each division director shall directly administer the division and shall be responsible to the secretary. The secretary may appoint deputy and assistant secretaries as necessary to aid the secretary in fulfilling the secretary's statutory obligations.

(4)~~(a)~~ The following ~~boards and~~ programs are established within the Division of Professions:

(a)~~1.~~ ~~Board of~~ Architecture and Interior Design *licensing program*, created under *parts* ~~part~~ I *and II* of chapter 481.

(b)~~2.~~ ~~Florida Board of~~ Auctioneers *licensing program*, created under part VI of chapter 468.

(c)~~3.~~ Barbers' *licensing program* ~~Board~~, created under chapter 476.

(d)~~4.~~ Florida Building Code Administrators and Inspectors *licensing program* ~~Board~~, created under part XII of chapter 468.

(e)~~5.~~ Construction Industry licensing *program* ~~Board~~, created under part I of chapter 489.

(f)~~6.~~ ~~Board of~~ Cosmetology *licensing program*, created under chapter 477.

(g)~~7.~~ Electrical Contractors' licensing *program* ~~Board~~, created under part II of chapter 489.

(h)~~8.~~ ~~Board of~~ Employee Leasing Companies *licensing program*, created under part XI of chapter 468.

(i)~~9.~~ ~~Board of~~ Landscape Architecture *licensing program*, created under part II of chapter 481.

(j)~~10.~~ ~~Board of~~ Pilot Commissioners *licensing program*, created under chapter 310.

(k)~~11.~~ ~~Board of~~ Professional Engineers *licensing program*, created under chapter 471.

(l)~~12.~~ ~~Board of~~ Professional Geologists *licensing program*, created under chapter 492.

(m)~~13.~~ ~~Board of~~ Veterinary Medicine *licensing program*, created under chapter 474.

(n)~~14.~~ Home inspection services licensing program, created under part XV of chapter 468.

(o)~~15.~~ Mold-related services licensing program, created under part XVI of chapter 468.

(p) Talent agency licensing program, created under part VII of chapter 468.

(q) The Florida Building Commission, created under chapter 553.

(r) The Community Association Managers Licensing Program, created under part VIII of chapter 468.

(s) Yacht and ship brokers licensing program, created under chapter 326.

~~(b) The following board and commission are established within the Division of Real Estate:~~

~~1. Florida Real Estate Appraisal Board, created under part II of chapter 475.~~

~~2. Florida Real Estate Commission, created under part I of chapter 475.~~

~~(c) The following board is established within the Division of Certified Public Accounting: Board of Accountancy, created under chapter 473.~~

~~(5) The members of each board established pursuant to subsection (4) shall be appointed by the Governor, subject to confirmation by the Senate. Consumer members on the board shall be appointed pursuant to subsection (6). Members shall be appointed for 4-year terms, and such terms shall expire on October 31. However, a term of less than 4 years may be utilized to ensure that:~~

~~(a) No more than two members' terms expire during the same calendar year for boards consisting of seven or eight members.~~

~~(b) No more than 3 members' terms expire during the same calendar year for boards consisting of 9 to 12 members.~~

~~(c) No more than 5 members' terms expire during the same calendar year for boards consisting of 13 or more members.~~

~~A member whose term has expired shall continue to serve on the board until such time as a replacement is appointed. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment. No member may serve for more than the remaining portion of a previous member's unexpired term, plus two consecutive 4-year terms of the member's own appointment thereafter.~~

~~(6) Each board with five or more members shall have at least two consumer members who are not, and have never been, members or practitioners of the profession regulated by such board or of any closely related profession. Each board with fewer than five members shall have at least one consumer member who is not, and has never been, a member or practitioner of the profession regulated by such board or of any closely related profession.~~

~~(7) No board, with the exception of joint coordinatorships, shall be transferred from its present location unless authorized by the Legislature in the General Appropriations Act.~~

(5)~~(8)~~ Notwithstanding any other provision of law, the department *shall* ~~is authorized to~~ establish uniform application forms and certificates of licensure for use by the divisions within the department. *However,* ~~Nothing in~~ this subsection *does not authorize* ~~authorizes~~ the department to vary any substantive requirements, duties, or eligibilities for licensure or certification as provided by law.

(6)~~(9)~~

(a) All employees authorized by the Division of Alcoholic Beverages and Tobacco shall have access to, and shall have the right to inspect, premises licensed by the division, to collect taxes and remit them to the officers entitled to them, and to examine the books and records of all licensees. The authorized employees shall require of each licensee strict compliance with the laws of this state relating to the transaction of such business.

(b) Each employee serving as a law enforcement officer for the division must meet the qualifications for employment or appointment as a law enforcement officer set forth under s. 943.13 and must be certified as a law enforcement officer by the Department of Law Enforcement under chapter 943. Upon certification, each law enforcement officer is subject to and has the same authority as provided for law enforcement officers generally in chapter 901 and has statewide jurisdiction. Each officer also has arrest authority as provided for state law enforcement officers in s. 901.15. Each officer possesses the full law enforcement powers granted to other peace officers of this state, including the authority to make arrests, carry firearms, serve court process, and seize contraband and the proceeds of illegal activities.

1. The primary responsibility of each officer appointed under this section is to investigate, enforce, and prosecute, throughout *this* ~~the~~ state, violations and violators of parts I and II of chapter 210*; chapter 310; chapter 326; parts I and III of chapter 450; chapter 455; parts VI-IX, XI, XII, XV, and XVI of chapter 468; chapter 469; chapter 471; chapters 473-477; chapter 481; parts I and II of chapter 489; chapter 499; chapter 509; chapter 548; chapter 553;*~~,~~ part VII of chapter 559*;* ~~, and~~ chapters 561-569*; chapters 718-719; chapter 721; and chapter 723;*~~,~~ and the rules adopted thereunder, as well as other state laws that the division, all state law enforcement officers, or beverage enforcement agents are specifically authorized to enforce.

2. The secondary responsibility of each officer appointed under this section is to enforce all other state laws, provided that the enforcement is incidental to exercising the officer's primary responsibility as provided in subparagraph 1., and the officer exercises the powers of a deputy sheriff, only after consultation or coordination with the appropriate local sheriff's office or municipal police department or when the division participates in the Florida Mutual Aid Plan during a declared state emergency.

(7) The Department of Business and Professional Regulation shall provide, via email, to each person licensed by the department, as promptly after the adjournment of the legislative session as possible, a summary of changes to existing law relating to each business and profession, and the effective date of each change.

Section 3. *Sections 310.011, 310.032, 310.042, 455.2124, 455.2228, 468.384, 468.399, 468.4315, 468.4337, 468.4338, 468.521, 468.522, 468.523, 468.605, 468.8316, 468.8416, 471.007, 471.008, 471.009, 471.019, 471.0195, 471.038, 472.007, 472.008, 472.009, 472.018, 472.019, 473.303, 473.312, 474.204, 474.206, 475.02, 475.03, 475.04, 475.045, 475.05, 475.10, 476.054, 476.064, 477.015, 481.205, 481.2055, 481.305, 482.243, 489.107, 489.507, 492.103, 493.6116, 499.01211, 559.9221, and 570.81, Florida Statutes, are repealed.*

Section 4. *(1) The Department of Business and Professional Regulation created under s. 20.165, Florida Statutes, shall conduct a study to evaluate and make recommendations regarding:*

(a) The department's recommendations for creating a uniform process for permit inspections, including a uniform process for virtual inspections. The department's recommendations shall include how building officials can most efficiently perform the most common building inspections and how to reduce the number of inspections performed by such officials.

(b) The creation of a uniform permitting process in this state for common building permits issued pursuant to chapter 553, Florida Statutes.

(2) The department, created under s. 20.165, Florida Statutes, and the Department of Agriculture and Consumer Services, created under s. 20.14, Florida Statutes, shall conduct a study to evaluate and make recommendations regarding the inclusion of a pathway to licensure for all professions, regulated and licensed by the respective departments, that includes work experience only or work experience plus an examination and submit a report to the Legislature on or before January 1, 2026.

Section 5. Paragraph (uuu) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(uuu) *Small private investigative agencies.*—

1. As used in this paragraph, the term:

a. "Private investigation services" has the same meaning as "private investigation," as defined in *s. 493.6101(14)* ~~s. 493.6101(17)~~.

b. "Small private investigative agency" means a private investigator licensed under s. 493.6201 which:

(I) Employs three or fewer full-time or part-time employees, including those performing services pursuant to an employee leasing arrangement as defined in *s. 468.520* ~~s. 468.520(4)~~, in total; and

(II) During the previous calendar year, performed private investigation services otherwise taxable under this chapter in which the charges for the services performed were less than $150,000 for all its businesses related through common ownership.

2. The sale of private investigation services by a small private investigative agency to a client is exempt from the tax imposed by this chapter.

3. The exemption provided by this paragraph may not apply in the first calendar year a small private investigative agency conducts sales of private investigation services taxable under this chapter.

Section 6. Paragraph (f) of subsection (1) of section 215.5586, Florida Statutes, is amended to read:

215.5586 My Safe Florida Home Program.—There is established within the Department of Financial Services the My Safe Florida Home Program. The department shall provide fiscal accountability, contract management, and strategic leadership for the program, consistent with this section. This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property in this state. Implementation of this program is subject to annual legislative appropriations. It is the intent of the Legislature that, subject to the availability of funds, the My Safe Florida Home Program provide licensed inspectors to perform hurricane mitigation inspections of eligible homes and grants to fund hurricane mitigation projects on those homes. The department shall implement the program in such a manner that the total amount of funding requested by accepted applications, whether for inspections, grants, or other services or assistance, does not exceed the total amount of available funds. If, after applications are processed and approved, funds remain available, the department may accept applications up to the available amount. The program shall develop and implement a comprehensive and coordinated approach for hurricane damage mitigation pursuant to the requirements provided in this section.

(1) HURRICANE MITIGATION INSPECTIONS.—

(f) To qualify for selection by the department as a wind certification entity to provide hurricane mitigation inspections, the entity must, at a minimum, meet the following requirements:

1. Use hurricane mitigation inspectors who are licensed or certified as:

a. A building inspector under s. 468.607;

b. A general, building, or residential contractor under s. 489.111;

c. A professional engineer under s. 471.015;

d. A professional architect under s. 481.213; or

e. A home inspector under s. 468.8314 and who have completed at least 3 hours of hurricane mitigation training approved by the *department* ~~Construction Industry Licensing Board~~, which training must include hurricane mitigation techniques, compliance with the uniform mitigation verification form, and completion of a proficiency exam.

2. Use hurricane mitigation inspectors who also have undergone drug testing and a background screening. The department may conduct criminal record checks of inspectors used by wind certification entities. Inspectors must submit a set of fingerprints to the department for state and national criminal history checks and must pay the fingerprint processing fee set forth in s. 624.501. The fingerprints must be sent by the department to the Department of Law Enforcement and forwarded to the Federal Bureau of Investigation for processing. The results must be returned to the department for screening. The fingerprints must be taken by a law enforcement agency, designated examination center, or other department-approved entity.

3. Provide a quality assurance program including a reinspection component.

Section 7. Paragraph (b) of subsection (3) of section 215.55871, Florida Statutes, is amended to read:

215.55871 My Safe Florida Condominium Pilot Program.—There is established within the Department of Financial Services the My Safe Florida Condominium Pilot Program to be implemented pursuant to appropriations. The department shall provide fiscal accountability, contract management, and strategic leadership for the pilot program, consistent with this section. This section does not create an entitlement for associations or unit owners or obligate the state in any way to fund the inspection or retrofitting of condominiums in the state. Implementation of this pilot program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Condominium Pilot Program provide licensed inspectors to perform inspections for and grants to eligible associations as funding allows.

(3) HURRICANE MITIGATION INSPECTORS.—

(b) The department shall contract with wind certification entities to provide hurricane mitigation inspections. To qualify for selection by the department as a wind certification entity to provide hurricane mitigation inspections, the entity must, at a minimum, meet all of the following requirements:

1. Use hurricane mitigation inspectors who are licensed or certified as:

a. A building inspector under s. 468.607;

b. A general, building, or residential contractor under s. 489.111;

c. A professional engineer under s. 471.015;

d. A professional architect under s. 481.213; or

e. A home inspector under s. 468.8314 who has completed at least 3 hours of hurricane mitigation training approved by the *department* ~~Construction Industry Licensing Board~~, which must include hurricane mitigation techniques, compliance with the uniform mitigation verification form, and completion of a proficiency exam.

2. Use hurricane mitigation inspectors who have undergone drug testing and a background screening. The department may conduct criminal record checks of inspectors used by wind certification entities. Inspectors must submit a full set of fingerprints to the department or to a vendor, an entity, or an agency authorized under s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. Fees for state and federal fingerprint processing shall be borne by the inspector. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e). The results must be returned to the department for screening. The fingerprints must be taken by a law enforcement agency, designated examination center, or other department-approved entity.

3. Provide a quality assurance program including a reinspection component.

Section 8. Subsection (1) of section 309.01, Florida Statutes, is amended to read:

309.01 Deposit of material in tidewater regulated.—

(1) It is not lawful for any person to discharge or cause to be discharged or deposit or cause to be deposited, in the tide or salt waters of any bay, port, harbor, or river of this state, any ballast or material of any kind other than clear stone or rock, free from gravel or pebbles, which said clear stone or rock shall be deposited or discharged only in the construction of enclosures in connection with wharves, piers, quays, jetties, or in the construction of permanent bulkheads connecting the solid and permanent portion of wharves. It is lawful to construct three characters of bulkheads for retention of material in solid wharves. First, clear stone or rock enclosures, or bulkheads, may be built upon all sides to a height not less than 2 1/2 feet above high watermark; and after the enclosures have been made so solid, tight, and permanent as to prevent any sand, mud, gravel, or other material that may be discharged or deposited in them from drifting or escaping through such enclosures, any kind of ballast may be discharged or deposited within the enclosures. The enclosures may be constructed of wood, stone, and rock combined, the stone and rocks to be placed on the outside of the wood to a height not less at any point than 2 1/2 feet above high watermark. Second, a bulkhead may be built by a permanent wharf consisting of thoroughly creosoted piles not less than 12 inches in diameter at the butt end, to be driven close together and to be capped with timber not less than 10 or 14 inches drift, bolted to each pile, and one or more longitudinal stringers to be placed on the outside of the bulkhead and securely anchored by means of iron rods to piles driven within the bulkheads, clear rock to be on the inside of the bulkhead, to a height of not less than 2 1/2 feet above high water; and after this is done, ballast or other material may be deposited within the permanent enclosure so constructed. Third, a bulkhead may be constructed to consist of creosoted piles, as described herein, driven not exceeding 4 feet apart from center to center, inside of which two or more longitudinal stringers may be placed and securely bolted to the piles. Inside of these longitudinal pieces, two thicknesses of creosoted sheet piling are to be driven, each course of the sheet piling to make a joint with the other so as to form an impenetrable wharf; and within this permanent bulkhead so constructed, any ballast or other material may be deposited. No such enclosure, pier, quay, or jetty *may not begin* ~~shall be begun~~ until the point *at which* ~~whereat~~ it is to be built shall have been connected by a substantial wharf with a shore or with a permanent wharf; except that the owners of wharves may at any time, with the consent of the ~~Board of Pilot Commissioners of the Division of Professions of the~~ Department of Business and Professional Regulation, build wharves of clear stone or rock, or creosoted walls as hereinafter provided, on each side of their wharves from the shore to a point at which the water is not more than 15 feet deep, and when such walls have attained a height of 2 1/2 feet above high watermark and have been securely closed at the deepwater end by stone or creosoted walls of the same height, any kind of ballast may be deposited in them. Nothing contained in this section shall interfere with any rights or privileges now enjoyed by riparian owners. While this section empowers those who desire to construct the several characters of wharves, piers, quays, jetties, and bulkheads provided for and described herein, nothing in this section shall be so construed as to require any person not desiring to construct a permanent wharf by filling up with ballast, stone, or other material to construct under the specifications contained herein; and nothing in this chapter shall be so construed as to prevent any person from constructing any wharf or placing any pilings, logs, or lumber in any waters where the person would have heretofore had the right so to do.

Section 9. Subsection (3) of section 310.0015, Florida Statutes, is amended to read:

310.0015 Piloting regulation; general provisions.—

(3) The rate-setting process, the issuance of licenses only in numbers deemed necessary or prudent by the *department* ~~board~~, and other aspects of the economic regulation of piloting established in this chapter are intended to protect the public from the adverse effects of unrestricted competition which would result from an unlimited number of licensed pilots being allowed to market their services on the basis of lower prices rather than safety concerns. This system of regulation benefits and protects the public interest by maximizing safety, avoiding uneconomic duplication of capital expenses and facilities, and enhancing state regulatory oversight. The system seeks to provide pilots with reasonable revenues, taking into consideration the normal uncertainties of vessel traffic and port usage, sufficient to maintain reliable, stable piloting operations. Pilots have certain restrictions and obligations under this system, including, but not limited to, the following:

(a) Pilots may not refuse to provide piloting services to any person or entity that may lawfully request such services, except for justifiable concerns relating to safety, or, in the case of a vessel planning a departure, for nonpayment of pilotage.

(b) Pilots may not unilaterally determine the pilotage rates they charge. Such pilotage rates shall instead be determined by the Pilotage Rate Review Committee, in the public interest, as set forth in s. 310.151.

(c) Pilots shall maintain or secure adequate pilot boats, office facilities and equipment, dispatch systems, communication equipment and other facilities, and equipment and support services necessary for a modern, dependable piloting operation.

(d) The pilot or pilots in a port shall train and compensate all member deputy pilots in that port. Failure to train or compensate such deputy pilots constitutes a ground for disciplinary action under s. 310.101. Nothing in this subsection may be deemed to create an agency or employment relationship between a pilot or deputy pilot and the pilot or pilots in a port.

(e) In any instance of a payment or transfer of funds, a request for the payment or transfer of funds, or a contractual obligation assumed in respect to the payment or transfer of funds from a licensee payor to a pilot or group of pilots, or to any legal entity or fund administered or controlled by or under common control with such pilot or group of pilots, the pilot or group of pilots shall provide to the licensee payor, at the time the payment or transfer or request for the payment or transfer is made or the obligation is assumed in respect to the payment or transfer, a detailed accounting of the specific assets, tangible or intangible, in which an interest is being directly or indirectly purchased or for which the licensee payor is being granted an interest in return for such payment or transfer of funds or such contractual obligation. This paragraph does not apply to either payments or transfers of funds if their aggregate amounts are less than $1,000. As used in this paragraph, "licensee payor" means any current or prospective state pilot or deputy pilot.

Section 10. Subsection (3) of section 310.002, Florida Statutes, is amended to read:

310.002 Definitions.—As used in this chapter, except where the context clearly indicates otherwise:

~~(3) "Board" means the Board of Pilot Commissioners.~~

Section 11. Section 310.051, Florida Statutes, is amended to read:

310.051 Personnel; employment.—

(1) The department may appoint or employ such personnel as may be necessary to assist the department and the *department* ~~board~~ in doing and performing any and all of the powers, duties, and obligations set forth in this chapter. Such personnel need not be licensed state pilots or members of the *department* ~~board~~. Such personnel shall be authorized to do and perform such duties and work as may be assigned by the department. Except as otherwise provided in this chapter, the department shall provide all legal services necessary in carrying out the provisions of this chapter.

(2) The department shall hire a person knowledgeable and experienced in matters related to piloting. Such person shall act for the department on matters of examination and investigation and, when he or she deems it necessary, in the selection of legal counsel qualified in admiralty law. ~~On an annual basis, the board shall recommend to the department a person knowledgeable and experienced in matters related to piloting to fill this post, and the department may accept or reject the recommendation. If the department rejects the board's recommendation, the board shall continue to submit recommendations until one is accepted by the department. Unless there is affirmative action by both the board and the department, at the end of each year, the position shall be declared vacant and the board shall submit a new recommendation for a person to fill such position.~~

Section 12. Section 310.061, Florida Statutes, is amended to read:

310.061 State pilots; number; cross licensing.—The *department* ~~board~~ shall determine the number of pilots based on the supply and demand for piloting services and the public interest in maintaining efficient and safe piloting services. Based on the economic conditions of the port, the *department* ~~board~~ may adopt rules authorizing cross licensing between ports, if this will best serve the public interest.

Section 13. Paragraphs (b), (c), and (d) of subsection (1) and subsections (2) and (3) of section 310.071, Florida Statutes, are amended to read:

310.071 Deputy pilot certification.—

(1) In addition to meeting other requirements specified in this chapter, each applicant for certification as a deputy pilot must:

(b) Have successfully completed 12 years of formal education, as evidenced by a high school diploma or by equivalent evidence thereof that is satisfactory to the *department* ~~board~~.

(c) Be in good physical and mental health, as evidenced by documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician within the preceding 6 months. The *department* ~~board~~ shall adopt rules to establish requirements for passing the physical examination, which rules shall establish minimum standards for the physical or mental capabilities necessary to carry out the professional duties of a certificated deputy pilot. Such standards shall include zero tolerance for any controlled substance regulated under chapter 893 unless that individual is under the care of a physician, an advanced practice registered nurse, or a physician assistant and that controlled substance was prescribed by that physician, advanced practice registered nurse, or physician assistant. To maintain eligibility as a certificated deputy pilot, each certificated deputy pilot must annually provide documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician. The physician must know the minimum standards and certify that the certificateholder satisfactorily meets the standards. The standards for certificateholders shall include a drug test.

(d) Have had maritime experience satisfactory to the *department* ~~board~~ prior to taking the examination required under s. 310.081(2), as evidenced by documentation of the following service while holding a United States Coast Guard license:

1. At least 2 years of service at sea during the 5-year period immediately preceding the examination, 1 year of which must have been in at least the capacity of an unlimited second mate;

2. At least 2 years of service during the 5-year period immediately preceding the examination in a deepwater United States port as an active first-class unlimited pilot serving on at least an unlimited second mate's license or a license as master of freight and towing vessel of at least 1,600 gross registered tons upon oceans, and acting under authority of a duly constituted governmental regulatory entity;

3. At least 2 years of service during the 5-year period immediately preceding the examination as an active first-class unlimited pilot serving on a Great Lakes unlimited master's license;

4. At least 2 years of towing experience during the 5-year period immediately preceding the examination, 1 year of which must have been in the capacity of master of a tugboat/barge combination of at least 5,000 gross registered tons, combined tonnage, while holding a license as master of freight and towing vessel of at least 1,600 gross registered tons upon oceans; or

5. At least 3 years of experience as a deck watch officer during the 10-year period immediately preceding the examination, 1 year of which in the 5-year period immediately preceding the exam must have been as the commanding officer, executive officer, or operations officer of a United States Navy vessel or a United States Coast Guard vessel of at least 1,600 gross tons, and must currently hold a United States Coast Guard license of at least an unlimited second mate.

(2) The *department* ~~board~~ may adopt rules authorizing equivalent combinations of service from two or more of the areas specified in subparagraphs (1)(d)1., 2., 3., 4., and 5. However, the *department* ~~board~~ may waive the maritime experience requirements prescribed in paragraph (1)(d) when necessary to fill an opening, provided an applicant meeting such requirements has not applied for the opening and the opening has been advertised more than once.

(3) The initial certificate issued to a deputy pilot shall be valid for a period of 12 months, and at the end of this period, the certificate shall automatically expire and *may* ~~shall~~ not be renewed. During this period, the *department* ~~board~~ shall thoroughly evaluate the deputy pilot's performance for suitability to continue training ~~and shall make appropriate recommendations to the department~~. Upon *the finding* ~~receipt~~ of a favorable *evaluation* ~~recommendation by the board~~, the department shall issue a certificate to the deputy pilot, which shall be valid for a period of 2 years. The certificate may be renewed only two times, except in the case of a fully licensed pilot who is cross-licensed as a deputy pilot in another port, and provided the deputy pilot meets the requirements specified for pilots in paragraph (1)(c).

Section 14. Section 310.073, Florida Statutes, is amended to read:

310.073 State pilot licensing.—In addition to meeting other requirements specified in this chapter, each applicant for license as a state pilot must:

(1) Be at least 21 years of age, as evidenced by a copy of a birth certificate or other legal proof of age.

(2) Have successfully completed 12 years of formal education, as evidenced by a high school diploma or by equivalent evidence thereof that is satisfactory to the *department* ~~board~~.

(3) Be in good physical and mental health, as evidenced by documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician within the preceding 6 months. The *department* ~~board~~ shall adopt rules to establish requirements for passing the physical examination, which rules shall establish minimum standards for the physical or mental capabilities necessary to carry out the professional duties of a licensed state pilot. Such standards shall include zero tolerance for any controlled substance regulated under chapter 893 unless that individual is under the care of a

physician, an advanced practice registered nurse, or a physician assistant and that controlled substance was prescribed by that physician, advanced practice registered nurse, or physician assistant. To maintain eligibility as a licensed state pilot, each licensed state pilot must annually provide documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician. The physician must know the minimum standards and certify that the licensee satisfactorily meets the standards. The standards for licensees shall include a drug test.

(4) Have had at least 2 years of service as a deputy pilot in the port in which license as a licensed state pilot is desired, which service must have been attained during the period immediately preceding the examination required under s. 310.081(1). Further, at the time of application, each applicant must have a valid United States Coast Guard first-class unlimited pilot's license covering all of the waters of the port in which license as a state pilot is desired and must have successfully completed the *department-approved* ~~board-approved~~ deputy pilot training program in the port in which license as a state pilot is desired.

Section 15. Section 310.075, Florida Statutes, is amended to read:

310.075 Deputy pilot training program.—The licensed state pilots in each port shall submit to the *department* ~~board~~ for its approval a deputy pilot training program of not less than 2 years' duration, applicable to all deputy pilots appointed to serve at such port. The following requirements constitute the parameters within which deputy pilot training programs are to be established and carried out by the licensed state pilots at all ports in this state:

(1) Upon receiving his or her appointment, a deputy pilot must report to the licensed state pilots at the port he or she is appointed to serve and must serve a period of not less than 90 days as an observer trainee. During such period:

(a) The observer trainee must accompany licensed state pilots, becoming thoroughly familiar with all of the waters, the channels, the harbor, and the port under varied conditions.

(b) The observer trainee must obtain a valid United States Coast Guard first-class unlimited pilot's license covering all of the waters of the port before the *department* ~~board~~ may authorize him or her to pilot vessels within the limits and specifications established by the licensed state pilots of the port.

(2) Upon completion of the observer-trainee period, the deputy pilot must submit to the *department* ~~board~~ a deputy pilot vessel handling form for each vessel upon which he or she has accompanied a licensed state pilot. Each such form must be signed by the pilot in charge who accompanied the deputy pilot and must accurately recite:

(a) The vessel's registry, length, gross tonnage, and draft;

(b) The name of the berth from which or to which the vessel was piloted;

(c) The weather and sea conditions encountered;

(d) The time of day;

(e) Any marine incidents required to be reported under s. 310.111; and

(f) The comments of the pilot in charge, including whether, under his or her supervision, the pilot in charge turned the navigation of the vessel over to the deputy pilot.

(3) Each request to increase the limits and specifications under which a deputy pilot is authorized to pilot must be submitted to the *department* ~~board~~ and must be accompanied by a deputy pilot vessel handling form as provided in subsection (2) for each vessel the deputy pilot has piloted since his or her limits and specifications were last increased by the *department* ~~board~~.

(4) For successful completion of the deputy pilot training program, a deputy pilot must have gradually been increased in his or her authorized limits and specifications until the deputy pilot has been authorized by the *department* ~~board~~ to pilot vessels with a maximum draft of not more than 3 feet less than the normal maximum draft allowable in the port in which the deputy pilot is authorized to pilot, as proposed by the licensed state pilots in that port and approved by the *department* ~~board~~.

Section 16. Section 310.081, Florida Statutes, is amended to read:

310.081 Department to examine and license state pilots and certificate deputy pilots; vacancies.—

(1) The department shall examine persons who file application as state pilot in all matters pertaining to the management of vessels and in regard to their knowledge of the channels, waters, harbors, and port where they wish to serve, and, if upon examination to determine proficiency the department finds them qualified to pilot all classes of vessels liable to enter that port and thoroughly familiar with the waters, the channels, the harbor, and the port, the department shall appoint and license as state pilots such number of pilots as in the discretion of the *department* ~~board~~ are required to act in the ports of the state. However, the number of pilots appointed and licensed by the department *may* ~~shall~~ not exceed the number provided for in s. 310.061.

(2) The department shall similarly examine persons who file applications for certificate as deputy pilot, and, if upon examination to determine proficiency the department finds them qualified, the department must certify as qualified all applicants who pass the examination, provided that not more than five persons who passed the examination are certified for each declared opening. If more than five applicants per opening pass the examination, the persons having the highest scores must be certified as qualified up to the number of openings times five. The department shall appoint and certificate such number of deputy pilots from those applicants deemed qualified as in the discretion of the *department* ~~board~~ are required in the respective ports of the state. A deputy pilot shall be authorized by the department to pilot vessels within the limits and specifications established by the licensed state pilots at the port where the deputy is appointed to serve.

(3) Pilots shall hold their licenses or certificates pursuant to the requirements of this chapter so long as they:

(a) Possess the qualifications set out in this chapter.

(b) Are in good physical and mental health as evidenced by documentary proof of having satisfactorily passed a physical examination administered by a licensed physician or physician assistant within each calendar year. The *department* ~~board~~ shall adopt rules to establish requirements for passing the physical examination, which rules shall establish minimum standards for the physical or mental capabilities necessary to carry out the professional duties of a licensed state pilot or a certificated deputy pilot. Such standards shall include zero tolerance for any controlled substance regulated under chapter 893 unless that individual is under the care of a physician, an advanced practice registered nurse, or a physician assistant and that controlled substance was prescribed by that physician, advanced practice registered nurse, or physician assistant. To maintain eligibility as a certificated deputy pilot or licensed state pilot, each certificated deputy pilot or licensed state pilot must annually provide documentary proof of having satisfactorily passed a complete physical examination administered by a licensed physician. The physician must know the minimum standards and certify that the certificateholder or licensee satisfactorily meets the standards. The standards for certificateholders and for licensees shall include a drug test.

(c) Are subject to a substance abuse program that has been approved by the *department* ~~board~~, which includes provisions for drug testing.

~~(d) Attend a board-approved seminar for continuing education which includes radar certification.~~

(d)~~(e)~~ Remain in active service in the ports for which they are appointed.

Upon resignation or in the case of disability permanently affecting a pilot's ability to serve, the state license or certificate issued under this chapter shall be revoked by the department.

Section 17. Paragraphs (d), (g), and (h) of subsection (1) and subsections (2), (3), and (4) of section 310.101, Florida Statutes, are amended to read:

310.101 Grounds for disciplinary action by the *department* ~~board~~.—

(1) Any act of misconduct, inattention to duty, negligence, or incompetence; any willful violation of any law or rule, including the rules of the road, applicable to a licensed state pilot or certificated deputy pilot; or any failure to exercise that care which a reasonable and prudent licensed state pilot or certificated deputy pilot would exercise under the same or similar circumstances may result in disciplinary action. Examples of acts by a licensed state pilot or certificated deputy pilot which constitute grounds for disciplinary action include, but are not limited to:

(d) Navigating in channels where the depth of water under the keel is less than the prescribed bottom clearance as recommended by the licensed state pilots of that port and approved by the *department* ~~board~~.

(g) Making or filing, or inducing another person to make or file, a report which the pilot knows to be false or intentionally or negligently failing to file, or willfully impeding or obstructing the filing of, a report or record required by state law or by rule of the ~~board or the~~ department. Such reports or records include only those which are signed by the pilot in his or her capacity as a licensed state pilot or certificated deputy pilot.

(h) Being unable to perform the duties of a pilot with reasonable skill and safety by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition such as, but not limited to, poor eyesight or hearing, heart disease, or diabetes. In enforcing this paragraph, the department shall have authority, upon recommendation of the probable cause panel of the *department* ~~board~~, to compel a licensed state pilot or certificated deputy pilot to submit to a mental or physical examination by physicians designated by the department. The failure of a pilot to submit to such an examination when so directed constitutes an admission of the allegations against the pilot, unless the failure is due to circumstances beyond his or her control, consequent upon which an emergency suspension order may be entered by the department suspending the pilot's license until he or she complies with the order for a compulsory mental or physical examination. A licensed state pilot or certificated deputy pilot affected under this paragraph must be afforded, at reasonable intervals, an opportunity to demonstrate that he or she can resume the competent practice of piloting with reasonable skill and safety.

(2) When the *department* ~~board~~ finds any person has committed any act set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Refusing to certify to the department an application for license or certification.

(b) Revoking or suspending the license or certificate.

(c) Restricting the practice of the violator.

(d) Imposing an administrative fine not to exceed $5,000 for each count or separate offense.

(e) Issuing a reprimand.

(f) Placing the licensed state pilot or certificated deputy pilot on probation for such period of time and subject to such conditions as the *department* ~~board~~ may specify, including, but not limited to, requiring the pilot to submit to treatment, submit to additional or remedial training, submit to reexamination, or undergo a complete physical examination.

(3) The *department* ~~board~~ shall not reinstate the license or certificate of a state pilot or deputy pilot or cause a license or certificate to be issued to a person whom it has determined to be unqualified until the *department* ~~board~~ is satisfied that such person has complied with all the terms and conditions set forth in the final order and that such person is capable of safely engaging in the practice of piloting.

(4) In any foreign vessel or foreign trading vessel movement that an individual holding a state pilot license or deputy pilot certificate is engaged in directing, whether movement of the vessel in or out of the port or movement in close proximity to a dock or any other movement undertaken in furtherance of his or her piloting duties, such individual is operating under the authority of his or her state license or certificate and is accountable to the *department* ~~board~~ for his or her actions.

Section 18. Subsections (4) and (6) of section 310.102, Florida Statutes, are amended to read:

310.102 Treatment programs for impaired pilots and deputy pilots.—

(4) In any disciplinary action for a violation other than impairment, if a pilot or deputy pilot establishes that the violation for which the pilot or deputy pilot is being prosecuted was due to or connected with impairment and further establishes that the pilot or deputy pilot is satisfactorily progressing through or has successfully completed an approved treatment program pursuant to this section, such information may be considered by the *department* ~~board~~ as a mitigating factor in determining the appropriate penalty. This subsection does not limit mitigating factors the *department* ~~board~~ may consider.

(6) A consultant, licensee, or approved treatment provider who makes a disclosure pursuant to this section is not subject to civil liability for such disclosure or its consequences. The provisions of s. 766.101 apply to any officer, employee, or agent of the department or the *department* ~~board~~ and to any officer, employee, or agent of any entity with which the department has contracted pursuant to this section.

Section 19. Section 310.111, Florida Statutes, is amended to read:

310.111 Marine incident reports.—Each collision, grounding, stranding, or other marine peril sustained or caused by a vessel on which there was employed a licensed state pilot or certificated deputy pilot shall be reported to the office of the *department* ~~board~~ or the piloting consultant within 48 hours of the occurrence. In addition, a written report shall be submitted to the department on forms and in the manner prescribed by the department within 7 days of the occurrence. However, any marine incident involving oil spillage, pollution, physical injury, or death shall be reported to the *department* ~~board~~ or the piloting consultant by telephone or telegram within 24 hours of the occurrence in addition to submission of the required written report.

Section 20. Subsection (1) of section 310.1115, Florida Statutes, is amended to read:

310.1115 Bridge electronic navigation protection equipment; duty of pilot.—

(1) When a piloted vessel passes under a bridge located in a harbor, in the approaches to a harbor, or in a river, and when electronic navigation protection equipment is available, it is the duty of the pilot or certificated deputy pilot on *department* ~~board~~ to use the electronic navigation protection equipment. If the electronic navigation protection equipment can be utilized only in conjunction with a portable device or devices located on *department* ~~board~~ the piloted vessel, it is the responsibility of the pilot to bring such device or devices on *department* ~~board~~ the piloted vessel and to remove such device or devices upon completion of the pilot's duties aboard the piloted vessel.

Section 21. Section 310.121, Florida Statutes, is amended to read:

310.121 Application, examination, and biennial fees.—

(1) The department shall, in accordance with rules set by the *department* ~~board~~, assess and collect the following fees:

(a) A fee not to exceed $300 for each application for licensure as a state pilot or certification as a deputy pilot. This fee shall be nonrefundable.

(b) A fee not to exceed $300 for each examination for licensure as a state pilot or certification as a deputy pilot.

(c) A fee not to exceed $300 for each examination review.

(2) The department shall assess and collect biennially from each licensed state pilot and each certificated deputy pilot a fee, not to exceed $200 in the case of a licensed state pilot or $100 in the case of a certificated deputy pilot, such fees to be set by the *department* ~~board~~.

Section 22. Section 310.131, Florida Statutes, is amended to read:

310.131 Assessment of percentage of gross pilotage.—The department shall assess the licensed state pilots in the respective ports of the state a percentage of the gross amount of pilotage earned by such pilots during each year, which percentage will be established by the *department* ~~board~~ not to exceed 2 percent, to be paid into the Professional Regulation Trust Fund by such pilots at such time and in such manner as the *department* ~~board~~ prescribes or as is set forth in the General Appropriations Act. The financial records of all pilots and deputy pilots relating to pilotage are subject to audit by the department and the Auditor General. The department shall by rule set a procedure for verifying the amount of pilotage at each port and may charge costs to the appropriate port if the port does not comply with such procedure.

Section 23. Section 310.142, Florida Statutes, is amended to read:

310.142 Pilotage at St. Marys Entrance.—The *department may exercise* ~~board is authorized to enter into an agreement with the Board of Pilotage Commissioners for the~~ corporate authority of St. Marys, Georgia, for reciprocal pilotage of vessels in the boundary waters and tributaries of St. Marys Entrance.

Section 24. Subsections (1) and (7) of section 310.151, Florida Statutes, are amended to read:

310.151 Rates of pilotage; Pilotage Rate Review Committee.—

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

1. "Committee" means the Pilotage Rate Review Committee established under this section ~~as part of the Board of Pilot Commissioners~~.

2. "Department" means the Department of Business and Professional Regulation.

~~2. "Board" means the Board of Pilot Commissioners.~~

(b) To carry out ~~the provisions of~~ this section, the Pilotage Rate Review Committee is established as part of the ~~Board of Pilot Commissioners within the~~ department ~~of Business and Professional Regulation~~. The committee shall consist of the following seven members ~~of the board~~: two ~~board~~ members who are licensed state pilots actively practicing their profession~~, who shall be appointed by majority vote of the licensed state pilots serving on the board~~; two ~~board~~ members who are actively involved in a professional or business capacity in the maritime industry, marine shipping industry, or commercial passenger cruise industry; one ~~board~~ member who is a certified public accountant with at least 5 years of experience in financial management; and two ~~board~~ members who are citizens of the state.

(c) Committee members shall comply with the disclosure requirements of s. 112.3143(4) if participating in any matter that would result in special private gain or loss as described in that subsection.

(d) The committee *may* ~~has authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to implement ~~provisions of~~ this section conferring duties upon it. The department shall provide the staff required by the committee to carry out its duties under this section.

(e) All funds received pursuant to this section shall be placed in the account of the *department* ~~Board of Pilot Commissioners~~, and the *department* ~~Board of Pilot Commissioners~~ shall pay for all expenses incurred pursuant to this section.

(7) The decisions of the committee regarding rates are not appealable to the *department* ~~board~~.

Section 25. Section 310.183, Florida Statutes, is amended to read:

310.183 Immediate inactivation of license or certificate for certain violations.—The department shall issue an emergency order placing on inactive status, for a period not to exceed 15 days, the license of any pilot or certificate of any deputy pilot who, while providing piloting services, is involved in a marine incident that results in the death of a human or, as determined by rule ~~of the board~~, substantial physical injury to a human or significant property or environmental damage, unless the department determines that the incident is clearly not the result of the actions of the pilot or deputy pilot.

Section 26. Subsection (1) of section 310.185, Florida Statutes, is amended to read:

310.185 Rulemaking.—

(1) The *department* ~~board~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement ~~the provisions of~~ this chapter.

Section 27. Subsection (3) of section 319.28, Florida Statutes, is amended to read:

319.28 Transfer of ownership by operation of law.—

(3) A dealer of industrial equipment who conducts a repossession, as defined in *s. 493.6101(19)* ~~s. 493.6101(22)~~, of such equipment is not subject to licensure as a recovery agent or recovery agency if the dealer is regularly engaged in the sale of the equipment for a particular manufacturer, the lender is affiliated with that manufacturer, and the dealer uses his or her own employees to make such repossessions.

Section 28. Subsections (2) of section 326.002, Florida Statutes, is amended to read:

326.002 Definitions.—As used in ss. 326.001-326.006, the term:

(2) "Division" means the Division of *Professions* ~~Florida Condominiums, Timeshares, and Mobile Homes~~ of the Department of Business and Professional Regulation.

Section 29. Subsection (3) of section 326.006, Florida Statutes, is amended to read:

326.006 Powers and duties ~~of division~~.—

(3) All fees must be deposited in the *Professional Regulation* ~~Division of Florida Condominiums, Timeshares, and Mobile Homes~~ Trust Fund as provided by law.

Section 30. Paragraph (a) of subsection (3) of section 376.303, Florida Statutes, is amended to read:

376.303 Powers and duties of the Department of Environmental Protection.—

(3)(a) The department may inspect the installation of any pollutant storage tank. Any person installing a pollutant storage tank, as defined in *s. 489.105(16)* ~~s. 489.105(17)~~, shall certify that such installation is in accordance with the standards adopted pursuant to this section. The department shall promulgate a form for such certification which shall at a minimum include:

1. A signed statement by the certified pollutant storage systems contractor, as defined in *s. 489.105(2)(p)* ~~s. 489.105(3)(p)~~, that such installation is in accordance with standards adopted pursuant to this section; and

2. Signed statements by the onsite persons performing or supervising the installation of a pollutant storage tank, which statements shall be required of tasks that are necessary for the proper installation of such tank.

Section 31. Paragraph (n) of subsection (3) of section 381.0065, Florida Statutes, is amended to read:

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(3) DUTIES AND POWERS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.—The department shall:

(n) Regulate and permit maintenance entities for performance-based treatment systems and aerobic treatment unit systems. To ensure systems are maintained and operated according to manufacturer's specifications and designs, the department shall establish by rule minimum qualifying criteria for maintenance entities. The criteria shall include training, access to approved spare parts and components, access to manufacturer's maintenance and operation manuals, and service response time. The maintenance entity shall employ a contractor licensed under *s. 489.105(2)(m)* ~~s. 489.105(3)(m)~~, or part III of chapter 489, or a state-licensed wastewater plant operator, who is responsible for maintenance and repair of all systems under contract.

Section 32. Section 403.868, Florida Statutes, is amended to read:

403.868 Requirements by a utility.—A utility may have more stringent requirements than set by law, including certification requirements for water distribution systems and domestic wastewater collection systems operations, except that a utility may not require a licensed contractor, as defined in *s. 489.105(2)* ~~s. 489.105(3)~~ to have any additional license for work in water distribution systems or domestic wastewater collection systems.

Section 33. Paragraph (e) of subsection (1) of section 403.9329, Florida Statutes, is amended to read:

403.9329 Professional mangrove trimmers.—

(1) For purposes of ss. 403.9321-403.9333, the following persons are considered professional mangrove trimmers:

(e) Persons licensed under part II of chapter 481. The *Department of Business and Professional Regulation* ~~Board of Landscape Architecture~~ shall establish appropriate standards ~~and continuing legal education requirements~~ to assure the competence of licensees to conduct the activities authorized under ss. 403.9321-403.9333. Trimming by landscape architects as professional mangrove trimmers is not allowed until the establishment of standards by the *department* ~~board~~. The *department* ~~board~~ shall also establish penalties for violating ss. 403.9321-403.9333. Only those landscape architects who are certified in the state may qualify as professional mangrove trimmers under ss. 403.9321-403.9333, notwithstanding any reciprocity agreements that may exist between this state and other states;

Section 34. Paragraph (a) of subsection (19) of section 440.02, Florida Statutes, is amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(19)(a) "Employer" means the state and all political subdivisions thereof, all public and quasi-public corporations therein, every person carrying on any employment, and the legal representative of a deceased person or the receiver or trustees of any person. The term also includes employee leasing companies, as defined in *s. 468.520(4)* ~~s. 468.520(5)~~, and employment agencies that provide their own employees to other persons. If the employer is a corporation, parties in actual control of the corporation, including, but not limited to, the president, officers who exercise broad corporate powers, directors, and all shareholders who directly or indirectly own a controlling interest in the corporation, are considered the employer for the purposes of ss. 440.105, 440.106, and 440.107.

Section 35. Section 448.26, Florida Statutes, is amended to read:

448.26 Application.—Nothing in this part shall exempt any client of any labor pool or temporary help arrangement entity as defined in *s. 468.520(3)(a)* ~~s. 468.520(4)(a)~~ or any assigned employee from any other license requirements of state, local, or federal law. Any employee assigned to a client who is licensed, registered, or certified pursuant to law shall be deemed an employee of the client for such licensure purposes but shall remain an employee of the labor pool or temporary help arrangement entity for purposes of chapters 440 and 443.

Section 36. Subsection (4) of section 468.382, Florida Statutes, is amended to read:

468.382 Definitions.—As used in this act, the term:

~~(4) "Board" means the Florida Board of Auctioneers.~~

Section 37. Subsections (1), (4), (5), (6) and (7) of section 468.385, Florida Statutes, are amended, and subsection (3) of that section is republished, to read:

468.385 Licenses required; qualifications; examination.—

(1) The department shall license any applicant who ~~the board certifies~~ is *certified and* qualified to practice auctioneering.

(3) *A* ~~No~~ person *may not* ~~shall~~ be licensed as an auctioneer or apprentice if he or she:

(a) Is under 18 years of age; or

(b) Has committed any act or offense in this state or any other jurisdiction which would constitute a basis for disciplinary action under s. 468.389.

(4) Any person seeking a license as an auctioneer must pass a written examination approved by the *department* ~~board~~ which tests his or her general knowledge of the laws of this state relating to provisions of the Uniform Commercial Code that are relevant to auctions, the laws of agency, and ~~the provisions of~~ this act.

(5) Each apprentice application and license shall name a licensed auctioneer who has agreed to serve as the supervisor of the apprentice. *An* ~~No~~ apprentice may *not* conduct, or contract to conduct, an auction without the express approval of his or her supervisor. The supervisor shall regularly review the apprentice's records, which are required by the *department* ~~board~~ to be maintained, to determine *whether* ~~if~~ such records are accurate and current.

(6) *A* ~~No~~ person *may not* ~~shall~~ be licensed as an auctioneer unless he or she:

(a) Has held an apprentice license and has served as an apprentice for 1 year or more, or has completed a course of study, consisting of not less than 80 classroom hours of instruction, that meets standards adopted by the *department* ~~board~~;

(b) Has passed the required examination; and

(c) Is approved by the *department* ~~board~~.

(7)(a) Any auction that is subject to ~~the provisions of~~ this part must be conducted by an auctioneer who has an active license or an apprentice who has an active apprentice auctioneer license and who has received prior written sponsor consent.

(b) *A* ~~No~~ business *may not* ~~shall~~ auction or offer to auction any property in this state unless it is licensed as an auction business by the *department* ~~board~~ or is exempt from licensure under this act. *An* ~~Each~~ application for licensure *must* ~~shall~~ include the names of the owner and the business, the business mailing address and location, and any other information which the *department* ~~board~~ may require. The owner of an auction business shall report to the *department* ~~board~~ within 30 days *after* ~~of~~ any change in this required information.

Section 38. Section 468.3852, Florida Statutes, is amended to read:

468.3852 Reactivation of license; fee.—The *department* ~~board~~ shall prescribe a fee not to exceed $250 for the reactivation of an inactive license. The fee shall be in addition to the current biennial renewal fee.

Section 39. Subsections (2), (3), (4), (5), and (8) of section 468.3855, Florida Statutes, are amended to read:

468.3855 Apprenticeship training requirements.—

(2) Any auctioneer who undertakes the sponsorship of an apprentice shall ensure that the apprentice receives training as required by *department* ~~board~~ rule.

(3) An apprentice must actively participate in auction sales as required by *department* ~~board~~ rule, and a record of each auction for which

participation credit is claimed must be made as required by *department* ~~board~~ rule.

(4) Apprentices are prohibited from conducting any auction without the prior express written consent of the sponsor. The apprentice's sponsor must be present at the auction site at any time the apprentice is actively participating in the conduct of the auction. If the apprentice's sponsor cannot attend a particular auction, the sponsor may appoint a qualified auctioneer who meets the requirements of *department* ~~board~~ rule to attend the auction in his or her place. Prior written consent must be given by the apprentice's sponsor for each substitution.

(5) Each apprentice and sponsor shall file reports as required by *department* ~~board~~ rule.

(8) All apprentice applications shall be valid for a period of 6 months after *department* ~~board~~ approval. Any applicant who fails to complete the licensure process within that time shall be required to make application as a new applicant.

Section 40. Section 468.387, Florida Statutes, is amended to read:

468.387 Licensing of nonresidents; endorsement; reciprocity.—The department shall issue a license by endorsement to practice auctioneering to an applicant who, upon applying to the department and remitting the required fee, set by the *department* ~~board~~, demonstrates to the *department* ~~board~~ that he or she satisfies the requirements of s. 468.385(3) and holds a valid license to practice auctioneering in another state, provided that the requirements for licensure in that state are substantially equivalent to or more stringent than those existing in this state. The endorsement and reciprocity provisions of this section shall apply to auctioneers only and not to professions or occupations regulated by other statutes.

Section 41. Subsections (3) and (9) and paragraph (b) of subsection (10) of section 468.388, Florida Statutes, are amended to read:

468.388 Conduct of an auction.—

(3) Each auctioneer or auction business shall maintain a record book of all sales. The record book shall be open to inspection by the *department* ~~board~~ at reasonable times.

(9) The auction business under which the auction is conducted is responsible for all other aspects of the auction as required by *department* ~~board~~ rule. The auction business may delegate in whole, or in part, different aspects of the auction only to the extent that such delegation is permitted by law and that such delegation will not impede the principal auctioneer's ability to ensure the proper conduct of his or her independent responsibility for the auction. The auction business under whose auspices the auction is conducted is responsible for ensuring compliance as required by *department* ~~board~~ rule.

(10)

(b) Each auction business shall maintain, for not less than 2 years, a separate ledger showing the funds held for another person deposited and disbursed by the auction business for each auction. The escrow or trust account must be reconciled monthly with the bank statement. A signed and dated record shall be maintained for a 2-year period and be available for inspection by the department or at the request of the *department* ~~board~~.

Section 42. Paragraph (j) of subsection (1), subsection (2), and paragraph (a) of subsection (3) of section 468.389, Florida Statutes, are amended to read:

468.389 Prohibited acts; penalties.—

(1) The following acts shall be grounds for the disciplinary activities provided in subsections (2) and (3):

(j) Violating a statute or administrative rule regulating practice under this part or a lawful disciplinary order of the ~~board or the~~ department.

(2) When the *department* ~~board~~ finds any person guilty of any of the prohibited acts set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Refusal to certify to the department an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $1,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the auctioneer on probation for a period of time and subject to conditions as the *department* ~~board~~ may specify, including requiring the auctioneer to successfully complete the licensure examination.

(f) Requirement that the person in violation make restitution to each consumer affected by that violation. Proof of such restitution shall be a signed and notarized release executed by the consumer or the consumer's estate.

(3)(a) Failure to pay a fine within a reasonable time, as prescribed by *department* ~~board~~ rule, may be grounds for disciplinary action.

Section 43. Section 468.392, Florida Statutes, is amended to read:

468.392 Auctioneer Recovery Fund.—There is created the Auctioneer Recovery Fund as a separate account in the Professional Regulation Trust Fund. The fund shall be administered by the *department* ~~Florida Board of Auctioneers~~.

(1) The Chief Financial Officer shall invest the money not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited to the credit of the Auctioneer Recovery Fund and shall be available for the same purposes as other moneys deposited in the Auctioneer Recovery Fund.

(2) All payments and disbursements from the Auctioneer Recovery Fund shall be made by the Chief Financial Officer upon a voucher signed by the Secretary of Business and Professional Regulation or the secretary's designee.

(3) If at any time the moneys in the Auctioneer Recovery Fund are insufficient to satisfy any valid claim or portion thereof, the *department* ~~board~~ shall satisfy such unpaid claim or portion thereof as soon as a sufficient amount has been deposited in or transferred to the fund. When there is more than one unsatisfied claim outstanding, such claims shall be paid in the order in which the claims were made.

(4) Upon the payment of any amount from the Auctioneer Recovery Fund in settlement of a claim in satisfaction of a judgment against an auctioneer or auction business as described in s. 468.395, the license of such auctioneer or auction business shall be automatically suspended until the licensee has complied with s. 468.398. A discharge of bankruptcy *does* ~~shall~~ not relieve a person from the penalties and disabilities provided in this section.

(5) Moneys in the fund at the end of a fiscal year shall be retained in the fund and shall accrue for the benefit of auctioneers and auction businesses. When the fund exceeds the amount as set forth in s. 468.393(2), all surcharges shall be suspended until such time as the fund is reduced below the amount as set forth in s. 468.393(3).

Section 44. Subsections (1), (3), and (4) of section 468.393, Florida Statutes, are amended to read:

468.393 Surcharge to license fee; assessments.—

(1) At the time of licensure under s. 468.385, s. 468.3851, or s. 468.3852, each licensee shall pay, in addition to an application and license fee, a surcharge in an amount to be determined by the *department* ~~board~~, not to exceed $300, which shall be deposited in the Auctioneer Recovery Fund.

(3) After October 1, 1995, if the total amount in the Auctioneer Recovery Fund, including principal and interest, is less than $200,000 at the end of the fiscal year after the payment of all claims and expenses, the *department* ~~board~~ shall assess, in addition to any other fees under s. 468.3852, a surcharge against a licensee at the time of initial licensure or at the time of license renewal, according to the following formula in order to maintain the fund at $500,000:

(a) Determine the amount remaining in the fund at the end of the state fiscal year after all expenses and claims have been paid.

(b) Subtract the amount determined under paragraph (a) from $500,000.

(c) Determine the number of initial licenses and license renewals in the fiscal year that precedes the current fiscal year.

(d) Divide the amount determined under paragraph (b) by the number determined under paragraph (c).

(4) The *department* ~~board~~ shall assess the surcharge described in subsection (3) against each licensee who receives an initial license or receives a renewal license during the fiscal year that follows the year in which the amount remaining in the fund was less than $200,000.

Section 45. Subsections (1) and (4) of section 468.395, Florida Statutes, are amended to read:

468.395 Conditions of recovery; eligibility.—

(1) Recovery from the Auctioneer Recovery Fund may be obtained as follows:

(a) Any aggrieved person is eligible to receive recovery from the Auctioneer Recovery Fund if the *department* ~~Florida Board of Auctioneers~~ has issued a final order directing an offending licensee to pay restitution to the claimant as the result of the licensee violating, within this state, any provision of s. 468.389 or any rule adopted by the *department* ~~board~~ and if the *department* ~~board~~ determined that the order of restitution cannot be enforced; or

(b) Any aggrieved person who obtains a final judgment in any court against any licensee to recover damages for any actual loss that results from the violation, within this state, by a licensee of any provision of s. 468.389 or any rule adopted by the *department* ~~board~~ may, upon termination of all proceedings, including appeals and proceedings supplemental to judgment for collection purposes, file a verified application to the *department* ~~board~~ for an order directing payment out of the Auctioneer Recovery Fund of the amount of actual loss in the transaction that remains unpaid upon the judgment. The amount of actual loss may include court costs, but *may* ~~shall~~ not include attorney's fees or punitive damages awarded.

(4) The *department* ~~board~~ *may* ~~shall~~ not issue an order for payment of a claim from the Auctioneer Recovery Fund unless the claimant has reasonably established to the *department* ~~board~~ that she or he has taken proper and reasonable action to collect the amount of her or his claim from the licensee responsible for the loss and that any recovery made has been applied to reduce the amount of the claim on the Auctioneer Recovery Fund.

Section 46. Subsections (2) and (3) of section 468.396, Florida Statutes, are amended to read:

468.396 Claims against a single licensee in excess of dollar limitation; joinder of claims, payment; insufficient funds.—

(2) Upon petition of the *department* ~~board~~, the court may require all claimants and prospective claimants against one licensee to be joined in one action, to the end that the respective rights of all the claimants to the *department* ~~board~~ may be equitably adjudicated and settled.

(3) On June 30 and December 31 of each year, the *department* ~~board~~ shall identify each claim that the court orders to be paid during the 6-month period that ended on that day. The *department* ~~board~~ shall pay the part of each claim that is so identified within 15 days after the end of the 6-month period in which the claim is ordered paid. However, if the balance in the fund is insufficient to pay the full payable amount of each claim that is ordered to be paid during a 6-month period, the *department* ~~board~~ shall pay a prorated portion of each claim that is ordered to be paid during the period. Any part of the payable amount of a claim left unpaid due to the prorating of payments under this subsection shall be paid, subject to the $50,000 limit described in s. 468.395, before the payment of claims ordered to be paid during the following 6 months.

Section 47. Section 468.397, Florida Statutes, is amended to read:

468.397 Payment of claim.—Upon a final order of the court directing that payment be made out of the Auctioneer Recovery Fund, the *department* ~~board~~ shall, subject to the provisions of this part, make the payment out of the Auctioneer Recovery Fund as provided in s. 468.395.

Section 48. Section 468.398, Florida Statutes, is amended to read:

468.398 Suspension of judgment debtor's license; repayment by licensee; interest.—If the *department* ~~board~~ is required to make any payment from the Auctioneer Recovery Fund in settlement of a claim or toward the satisfaction of a judgment under this part, the *department* ~~board~~ shall suspend the judgment debtor's license. The licensee is not eligible to be licensed again as either an auctioneer or auction business until the licensee has repaid in full the amount paid from the Auctioneer Recovery Fund, with interest at the current applicable rate.

Section 49. Subsection (5) of section 468.431, Florida Statutes, is amended to read:

468.431 Definitions.—As used in this part:

~~(5) "Council" means the Regulatory Council of Community Association Managers.~~

Section 50. Paragraph (d) of subsection (2) and subsection (3) of section 468.433, Florida Statutes, are amended to read:

468.433 Licensure by examination.—

(2) The department shall examine each applicant who is at least 18 years of age, who has successfully completed all prelicensure education requirements, and who the department certifies is of good moral character.

(d) The *department* ~~council~~ shall establish by rule the required amount of prelicensure education, which shall consist of not more than 24 hours of in-person instruction by a department-approved provider and which shall cover all areas of the examination specified in subsection (3). Such instruction shall be completed within 12 months *before* ~~prior to~~ the date of the examination. ~~Prelicensure education providers shall be considered continuing education providers for purposes of establishing provider approval fees. A licensee shall not be required to comply with the continuing education requirements of s. 468.4337 prior to the first license renewal.~~ The department shall, by rule, set standards for exceptions to the requirement of in-person instruction in cases of hardship or disability.

(3) The *department* ~~council~~ shall approve an examination for licensure. The examination must demonstrate that the applicant has a fundamental knowledge of state and federal laws relating to the operation of all types of community associations and state laws relating to corporations and nonprofit corporations, proper preparation of community association budgets, proper procedures for noticing and conducting community association meetings, insurance matters relating to community associations, and management skills.

Section 51. Subsection (1) of section 468.4336, Florida Statutes, is amended to read:

468.4336 Renewal of license.—

(1) The department shall renew a license upon receipt of the renewal application and fee ~~and upon proof of compliance with the continuing education requirements of s. 468.4337~~.

Section 52. Section 468.435, Florida Statutes, is amended to read:

468.435 Fees; establishment; disposition.—

(1) The *department* ~~council~~ shall establish fees for the described purposes and within the ranges specified in this section:

(a) Application fee: not less than $25, or more than $50.

(b) Examination fee: not less than $25, or more than $100.

(c) Initial license fee: not less than $25, or more than $100.

(d) Renewal of license fee: not less than $25, or more than $100.

(e) Delinquent license fee: not less than $25, or more than $50.

(f) Inactive license fee: not less than $10, or more than $25.

(2) Until the *department* ~~council~~ establishes fees under subsection (1), the lower amount in each range shall apply.

(3) Fees collected under this section shall be deposited to the credit of the Professional Regulation Trust Fund.

(4) The *department* ~~council~~ shall establish fees that are adequate to fund the cost to implement the provisions of this part. Fees shall be based on the department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of community association managers.

Section 53. Paragraph (b) of subsection (2) and subsection (3) of section 468.436, Florida Statutes, are amended to read:

468.436 Disciplinary proceedings.—

(2) The following acts constitute grounds for which the disciplinary actions in subsection (4) may be taken:

(b)1. Violation of this part.

2. Violation of any lawful order or rule rendered or adopted by the department ~~or the council~~.

3. Being convicted of or pleading nolo contendere to a felony in any court in the United States.

4. Obtaining a license or certification or any other order, ruling, or authorization by means of fraud, misrepresentation, or concealment of material facts.

5. Committing acts of gross misconduct or gross negligence in connection with the profession.

6. Contracting, on behalf of an association, with any entity in which the licensee has a financial interest that is not disclosed.

7. Failing to disclose any conflict of interest as required by s. 468.4335.

8. Violating chapter 718, chapter 719, or chapter 720 during the course of performing community association management services pursuant to a contract with a community association as defined in s. 468.431(1).

(3) The *department* ~~council~~ shall specify by rule the acts or omissions that constitute a violation of subsection (2).

Section 54. Subsection (2) of section 468.520, Florida Statutes, is amended to read:

468.520 Definitions.—As used in this part:

~~(2) "Board" means the Board of Employee Leasing Companies.~~

Section 55. Section 468.522, Florida Statutes, is amended to read:

468.522 Rules of the *department* ~~board~~.—The *department* ~~board~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this part. Every licensee shall be governed and controlled by this part and the rules adopted by the *department* ~~board~~.

Section 56. Subsection (2) and paragraph (b) of subsection (4) of section 468.524, Florida Statutes, are amended to read:

468.524 Application for license.—

(2) The *department* ~~board~~ may require information and certifications necessary to determine that the applicant is of good moral character and meets other licensure requirements of this part.

(4) An applicant or licensee is ineligible to reapply for a license for a period of 1 year following final agency action on the denial or revocation of a license applied for or issued under this part. This time restriction does not apply to administrative denials or revocations entered because:

(b) The experience documented to the *department* ~~board~~ was insufficient at the time of the previous application;

Section 57. Section 468.5245, Florida Statutes, is amended to read:

468.5245 Change of ownership.—

(1) A license or registration issued to any entity under this part may not be transferred or assigned. The *department* ~~board~~ shall adopt rules to provide for a licensee's or registrant's change of name or location.

(2) A person or entity that seeks to purchase or acquire control of an employee leasing company or group licensed or registered under this part must first apply to the *department* ~~board~~ for a certificate of approval for the proposed change of ownership. However, prior approval is not required if, at the time the purchase or acquisition occurs, a controlling person of the employee leasing company or group maintains a controlling person license under this part. Notification must be provided to the *department* ~~board~~ within 30 days after the purchase or acquisition of such company in the manner prescribed by the *department* ~~board~~.

(3) Any application that is submitted to the *department* ~~board~~ under this section shall be deemed approved if the board has not approved the application or rejected the application, and provided the applicant with the basis for a rejection, within 90 days after the receipt of the completed application.

(4) The *department* ~~board~~ shall establish filing fees for a change-of-ownership application in accordance with s. 468.524(1).

Section 58. Subsection (2) and paragraphs (c), (d), (e), and (f) of subsection (3) of section 468.525, Florida Statutes, are amended to read:

468.525 License requirements.—

(2)(a) As used in this part, "good moral character" means a personal history of honesty, trustworthiness, fairness, a good reputation for fair dealings, and respect for the rights of others and for the laws of this state and nation. A thorough background investigation of the individual's good moral character shall be instituted by the department. Such investigation shall require:

1. The submission of fingerprints, for processing through appropriate law enforcement agencies, by the applicant and the examination of police records by the *department* ~~board~~.

2. Such other investigation of the individual as the *department* ~~board~~ may deem necessary.

(b) The *department* ~~board~~ may deny an application for licensure or renewal citing lack of good moral character. Conviction of a crime within the last 7 years *may* ~~shall~~ not automatically bar any applicant or licensee from obtaining a license or continuing as a licensee. The *department* ~~board~~ shall consider the type of crime committed, the crime's relevancy to the employee leasing industry, the length of time since the conviction and any other factors deemed relevant by the *department* ~~board~~.

(3) Each employee leasing company licensed by the department shall have a registered agent for service of process in this state and at least one licensed controlling person. In addition, each licensed employee leasing company shall comply with the following requirements:

(c) An applicant for initial or renewal license of an employee leasing company license or employee leasing company group shall have an accounting net worth or shall have guaranties, letters of credit, or other security acceptable to the *department* ~~board~~ in sufficient amounts to offset any deficiency. A guaranty will not be acceptable to satisfy this requirement unless the applicant submits sufficient evidence to satisfy the *department* ~~board~~ that the guarantor has adequate resources to satisfy the obligation of the guaranty.

(d) Each employee leasing company shall maintain an accounting net worth and positive working capital, as determined in accordance with generally accepted accounting principles, or shall have guaranties, letters of credit, or other security acceptable to the *department* ~~board~~ in sufficient amounts to offset any deficiency. A guaranty will not be acceptable to satisfy this requirement unless the licensee submits sufficient evidence, as defined by rule, that the guarantor has adequate resources to satisfy the obligation of the guaranty. In determining the amount of working capital, a licensee shall include adequate reserves for all taxes and insurance, including plans of self-insurance or partial self-insurance for claims incurred but not paid and for claims incurred but not reported. Compliance with the requirements of this paragraph is subject to verification by department ~~or board~~ audit.

(e) Each employee leasing company or employee leasing company group shall submit annual financial statements audited by an independent certified public accountant, with the application and within 120 days after the end of each fiscal year, in a manner and time prescribed by the *department* ~~board~~, provided however, that any employee leasing company or employee leasing company group with gross Florida payroll of less than $2.5 million during any fiscal year may submit financial statements reviewed by an independent certified public accountant for that year.

(f) The licensee shall notify the department ~~or board~~ in writing within 30 days after any change in the application or status of the license.

Section 59. Subsections (3) and (5) of section 468.526, Florida Statutes, are amended to read:

468.526 License required; fees.—

(3) Each employee leasing company and employee leasing company group licensee shall pay to the department upon the initial issuance of a license and upon each renewal thereafter a license fee not to exceed $2,500 to be established by the *department* ~~board~~. In addition to the license fee, the *department* ~~board~~ shall establish an annual assessment for each employee leasing company and each employee leasing company group sufficient to cover all costs for regulation of the profession pursuant to this chapter, chapter 455, and any other applicable provisions of law. The annual assessment shall:

(a) Be due and payable upon initial licensure and subsequent renewals thereof and 1 year before the expiration of any licensure period; and

(b) Be based on a fixed percentage, variable classes, or a combination of both, as determined by the *department* ~~board~~, of gross Florida payroll for employees leased to clients by the applicant or licensee during the period beginning five quarters before and ending one quarter before each assessment. It is the intent of the Legislature that the greater weight of total fees for licensure and assessments should be on larger companies and groups.

(5) Each controlling person licensee shall pay to the department upon the initial issuance of a license and upon each renewal thereafter a license fee to be established by the *department* ~~board~~ in an amount not to exceed $2,000.

Section 60. Subsection (1) of section 468.527, Florida Statutes, is amended to read:

468.527 Licensure and license renewal.—

(1) The department shall license any applicant who the *department* ~~board~~ certifies is qualified to practice employee leasing as an employee leasing company, employee leasing company group, or controlling person.

Section 61. Subsection (2) of section 468.5275, Florida Statutes, is amended to read:

468.5275 Registration and exemption of de minimis operations.—

(2) A registration is valid for 1 year. Each registrant shall pay to the department upon initial registration, and upon each renewal thereafter, a registration fee to be established by the *department* ~~board~~ in an amount not to exceed:

(a) Two hundred and fifty dollars for an employee leasing company.

(b) Five hundred dollars for an employee leasing company group.

Section 62. Subsections (2), (4), and (5) of section 468.529, Florida Statutes, are amended to read:

468.529 Licensee's insurance; employment tax; benefit plans.—

(2) An initial or renewal license may not be issued to any employee leasing company unless the employee leasing company first files with the *department* ~~board~~ evidence of workers' compensation coverage for all leased employees in this state. Each employee leasing company shall maintain and make available to its workers' compensation carrier the following information:

(a) The correct name and federal identification number of each client company.

(b) A listing of all covered employees provided to each client company, by classification code.

(c) The total eligible wages by classification code and the premiums due to the carrier for the employees provided to each client company.

(4) An initial or renewal license may not be issued to any employee leasing company unless the employee leasing company first provides evidence to the *department* ~~board~~, as required by *department* ~~board~~ rule, that the employee leasing company has paid all of the employee leasing company's obligations for payroll, payroll-related taxes, workers' compensation insurance, and employee benefits. All disputed amounts must be disclosed in the application.

(5) The provisions of this section are subject to verification by department ~~or board~~ audit.

Section 63. Subsections (3) and (4) of section 468.530, Florida Statutes, are amended to read:

468.530 License, contents; posting.—

(3) *A* ~~No~~ license *is not* ~~shall be~~ valid for any person or entity who engages in the business under any name other than that specified in the license. A license issued under this part *is* ~~shall~~ not ~~be~~ assignable, and *a* ~~no~~ licensee may *not* conduct a business under a fictitious name without prior written authorization of the *department* ~~board~~ to do so. The *department* ~~board~~ may not authorize the use of a name which is so similar to that of a public officer or agency, or of that used by another licensee, that the public may be confused or misled thereby. *A* ~~No~~ licensee ~~shall be~~ permitted to conduct business under more than one name unless it has obtained a separate license. A licensee desiring to change its licensed name at any time except upon license renewal shall notify the *department* ~~board~~ and pay a fee not to exceed $50 for each authorized change of name.

(4) Each employee leasing company or employee leasing company group licensed under this part shall be properly identified in all advertisements, which must include the license number, licensed business name, and other appropriate information in accordance with rules established by the *department* ~~board~~.

Section 64. Paragraph (e) of subsection (1) of section 468.531, Florida Statutes, is amended to read:

468.531 Prohibitions; penalties.—

(1) No person or entity shall:

(e) Knowingly give false or forged evidence to the *department* ~~board~~ or a member thereof; or

Section 65. Section 468.532, Florida Statutes, is amended to read:

468.532 Discipline.—

(1) The following constitute grounds for which disciplinary action against a licensee may be taken by the *department* ~~board~~:

(a) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, bribery, fraud, or willful misrepresentation in obtaining, attempting to obtain, or renewing a license.

(b) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the operation of an employee leasing business or the ability to engage in business as an employee leasing company.

(c) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, fraud, deceit, or misconduct in the classification of employees pursuant to chapter 440.

(d) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, fraud, deceit, or misconduct in the establishment or maintenance of self-insurance, be it health insurance or workers' compensation insurance.

(e) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, fraud, deceit, or misconduct in the operation of an employee leasing company.

(f) Conducting business without an active license.

(g) Failing to maintain workers' compensation insurance as required in s. 468.529.

(h) Transferring or attempting to transfer a license issued pursuant to this part.

(i) Violating any provision of this part or any lawful order or rule issued under the provisions of this part or chapter 455.

(j) Failing to notify the *department* ~~board~~, in writing, of any change of the primary business address or the addresses of any of the licensee's offices in the state.

(k) Having been confined in any county jail, postadjudication, or being confined in any state or federal prison or mental institution, or when through mental disease or deterioration, the licensee can no longer safely be entrusted to deal with the public or in a confidential capacity.

(l) Having been found guilty for a second time of any misconduct that warrants suspension or being found guilty of a course of conduct or practices which shows that the licensee is so incompetent, negligent, dishonest, or untruthful that the money, property, transactions, and rights of investors, or those with whom the licensee may sustain a confidential relationship, may not safely be entrusted to the licensee.

(m) Failing to inform the *department* ~~board~~ in writing within 30 days after being convicted or found guilty of, or entering a plea of nolo contendere to, any felony, regardless of adjudication.

(n) Failing to conform to any lawful order of the *department* ~~board~~.

(o) Being determined liable for civil fraud by a court in any jurisdiction.

(p) Having adverse material final action taken by any state or federal regulatory agency for violations within the scope of control of the licensee.

(q) Failing to inform the *department* ~~board~~ in writing within 30 days after any adverse material final action by a state or federal regulatory agency.

(r) Failing to meet or maintain the requirements for licensure as an employee leasing company or controlling person.

(s) Engaging as a controlling person any person who is not licensed as a controlling person by the *department* ~~board~~.

(t) Attempting to obtain, obtaining, or renewing a license to practice employee leasing by bribery, misrepresentation, or fraud.

(2) When the *department* ~~board~~ finds any violation of subsection (1), it may do one or more of the following:

(a) Deny an application for licensure.

(b) Permanently revoke, suspend, restrict, or not renew a license.

(c) Impose an administrative fine not to exceed $5,000 for every count or separate offense.

(d) Issue a reprimand.

(e) Place the licensee on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify.

(f) Assess costs associated with investigation and prosecution.

(3) Upon revocation or suspension of a license, the licensee must immediately return to the department the license that was revoked or suspended.

(4) The *department* ~~board~~ shall specify the penalties for any violation of this part.

Section 66. Subsection (1) of section 468.603, Florida Statutes, is amended to read:

468.603 Definitions.—As used in this part:

~~(1) "Board" means the Florida Building Code Administrators and Inspectors Board.~~

Section 67. Section 468.606, Florida Statutes, is amended to read:

468.606 Authority of the *department* ~~board~~.—The *department may* ~~board is authorized to~~:

(1) Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this part.

(2) Certify individuals as being qualified under the provisions of this part to be building code administrators, plans examiners, and building code inspectors.

Section 68. Section 468.607, Florida Statutes, is amended to read:

468.607 Certification of building code administration and inspection personnel.—The *department* ~~board~~ shall issue a certificate to any individual whom the *department* ~~board~~ determines to be qualified, within such class and level as provided in this part and with such limitations as the *department* ~~board~~ may place upon it. *A* ~~No~~ person may *not* be employed by a state agency or local governmental authority to perform the duties of a building code administrator, plans examiner, or building code inspector after October 1, 1993, without possessing the proper valid certificate issued in accordance with the provisions of this part. Any person who acts as an inspector and plans examiner under s. 1013.37 while conducting activities authorized by certification under that section is certified to continue to conduct inspections for a local enforcement agency until the person's UBCI certification expires, after which time such person must possess the proper valid certificate issued in accordance with this part.

Section 69. Section 468.613, Florida Statutes, is amended to read:

468.613 Certification by endorsement.—The *department* ~~board~~ shall examine other certification or training programs, as applicable, upon submission to the *department* ~~board~~ for its consideration of an application for certification by endorsement. The *department* ~~board~~ shall

waive its examination, qualification, education, or training requirements, to the extent that such examination, qualification, education, or training requirements of the applicant are determined by the *department* ~~board~~ to be comparable with those established by the *department* ~~board~~. The *department* ~~board~~ shall waive its examination, qualification, education, or training requirements if an applicant for certification by endorsement is at least 18 years of age; is of good moral character; has held a valid building administrator, inspector, plans examiner, or the equivalent, certification issued by another state or territory of the United States for at least 10 years before the date of application; and has successfully passed an applicable examination administered by the International Code Council. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active.

Section 70. Subsections (5) and (7) of section 468.619, Florida Statutes, are amended to read:

468.619 Building code enforcement officials' bill of rights.—

(5) The enforcement official shall be considered an agent of the governmental entity employing him or her and as such shall be defended by that entity in any action brought by the department ~~or the board~~, provided the enforcement official is working within the scope of his or her employment.

(7) If any action taken against the enforcement official by the department ~~or the board~~ is found to be without merit by a court of competent jurisdiction, or if judgment in such an action is awarded to the enforcement official, the department ~~or the board~~, or the assignee of the department ~~or board~~, shall reimburse the enforcement official or his or her employer, as appropriate, for reasonable legal costs and reasonable attorney's fees incurred. The amount awarded *may* ~~shall~~ not exceed the limit provided in s. 120.595.

Section 71. Paragraph (a) of subsection (1) and subsections (2), (3), and (4) of section 468.621, Florida Statutes, are amended to read:

468.621 Disciplinary proceedings.—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (2) may be taken:

(a) Violating or failing to comply with any provision of this part, or a valid rule or lawful order of the ~~board or~~ department pursuant thereto.

(2) When the *department* ~~board~~ finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for certification.

(b) Permanent revocation.

(c) Suspension of a certificate.

(d) Imposition of an administrative fine not to exceed $5,000 for each separate offense. Such fine must be rationally related to the gravity of the violation.

(e) Issuance of a reprimand.

(f) Placement of the certificateholder on probation for a period of time and subject to such conditions as the *department* ~~board~~ may impose, including alteration of performance level.

(g) Satisfactory completion of continuing education.

(h) Issuance of a citation.

(3) Where a certificate is suspended, placed on probation, or has conditions imposed, the *department* ~~board~~ shall reinstate the certificate of a disciplined building code administrator, plans examiner, or building code inspector upon proof the disciplined individual has complied with all terms and conditions set forth in the final order.

(4) *A* ~~No~~ person may *not* ~~be allowed to~~ apply for certification under this part for a minimum of 5 years after the date of revocation of any certificate issued pursuant to this part. The *department* ~~board~~ may by rule establish additional criteria for certification following revocation.

Section 72. Subsections (1) and (5) of section 468.627, Florida Statutes, are amended to read:

468.627 Application; examination; renewal; fees.—

(1) The *department* ~~board~~ shall establish by rule fees to be paid for application, examination, reexamination, certification and certification renewal, inactive status application, and reactivation of inactive certificates. The *department* ~~board~~ may establish by rule a late renewal penalty. The *department* ~~board~~ shall establish fees which are adequate, when combined with revenue generated by the provisions of s. 468.631, to ensure the continued operation of this part. Fees shall be based on department estimates of the revenue required to implement this part.

~~(5) The certificateholder shall provide proof, in a form established by board rule, that the certificateholder has completed at least 14 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate, including the specialized or advanced coursework approved by the Florida Building Commission, as part of the building code training program established pursuant to s. 553.841, appropriate to the licensing category sought. A minimum of 3 of the required 14 classroom hours must be on state law, rules, and ethics relating to professional standards of practice, duties, and responsibilities of the certificateholder. The board shall by rule establish criteria for approval of continuing education courses and providers, and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.~~

Section 73. Paragraph (d) of subsection (1) of section 468.629, Florida Statutes, is amended to read:

468.629 Prohibitions; penalties.—

(1) No person may:

(d) Give false or forged evidence to the ~~board or the~~ department, or a member, an employee, or an officer thereof, for the purpose of obtaining a certificate.

Section 74. Subsection (1) of section 468.631, Florida Statutes, is amended to read:

468.631 Building Code Administrators and Inspectors Fund.—

(1) This part shall be funded through a surcharge, to be assessed pursuant to s. 125.56(4) or s. 166.201 at the rate of 1.5 percent of all permit fees associated with enforcement of the Florida Building Code as defined by the uniform account criteria and specifically the uniform account code for building permits adopted for local government financial reporting pursuant to s. 218.32. The minimum amount collected on any permit issued shall be $2. The unit of government responsible for collecting permit fees pursuant to s. 125.56 or s. 166.201 shall collect such surcharge and shall remit the funds to the department on a quarterly calendar basis beginning not later than December 31, 2010, for the preceding quarter, and continuing each third month thereafter; and such unit of government shall retain 10 percent of the surcharge collected to fund the participation of building departments in the national and state building code adoption processes and to provide education related to enforcement of the Florida Building Code. There is created within the Professional Regulation Trust Fund a separate account to be known as the Building Code Administrators and Inspectors Fund, which shall deposit and disburse funds as necessary for the implementation of this part. The proceeds from this surcharge shall be allocated equally to fund the Florida Homeowners' Construction Recovery Fund established by s. 489.140 ~~and the functions of the Building Code Administrators and Inspectors Board~~. The department may transfer excess cash to the Florida Homeowners' Construction Recovery Fund that it determines is not required to fund the *implementation of this part* ~~board from the board's account within the Professional Regulation Trust Fund~~. However, the department may not transfer excess cash that would exceed the amount appropriated in the General Appropriations Act, and any amount approved by the Legislative Budget Commission pursuant to s. 216.181, to be used for the payment of claims from the Florida Homeowners' Construction Recovery Fund.

Section 75. Subsection (7) of section 468.8312, Florida Statutes, is amended to read:

468.8312 Fees.—

~~(7) The fee for applications from providers of continuing education may not exceed $500.~~

Section 76. Subsection (1) of section 468.8315, Florida Statutes, is amended to read:

468.8315 Renewal of license.—

(1) The department shall renew a license upon receipt of the renewal application ~~and upon certification by the department that the licensee has satisfactorily completed the continuing education requirements of s. 468.8316~~.

Section 77. Subsection (1) of section 468.8415, Florida Statutes, is amended to read:

468.8415 Renewal of license.—

(1) The department shall renew a license upon receipt of the renewal application ~~and fee and upon certification by the department that the licensee has satisfactorily completed the continuing education requirements of s. 468.8416~~.

Section 78. Subsection (2) of section 468.8417, Florida Statutes, is amended to read:

468.8417 Inactive license.—

(2) A license that becomes inactive may be reactivated upon application to the department. ~~The department may prescribe by rule continuing education requirements as a condition of reactivating a license. The rules may not require more than one renewal cycle of continuing education to reactivate a license.~~

Section 79. Paragraph (d) of subsection (1) and paragraph (d) of subsection (2) of section 468.8419, Florida Statutes, are amended to read:

468.8419 Prohibitions; penalties.—

(1) A person may not:

(d) Perform or offer to perform any mold remediation to a structure on which the mold assessor or the mold assessor's company provided a mold assessment within the last 12 months. This paragraph does not apply to a certified contractor who is classified in *s. 489.105(2)* ~~s. 489.105(3)~~ as a Division I contractor. However, the department may adopt rules requiring that, if such contractor performs the mold assessment and offers to perform the mold remediation, the contract for mold remediation provided to the homeowner discloses that he or she has the right to request competitive bids.

(2) A mold remediator, a company that employs a mold remediator, or a company that is controlled by a company that also has a financial interest in a company employing a mold remediator may not:

(d) Perform or offer to perform any mold assessment to a structure on which the mold remediator or the mold remediator's company provided a mold remediation within the last 12 months. This paragraph does not apply to a certified contractor who is classified in *s. 489.105(2)* ~~s. 489.105(3)~~ as a Division I contractor. However, the department may adopt rules requiring that, if such contractor performs the mold remediation and offers to perform the mold assessment, the contract for mold assessment provided to the homeowner discloses that he or she has the right to request competitive bids.

Section 80. Subsection (4) of section 469.004, Florida Statutes, is amended to read:

469.004 License; asbestos consultant; asbestos contractor.—

(4) A license issued under this chapter must be renewed every 2 years. ~~Before an asbestos contractor's license may be renewed, the licensee must complete a 1-day course of continuing education during each of the preceding 2 years. Before an asbestos consultant's license may be renewed, the licensee must complete a 2-day course of continuing education during each of the preceding 2 years.~~

Section 81. Subsection (5) of section 469.012, Florida Statutes, is renumbered as subsection (4) and subsection (1) and present subsection (4) of that section are amended, to read:

469.012 Course requirements for onsite supervisors and asbestos abatement workers.—

(1) Each asbestos contractor's onsite supervisor must complete an asbestos contractor/supervisor course of not less than 5 days *before* ~~prior to~~ engaging in onsite supervision. Such training shall cover the nature of the health risks, the medical effects of exposure, federal and state asbestos laws and regulations, worker protection, and work area protection. ~~Each onsite supervisor must also complete a continuing education course of not less than 1 day in length each year.~~

~~(4) All asbestos abatement workers, including onsite supervisors, must complete, as a condition of renewal of accreditation, such courses of continuing education each year as are approved and required by the department.~~

Section 82. Subsection (1) of section 469.013, Florida Statutes, is amended to read:

469.013 Course requirements for asbestos surveyors, management planners, project monitors, and project designers.—

(1) All asbestos surveyors, management planners, and project monitors must comply with the requirements *under* ~~set forth in~~ this section *before* ~~prior to~~ commencing such activities ~~and must also complete the continuing education necessary to maintain accreditation each year~~.

(a) Management planners must complete all requirements of s. 469.005(2)(b) and (d).

(b) Asbestos surveyors must complete all requirements of s. 469.005(2)(a).

(c) Project monitors must complete all requirements of s. 469.005(3)(a) and must also complete an asbestos sampling course which is equivalent to NIOSH Course 582.

(d) Project designers must complete all requirements of s. 469.005(2)(d).

Section 83. Paragraph (b) of subsection (2) of section 471.003, Florida Statutes, is amended to read:

471.003 Qualifications for practice; exemptions.—

(2) The following persons are not required to be licensed under the provisions of this chapter as a licensed engineer:

(b)1. A person acting as a public officer employed by any state, county, municipal, or other governmental unit of this state when working on any project the total estimated cost of which is $10,000 or less.

2. Persons who are employees of any state, county, municipal, or other governmental unit of this state and who are the subordinates of a person in responsible charge licensed under this chapter, to the extent that the supervision meets standards adopted by rule of the *department* ~~board~~.

Section 84. Section 471.0035, Florida Statutes, is amended to read:

471.0035 Instructors in postsecondary educational institutions; exemption from licensure requirement.—For the sole purpose of teaching the principles and methods of engineering design, notwithstanding the provisions of *s. 471.005(6)* ~~s. 471.005(7)~~, a person employed by a public postsecondary educational institution, or by an independent postsecondary educational institution licensed or exempt from licensure pursuant to the provisions of chapter 1005, is not required to be licensed under the provisions of this chapter as a professional engineer.

Section 85. Subsections (2) through (12) of section 471.005, Florida Statutes, are renumbered as subsections (1) through (11), respectively, and present subsections (1), (6), and (10) of that section are amended, to read:

471.005 Definitions.—As used in this chapter, the term:

~~(1) "Board" means the Board of Professional Engineers.~~

(5)~~(6)~~ "Engineer intern" means a person who has graduated from an engineering curriculum approved by the *department* ~~board~~ and has passed the fundamentals of engineering examination as provided by rules adopted by the *department* ~~board~~.

(9)~~(10)~~ "Retired professional engineer" or "professional engineer, retired" means a person who has been duly licensed as a professional engineer by the *department* ~~board~~ and who chooses to relinquish or not to renew his or her license and applies to and is approved by the *department* ~~board~~ to be granted the title "Professional Engineer, Retired."

Section 86. Subsection (1) of section 471.011, Florida Statutes, is amended to read:

471.011 Fees.—

(1) The *department* ~~board~~ by rule may establish fees to be paid for applications, examination, reexamination, licensing and renewal, inactive status application and reactivation of inactive licenses, and recordmaking and recordkeeping. The *department* ~~board~~ may also establish by rule a delinquency fee. ~~The board shall establish fees that are adequate to ensure the continued operation of the board.~~ Fees shall be based on department estimates of the revenue required to implement this chapter and the provisions of law with respect to the regulation of engineers.

Section 87. Section 471.013, Florida Statutes, is amended to read:

471.013 Examinations; prerequisites.—

(1)(a) A person shall be entitled to take an examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer if the person is of good moral character and:

1. Is a graduate from an approved engineering science curriculum of 4 years or more in a school, college, or university which has been approved by the *department* ~~board~~; or

2. Is a graduate of an approved engineering technology curriculum of 4 years or more in a school, college, or university which has been approved by the *department* ~~board~~.

The *department* ~~board~~ shall adopt rules providing for the review and approval of schools or colleges and the courses of study in engineering in such schools and colleges. The rules shall be based on the educational requirements for engineering as defined in s. 471.005. The *department* ~~board~~ may adopt rules providing for the acceptance of the approval and accreditation of schools and courses of study by a nationally accepted accreditation organization.

(b) A person shall be entitled to take the fundamentals examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer intern if she or he is in the final year of, or is a graduate of, an approved engineering curriculum in a school, college, or university approved by the *department* ~~board~~.

(c) A person *may* ~~shall~~ not be entitled to take the principles and practice examination until that person has successfully completed the fundamentals examination.

(2)~~(d)~~ The *department* ~~board~~ shall deem that an applicant who seeks licensure by examination has passed the fundamentals examination when such applicant has received a doctorate degree in engineering from an institution that has an undergraduate engineering program that is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., and has taught engineering full time for at least 3 years, at the baccalaureate level or higher, after receiving that degree.

(3)~~(e)~~ Every applicant who is qualified to take the fundamentals examination or the principles and practice examination shall be allowed to take either examination three times, notwithstanding the number of times either examination has been previously failed. If an applicant fails either examination three times, the *department* ~~board~~ shall require the applicant to complete additional college-level education courses or a *department-approved* ~~board-approved~~ relevant examination review course as a condition of future eligibility to take that examination. If the applicant is delayed in taking the examination due to reserve or active duty service in the United States Armed Forces or National Guard, the applicant is allowed an additional two attempts to take the examination before the *department* ~~board~~ may require additional college-level education or review courses.

(4)~~(2)~~(a) The *department* ~~board~~ may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:

1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensed engineer; and

2. The finding by the *department* ~~board~~ of lack of good moral character is supported by clear and convincing evidence.

(b) When an applicant is found to be unqualified for a license because of a lack of good moral character, the *department* ~~board~~ shall furnish the applicant a statement containing the findings of the *department* ~~board~~, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.

Section 88. Section 471.017, Florida Statutes, is amended to read:

471.017 Renewal of license.—

(1) The *department* ~~management corporation~~ shall renew a license upon receipt of the renewal application and fee.

(2) The *department* ~~board~~ shall adopt rules establishing a procedure for the biennial renewal of licenses.

~~(3)(a) The board shall require a demonstration of continuing professional competency of engineers as a condition of license renewal or relicensure. Every licensee must complete 9 continuing education hours for each year of the license renewal period, totaling 18 continuing education hours for the license renewal period. For each renewal period for such continuing education:~~

~~1. One hour must relate to this chapter and the rules adopted under this chapter.~~

~~2. One hour must relate to professional ethics.~~

~~3. Four hours must relate to the licensee's area of practice.~~

~~4. The remaining hours may relate to any topic pertinent to the practice of engineering.~~

~~Continuing education hours may be earned by presenting or attending seminars, in-house or nonclassroom courses, workshops, or professional or technical presentations made at meetings, webinars, conventions, or conferences, including those presented by vendors with specific knowledge related to the licensee's area of practice. Up to 4 hours may be earned by serving as an officer or actively participating on a committee of a board recognized professional or technical engineering society. The 2 required continuing education hours relating to this chapter, the rules adopted pursuant to this chapter, and ethics may be earned by serving as a member of the Legislature or as an elected state or local official. The hours required pursuant to s. 471.0195 may apply to any requirements of this section except for those required under subparagraph 1.~~

~~(b) The board shall adopt rules that are substantially consistent with the most recent published version of the Continuing Professional Competency Guidelines of the National Council of Examiners for Engineering and Surveying, and shall allow nonclassroom hours to be credited. The board may, by rule, exempt from continuing professional competency requirements retired professional engineers who no longer sign and seal engineering documents and licensees in unique circum-~~

~~stances that severely limit opportunities to obtain the required continuing education hours.~~

Section 89. Subsections (1) and (2) of section 471.021, Florida Statutes, are amended to read:

471.021 Engineers and firms of other states; temporary registration to practice in Florida.—

(1) Upon approval of the *department* ~~board~~ and payment of the fee set in s. 471.011, the *department* ~~management corporation~~ shall issue a temporary registration for work on one specified project in this state for a period not to exceed 1 year to an engineer holding a certificate to practice in another state, provided Florida licensees are similarly permitted to engage in work in such state and provided that the engineer be qualified for licensure by endorsement.

(2) Upon approval by the *department* ~~board~~ and payment of the fee set in s. 471.011, the *department* ~~management corporation~~ shall issue a temporary registration for work on one specified project in this state for a period not to exceed 1 year to an out-of-state corporation, partnership, or firm, provided one of the principal officers of the corporation, one of the partners of the partnership, or one of the principals in the fictitiously named firm has obtained a temporary registration in accordance with subsection (1).

Section 90. Subsection (4) of section 471.023, Florida Statutes, is amended to read:

471.023 Qualification of business organizations.—

(4) Each qualifying agent of a business organization qualified under this section must notify the *department* ~~board~~ within 30 days after any change in the information contained in the application upon which the qualification is based.

(a) A qualifying agent who terminates an affiliation with a qualified business organization shall notify the *department* ~~management corporation~~ of such termination within 24 hours. If such qualifying agent is the only qualifying agent for that business organization, the business organization must be qualified by another qualifying agent within 60 days after the termination. Except as provided in paragraph (b), the business organization may not engage in the practice of engineering until it is qualified by another qualifying agent.

(b) In the event a qualifying agent ceases employment with a qualified business organization and the qualifying agent is the only licensed individual affiliated with the business organization, the executive director of the *department* ~~management corporation or the chair of the board~~ may authorize another licensee employed by the business organization to temporarily serve as its qualifying agent for a period of no more than 60 days to proceed with incomplete contracts. The business organization is not authorized to operate beyond such period under this chapter absent replacement of the qualifying agent.

(c) A qualifying agent shall notify the department in writing before engaging in the practice of engineering in the licensee's name or in affiliation with a different business organization.

Section 91. Subsections (1) and (2) of section 471.025, Florida Statutes, are amended to read:

471.025 Seals.—

(1) The *department* ~~board~~ shall prescribe, by rule, one or more forms of seal to be used by licensees. Each licensee shall obtain at least one seal in the form approved by rule of the *department* ~~board~~ and may, in addition, register his or her seal electronically in accordance with ss. 668.001-668.006. All final drawings, specifications, plans, reports, or documents prepared or issued by the licensee and being filed for public record and all final documents provided to the owner or the owner's representative shall be signed by the licensee, dated, and sealed with said seal. Such signature, date, and seal shall be evidence of the authenticity of that to which they are affixed. Drawings, specifications, plans, reports, final documents, or documents prepared or issued by a licensee may be transmitted electronically and may be signed by the licensee, dated, and sealed electronically with said seal in accordance with ss. 668.001-668.006.

(2) It is unlawful for any person to seal or digitally sign any document with a seal or digital signature after his or her license has expired or been revoked or suspended, unless such license has been reinstated or reissued. When an engineer's license has been revoked or suspended by the *department* ~~board~~, the licensee shall, within a period of 30 days after the revocation or suspension has become effective, surrender his or her seal to the executive director of the *department* ~~board~~ and confirm to the *department* ~~executive director~~ the cancellation of the licensee's digital signature in accordance with ss. 668.001-668.006. In the event the engineer's license has been suspended for a period of time, his or her seal shall be returned to him or her upon expiration of the suspension period.

Section 92. Paragraphs (b) and (d) of subsection (1) of section 471.031, Florida Statutes, are amended to read:

471.031 Prohibitions; penalties.—

(1) A person may not:

(b)1. Except as provided in subparagraph 2. or subparagraph 3., use the name or title "professional engineer" or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under this chapter, including, but not limited to, the following titles: "agricultural engineer," "air-conditioning engineer," "architectural engineer," "building engineer," "chemical engineer," "civil engineer," "control systems engineer," "electrical engineer," "environmental engineer," "fire protection engineer," "industrial engineer," "manufacturing engineer," "mechanical engineer," "metallurgical engineer," "mining engineer," "minerals engineer," "marine engineer," "nuclear engineer," "petroleum engineer," "plumbing engineer," "structural engineer," "transportation engineer," "software engineer," "computer hardware engineer," or "systems engineer."

2. Any person who is exempt from licensure under s. 471.003(2)(j) may use the title or personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "professional engineer," "registered engineer," "licensed engineer," "registered professional engineer," or "licensed professional engineer."

3. Any person who is exempt from licensure under s. 471.003(2)(c) or (e) may use the title or personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "professional engineer," "registered engineer," "licensed engineer," "registered professional engineer," or "licensed professional engineer" and if that person is a graduate from an approved engineering curriculum of 4 years or more in a school, college, or university which has been approved by the *department* ~~board~~.

(d) Give false or forged evidence to the *department* ~~board~~ or a member thereof.

Section 93. Paragraphs (a) and (k) of subsection (1) and subsections (2), (3), and (4) of section 471.033, Florida Statutes, are amended to read:

471.033 Disciplinary proceedings.—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:

(a) Violating any provision of s. 455.227(1), s. 471.025, or s. 471.031, or any other provision of this chapter or rule of the ~~board or~~ department.

(k) Violating any order of the ~~board or~~ department previously entered in a disciplinary hearing.

(2) The *department* ~~board~~ shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the *department* ~~board~~ finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $5,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the licensee on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify.

(f) Restriction of the authorized scope of practice by the licensee.

(g) Restitution.

(4) The *department* ~~management corporation~~ shall reissue the license of a disciplined engineer or business upon certification by the *department* ~~board~~ that the disciplined person has complied with all of the terms and conditions set forth in the final order.

Section 94. Section 471.045, Florida Statutes, is amended to read:

471.045 Professional engineers performing building code inspector duties.—Notwithstanding any other provision of law, a person who is currently licensed under this chapter to practice as a professional engineer may provide building code inspection services described in *s. 468.603(4) and (7)* ~~s. 468.603(5) and (8)~~ to a local government or state agency upon its request, without being certified by the Florida Building Code Administrators and Inspectors *licensing program* ~~Board~~ under part XII of chapter 468. When performing these building code inspection services, the professional engineer is subject to the disciplinary guidelines of this chapter and s. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of a professional engineer's performing building code inspection services shall be conducted by the *department* ~~Board of Professional Engineers rather than the Florida Building Code Administrators and Inspectors Board~~. A professional engineer may not perform plans review as an employee of a local government upon any job that the professional engineer or the professional engineer's company designed.

Section 95. Subsections (1), (2), and (5) of section 471.055, Florida Statutes, are amended to read:

471.055 Structural Engineering Recognition Program for Professional Engineers.—

(1) The *department* ~~board~~ shall establish the Structural Engineering Recognition Program for Professional Engineers to recognize professional engineers who specialize in structural engineering and have gone above and beyond the required minimum professional engineer licensing standards. The *department* ~~board~~ shall establish minimum requirements to receive recognition through the program. The *department* ~~board~~ must recognize any licensed professional engineer who has successfully passed the National Council of Examiners for Engineering and Surveying Structural Engineering 16-hour PE Structural examination or any other examination approved by the *department* ~~board~~. In addition, the *department* ~~board~~ may recognize any licensed professional engineer who specializes in structural engineering based on alternative criteria determined by the *department* ~~board~~.

(2) Upon application to the *department* ~~board~~, a professional engineer who has the minimum program requirements shall be recognized as a professional engineer who has gone above and beyond in the field of structural engineering. The *department* ~~board~~ may not collect a fee for such application or for recognition by the program.

(5) The *department* ~~board~~ shall adopt rules to implement this section.

Section 96. Subsection (4) of section 472.003, Florida Statutes, is amended to read:

472.003 Persons not affected by ss. 472.001-472.037.—Sections 472.001-472.037 do not apply to:

(4) Persons employed by county property appraisers, as defined at s. 192.001(3), and persons employed by the Department of Revenue, to prepare maps for property appraisal purposes only, but only to the extent that they perform mapping services which do not include any surveying activities as described in *s. 472.005(3)(a) and (b)* ~~s. 472.005(4)(a) and (b)~~.

Section 97. Subsection (1) of section 472.005, Florida Statutes, is amended to read:

472.005 Definitions.—As used in ss. 472.001-472.037:

~~(1) "Board" means the Board of Professional Surveyors and Mappers.~~

Section 98. Subsections (2) through (9) of section 473.302, Florida Statutes, are renumbered as subsections (1) through (8), respectively, and subsection (1), paragraph (c) of present subsection (8), and present subsection (9) of that section are amended, to read:

473.302 Definitions.—As used in this chapter, the term:

~~(1) "Board" means the Board of Accountancy.~~

(7)~~(8)~~ "Practice of," "practicing public accountancy," or "public accounting" means:

(c) Offering to perform or performing for the public one or more types of service involving the preparation of financial statements not included within paragraph (a), by a certified public accountant who holds an active license, issued pursuant to this chapter, or who is authorized to practice public accounting pursuant to the practice privileges granted in s. 473.3141; by a firm of certified public accountants; or by a firm in which a certified public accountant has an ownership interest, including the performance of such services in the employ of another person. The *department* ~~board~~ shall adopt rules establishing standards of practice for such reports and financial statements; provided, however, that nothing in this paragraph shall be construed to permit the *department* ~~board~~ to adopt rules that have the result of prohibiting Florida certified public accountants employed by unlicensed firms from preparing financial statements as authorized by this paragraph; or

(8)~~(9)~~ "Uniform Accountancy Act" means the Uniform Accountancy Act, Eighth Edition, dated January 2018 and published by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy.

However, these terms *may* ~~shall~~ not include services provided by the American Institute of Certified Public Accountants or the Florida Institute of Certified Public Accountants, or any full service association of certified public accounting firms whose plans of administration have been approved by the *department* ~~board~~, to their members or services performed by these entities in reviewing the services provided to the public by members of these entities.

Section 99. Section 473.3035, Florida Statutes, is amended to read:

473.3035 Division of Certified Public Accounting.—

(1) All services concerning this chapter, including, but not limited to, recordkeeping services, examination services, legal services, and investigative services, and those services in chapter 455 necessary to perform the duties of this chapter shall be provided by the Division of Certified Public Accounting. The *department* ~~board~~ may~~, by majority vote,~~ delegate a duty or duties to the appropriate division within the department. The *department* ~~board~~ may~~, by majority vote,~~ rescind any such delegation of duties at any time.

(2) The Division of Certified Public Accounting shall be funded by fees and assessments of the *department* ~~board~~, and funds collected by the *department* ~~board~~ shall be used only to fund public accounting regulation. Funding for the Division of Certified Public Accounting shall be governed by ss. 215.37 and 455.219.

Section 100. Section 473.304, Florida Statutes, is amended to read:

473.304 Rules of *department* ~~board~~; powers and duties; legal services.—

(1) The *department* ~~board~~ shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this act. Every

certified public accountant and firm shall be governed and controlled by this act and the rules adopted by the *department* ~~board~~.

(2) Subject to the prior approval of the Attorney General, the *department* ~~board~~ may retain independent legal counsel to provide legal advice to the *department* ~~board~~ on a specific matter.

(3) An attorney employed or used by the *department* ~~board~~ may not both prosecute a matter and provide legal services to the *department* ~~board~~ with respect to the same matter.

Section 101. Section 473.305, Florida Statutes, is amended to read:

473.305 Fees.—The *department* ~~board~~, by rule, may establish fees to be paid for applications, examination, reexamination, licensing and renewal, reinstatement, and recordmaking and recordkeeping. The fee for the examination shall be established at an amount that covers the costs for the procurement or development, administration, grading, and review of the examination. The fee for the examination is refundable if the applicant is found to be ineligible to sit for the examination. The fee for initial application is nonrefundable, and the combined fees for application and examination may not exceed $250 plus the actual per applicant cost to the department for purchase of the examination from the American Institute of Certified Public Accountants or a similar national organization. The biennial renewal fee may not exceed $250. The *department* ~~board~~ may also establish, by rule, a reactivation fee, and a delinquency fee not to exceed $50 for continuing professional education reporting forms. The *department* ~~board~~ shall establish fees which are adequate to ensure the continued operation of the *department* ~~board~~ and to fund the proportionate expenses incurred by the department which are allocated to the regulation of public accountants. Fees shall be based on department estimates of the revenue required to implement this chapter and the provisions of law with respect to the regulation of certified public accountants.

Section 102. Paragraph (b) of subsection (3) and subsections (4), (5), and (6) of section 473.306, Florida Statutes, are amended to read:

473.306 Examinations.—

(3) An applicant is entitled to take the licensure examination to practice in this state as a certified public accountant if:

(b) The applicant shows that she or he has good moral character. For purposes of this paragraph, the term "good moral character" has the same meaning as provided in *s. 473.308(6)(a)* ~~s. 473.308(7)(a)~~. The *department* ~~board~~ may refuse to allow an applicant to take the licensure examination for failure to satisfy this requirement if:

1. The *department* ~~board~~ finds a reasonable relationship between the lack of good moral character of the applicant and the professional responsibilities of a certified public accountant; and

2. The finding by the *department* ~~board~~ of lack of good moral character is supported by competent substantial evidence.

If an applicant is found pursuant to this paragraph to be unqualified to take the licensure examination because of a lack of good moral character, the *department* ~~board~~ shall furnish to the applicant a statement containing the findings of the *department* ~~board~~, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.

(4) The *department* ~~board~~ shall have the authority to establish the standards for determining and shall determine:

(a) What constitutes a passing grade for each subject or part of the licensure examination;

(b) Which educational institutions, in addition to the universities in the State University System of Florida, shall be deemed to be accredited colleges or universities;

(c) What courses and number of hours constitute a major in accounting; and

(d) What courses and number of hours constitute additional accounting courses acceptable under s. 473.308(4).

(5) The *department* ~~board~~ may adopt an alternative licensure examination for persons who have been licensed to practice public accountancy or its equivalent in a foreign country so long as the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has ratified an agreement with that country for reciprocal licensure.

(6) For the purposes of maintaining the proper educational qualifications for licensure under this chapter, the *department* ~~board~~ may appoint an Educational Advisory Committee, which shall be composed of one member of the *department* ~~board~~, two persons in public practice who are licensed under this chapter, and four academicians on faculties of universities in this state.

Section 103. Subsections (1), (2), and (3) of section 473.309, Florida Statutes, are amended to read:

473.309 Practice requirements for partnerships, corporations, and limited liability companies; business entities practicing public accounting.—

(1) A partnership may not engage in the practice of public accounting, as defined in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~, or meet the requirements of s. 473.3101(1)(b), unless:

(a) It is a form of partnership recognized by Florida law.

(b) Partners owning at least 51 percent of the financial interest and voting rights of the partnership are certified public accountants in some state. However, each partner who is a certified public accountant in another state and is domiciled in this state must be a certified public accountant of this state and hold an active license.

(c) At least one general partner is a certified public accountant of this state and holds an active license or, in the case of a firm that must have a license pursuant to s. 473.3101(1)(c), at least one general partner is a certified public accountant in some state and meets the requirements of *s. 473.3141(1)* ~~s. 473.3141(1)(a) or (b)~~.

(d) All partners who are not certified public accountants in any state are engaged in the business of the partnership as their principal occupation.

(e) It is in compliance with rules adopted by the *department* ~~board~~ pertaining to minimum capitalization, letters of credit, and adequate public liability insurance.

(2) A corporation may not engage in the practice of public accounting, as defined in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~, or meet the requirements of s. 473.3101(1)(b), unless:

(a) It is a corporation duly organized in this or some other state.

(b) Shareholders of the corporation owning at least 51 percent of the financial interest and voting rights of the corporation are certified public accountants in some state and are principally engaged in the business of the corporation. However, each shareholder who is a certified public accountant in another state and is domiciled in this state must be a certified public accountant of this state and hold an active license.

(c) The principal officer of the corporation is a certified public accountant in some state.

(d) At least one shareholder of the corporation is a certified public accountant and holds an active license in this state or, in the case of a firm that must have a license pursuant to s. 473.3101(1)(c), at least one shareholder is a certified public accountant in some state and meets the requirements of *s. 473.3141(1)* ~~s. 473.3141(1)(a) or (b)~~.

(e) All shareholders who are not certified public accountants in any state are engaged in the business of the corporation as their principal occupation.

(f) It is in compliance with rules adopted by the *department* ~~board~~ pertaining to minimum capitalization, letters of credit, and adequate public liability insurance.

(3) A limited liability company may not engage in the practice of public accounting, as defined in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~, or meet the requirements of s. 473.3101(1)(b), unless:

(a) It is a limited liability company duly organized in this or some other state.

(b) Members of the limited liability company owning at least 51 percent of the financial interest and voting rights of the company are certified public accountants in some state. However, each member who is a certified public accountant in some state and is domiciled in this state must be a certified public accountant of this state and hold an active license.

(c) At least one member of the limited liability company is a certified public accountant and holds an active license in this state or, in the case of a firm that must have a license pursuant to s. 473.3101(1)(c), at least one member is a certified public accountant in some state and meets the requirements of *s. 473.3141(1)* ~~s. 473.3141(1)(a) or (b)~~.

(d) All members who are not certified public accountants in any state are engaged in the business of the company as their principal occupation.

(e) It is in compliance with rules adopted by the *department* ~~board~~ pertaining to minimum capitalization, letters of credit, and adequate public liability insurance.

(f) It is currently licensed as required by s. 473.3101.

Section 104. Subsections (1) and (4) of section 473.3101, Florida Statutes, are amended to read:

473.3101 Licensure of firms or public accounting firms.—

(1) The following must hold a license issued under this section:

(a) Any firm with an office in this state which performs services as defined in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~;

(b) Any firm with an office in this state which uses the title "CPA," "CPA firm," or any other title, designation, words, letters, abbreviations, or device tending to indicate that it is a CPA firm. The *department* ~~board~~ shall define by rule what constitutes a CPA firm; or

(c)1. Any firm that does not have an office in this state but performs the services described in s. 473.3141(4) for a client having its home office in this state, unless it:

a. Complies with the qualifications described in s. 473.309.

b. Is enrolled in a peer review program pursuant to s. 473.3125(4).

c. Performs services through an individual with practice privileges under s. 473.3141.

d. Lawfully performs services in a state where an individual with practice privileges granted under s. 473.3141 has his or her principal place of business.

2. The *department* ~~board~~ shall define by rule what constitutes an office.

(4) The *department* ~~board~~ shall determine whether the firm or public accounting firm meets the requirements for practice and, pending that determination, may certify to the department the firm or public accounting firm for provisional licensure.

Section 105. Subsection (1) of section 473.311, Florida Statutes, is amended to read:

473.311 Renewal of license.—

(1)~~(a)~~ The department shall renew a license issued under s. 473.308 upon receipt of the renewal application and fee ~~and upon certification by the board that the Florida certified public accountant has satisfactorily completed the continuing education requirements of s. 473.312~~.

~~(b) A nonresident licensee seeking renewal of a license in this state shall be determined to have met the continuing education requirements in s. 473.312, except for the requirements in s. 473.312(1)(c), if the licensee has complied with the continuing education requirements applicable in the state in which his or her office is located. If the state in which the nonresident licensee's office is located has no continuing education requirements for license renewals, the nonresident licensee must comply with the continuing education requirements in s. 473.312.~~

Section 106. Paragraph (a) of subsection (1), and subsections (2), (3), and (4) of section 473.3125, Florida Statutes, are amended to read:

473.3125 Peer review.—

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

(a) "Licensee" means a licensed firm or public accounting firm as defined in *s. 473.302* ~~s. 473.302(7)~~ and engaged in the practice of public accounting as defined in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~ that is required to be licensed under s. 473.3101.

(2) The *department* ~~board~~ shall adopt rules establishing minimum standards for peer review programs, including, but not limited to, standards for administering, performing, and reporting peer reviews. The *department* ~~board~~ shall also adopt rules establishing minimum criteria for the *department's* ~~board's~~ approval of one or more organizations that facilitate and administer peer review programs.

(3) For the purposes of maintaining oversight of the license renewal requirements of s. 473.311(2), the *department* ~~board~~ may establish a peer review oversight committee, which shall be composed of at least three, but no more than five, members who are licensed under this chapter and whose firms are subject to s. 473.311(2) and have received a review rating of "pass" on the most recent peer review.

(4) Effective January 1, 2015, a licensed firm or public accounting firm as defined in *s. 473.302* ~~s. 473.302(7)~~ and licensed under s. 473.3101 and engaged in the practice of public accounting as defined in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~, except for the performance of compilations and reviews as those terms are defined by the *department* ~~board~~, must be enrolled in a peer review program.

Section 107. Section 473.313, Florida Statutes, is amended to read:

473.313 Inactive status; retired status.—

(1) A Florida certified public accountant may request that her or his license be placed in an inactive status by making application to the department. The *department* ~~board~~ may prescribe by rule fees for placing a license on inactive status, renewal of inactive status, and reactivation of an inactive license.

~~(a) A license that has become inactive under this subsection or for failure to complete the requirements in s. 473.312 may be reactivated under s. 473.311 upon application to the department. The board may prescribe by rule continuing education requirements as a condition of reactivating a license. The maximum continuing education requirements for reactivating a license are 120 hours, including at least 30 hours in accounting related and auditing related subjects, not more than 30 hours in behavioral subjects, and a minimum of 8 hours in ethics subjects approved by the board, for the reactivation of a license that is inactive or delinquent.~~

~~(b) A license that is delinquent for failure to report completion of the requirements in s. 473.312 may be reactivated under s. 473.311 upon application to the department. Reactivation requires the payment of an application fee as determined by the board and certification by the Florida certified public accountant that the applicant satisfactorily completed the continuing education requirements set forth under s. 473.311. If the license is delinquent on January 1 because of failure to report completed continuing education requirements, the applicant must submit a complete application to the board by March 15 immediately after the delinquent period.~~

(a)~~(c)~~ Any Florida certified public accountant holding an inactive license may be permitted to reactivate such license in a conditional manner. The conditions of reactivation shall require the payment of fees ~~and the completion of required continuing education~~.

(b)~~(d)~~ Notwithstanding ~~the provisions of~~ s. 455.271, the *department* ~~board~~ may, at its discretion, reinstate the license of an individual whose license has become null and void if the individual has made a good faith effort to comply with this section but has failed to comply because of illness or unusual hardship. The individual shall apply to the *department* ~~board~~ for reinstatement in a manner prescribed by rules of the *department* ~~board~~ and shall pay an application fee in an amount determined by rule of the *department* ~~board~~. The *department* ~~board~~ shall require that the individual ~~meet all continuing education requirements as provided in paragraph (a),~~ pay appropriate licensing fees~~,~~ and otherwise be eligible for renewal of licensure under this chapter.

(2) A Florida certified public accountant who is at least 65 years of age, currently holds an active or inactive license in good standing under this chapter, and is not the subject of any sanction or disciplinary action may request that her or his license be placed on retired status by making application to the department. The *department* ~~board~~ may prescribe by rule the application for placing a license on retired status, which must state that the applicant has no association with accounting or any of the services described in *s. 473.302* ~~s. 473.302(8)~~. If a licensee who has been granted retired status reenters the workforce in a position that has an association with accounting or any of the services described in *s. 473.302* ~~s. 473.302(8)~~, the licensee automatically loses her or his retired status.

(a) A retired licensee may, without losing her or his retired status, ~~serve without compensation on a board of directors or board of trustees,~~ provide volunteer tax preparation services, participate in a government-sponsored business mentoring program such as the Internal Revenue Service's Volunteer Income Tax Assistance program or the Small Business Administration's SCORE program, or participate in an advisory role for a similar charitable, civic, or other non-profit organization.

(b) The *department* ~~board~~ shall require a retired licensee to affirm in writing her or his understanding of the limited types of activities in which she or he may engage while in retired status and that she or he has a professional duty to ensure that she or he holds the professional competencies necessary to participate in such activities.

(c) A retired licensee may accept routine reimbursement for actual costs of travel and meals associated with volunteer services or de minimis per diem amounts paid to the licensee to cover such expenses as allowed by law.

(d) A retired licensee may use the title of "retired CPA" on any business card or letterhead or any other printed or electronic document. However, such title must not be applied in such a manner that could confuse the public as to the current status of the licensee. The licensee is not required to have a certificate issued with the word "retired" on the certificate.

~~(e) A retired licensee is not required to maintain the continuing education requirements under s. 473.312.~~

(e)~~(f)~~ A retired licensee may not offer or render professional services that require her or his signature and the use of the CPA title, regardless of whether "retired" is attached to such title.

(f)~~(g)~~ A retired licensee may be permitted to reactivate her or his license in a conditional manner as determined by the *department* ~~board~~. The conditions of reactivation must require the payment of fees ~~and the completion of required continuing education~~. The *department* ~~board~~ may prescribe by rule an application for reactivating a license placed on retired status ~~and continuing education requirements as a condition of reactivating a license placed on retired status~~. ~~The minimum continuing education requirements for reactivating a license placed on retired status are those of the most recent biennium plus one half of the requirements in s. 473.312 for each biennium or part thereof during which the license was on retired status.~~ For the purposes of this subsection, the term "retired licensee" means a licensee whose license has been placed in retired status by the department.

Section 108. Subsections (1), (2), and (4) of section 473.314, Florida Statutes, are amended to read:

473.314 Temporary license.—

(1) The *department* ~~board~~ shall adopt rules providing for the issuance of temporary licenses to certified public accountants or firms of other states who do not meet the requirements of s. 473.3141, for the purpose of enabling them or their employees to perform specific engagements involving the practice of public accountancy in this state. No temporary license shall be valid for more than 90 days after its issuance, and no license shall cover more than one engagement. After the expiration of 90 days, a new license shall be required.

(2) Each application for a temporary license shall state the names of all persons who are to enter this state and shall be accompanied by a fee in an amount established by the *department* ~~board~~ not to exceed $400.

(4) Upon certification of the applicant by the *department* ~~board~~, the department shall issue a temporary license to the applicant.

Section 109. Subsections (3) and (4) of section 473.315, Florida Statutes, are amended to read:

473.315 Independence, technical standards.—

(3) The *department* ~~board~~ shall adopt rules establishing the standards of practice of public accounting, including, but not limited to, independence, competence, and technical standards.

(4) Attorneys who are admitted to practice law by the Supreme Court of Florida are exempt from the standards of practice of public accounting as defined in *s. 473.302(7)(b) and (c)* ~~s. 473.302(8)(b) and (c)~~ when such standards conflict with the rules of The Florida Bar or orders of the Florida Supreme Court.

Section 110. Subsections (5) and (6) of section 473.316, Florida Statutes, are amended to read:

473.316 Communications between the accountant and client privileged.—

(5) Communications are not privileged from disclosure in any disciplinary investigation or proceeding conducted pursuant to this act by the department or before the *department* ~~board~~ or in any judicial review of such a proceeding. In any such proceeding, a certified public accountant or public accountant, without the consent of her or his client, may testify with respect to any communication between the accountant and the accountant's client or be compelled, pursuant to a subpoena of the department ~~or the board~~, to testify or produce records, books, or papers. Such a communication disclosed to the *department* ~~board~~ and records of the *department* ~~board~~ relating to the communication shall for all other purposes and proceedings be a privileged communication in all of the courts of this state.

(6) The proceedings, records, and workpapers of a review committee are privileged and are not subject to discovery, subpoena, or other means of legal process or to introduction into evidence in a civil action or arbitration, administrative proceeding~~, or state accountancy board proceeding~~. A member of a review committee or person who was involved in a quality review may not testify in a civil action or arbitration, administrative proceeding~~, or state accountancy board proceeding~~ as to any matter produced or disclosed during the quality review or as to any findings, recommendations, evaluations, opinions, or other actions of the review committee or any members thereof. Public records and materials prepared for a particular engagement are not privileged merely because they were presented during the quality review. This privilege does not apply to disputes between a review committee and a person subject to a quality review.

Section 111. Section 473.319, Florida Statutes, is amended to read:

473.319 Contingent fees.—Public accounting services as defined in *s. 473.302(7)(a) and (c)* ~~s. 473.302(8)(a) and (c)~~, and those that include

tax filings with federal, state, or local government, *may* ~~shall~~ not be offered or rendered for a fee contingent upon the findings or results of such service. This section does not apply to services involving federal, state, or other taxes in which the findings are those of the tax authorities and not those of the certified public accountant or firm. Fees to be fixed by courts or other public authorities, which are of an indeterminate amount at the time a public accounting service is undertaken, *may* ~~shall~~ not be regarded as contingent fees for purposes of this section.

Section 112. Section 473.3205, Florida Statutes, is amended to read:

473.3205 Commissions or referral fees.—A certified public accountant or firm may not accept or pay a commission or referral fee in connection with the sale or referral of public accounting services as defined in *s. 473.302(7)(a) and (c)* ~~s. 473.302(8)(a) and (c)~~. Any certified public accountant or firm that is engaged in the practice of public accounting and that accepts a commission for the sale of a product or service to a client must disclose that fact to the client in writing in accordance with rules adopted by the *department* ~~board~~. However, this section *may* ~~shall~~ not prohibit:

(1) Payments for the purchase of an accounting practice;

(2) Retirement payments to individuals formerly engaged in the practice of public accounting or payments to their heirs or estates; or

(3) Payment of fees to a referring certified public accountant or firm for public accounting services to the successor certified public accountant or firm or the client in connection with an engagement.

Section 113. Subsection (3) of section 473.321, Florida Statutes, is amended to read:

473.321 Fictitious names.—

(3) The *department* ~~board~~ shall adopt rules for interpretation of this section.

Section 114. Paragraphs (c) and (e) of subsection (1) of section 473.322, Florida Statutes, are amended to read:

473.322 Prohibitions; penalties.—

(1) A person may not knowingly:

(c) Perform or offer to perform any services described in *s. 473.302(7)(a) or (d)* ~~s. 473.302(8)(a) or (d)~~ unless such person holds an active license under this chapter and is a licensed firm, provides such services through a licensed firm, or complies with ss. 473.3101 and 473.3141. This paragraph does not prohibit the performance by persons other than certified public accountants of other services involving the use of accounting skills, including the preparation of tax returns and the preparation of financial statements without expression of opinion thereon;

(e) Give false or forged evidence to the *department* ~~board or a member thereof~~;

Section 115. Paragraph (m) of subsection (1) and subsections (2), (3), and (4) of section 473.323, Florida Statutes, are amended to read:

473.323 Disciplinary proceedings.—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:

(m) Failing to provide any written disclosure to a client or the public which is required by this chapter or rule of the *department* ~~board~~.

(2) The *department* ~~board~~ shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the *department* ~~board~~ finds any certified public accountant or firm guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of the certified public accountant or firm's license or practice privileges in this state.

(c) Imposition of an administrative fine not to exceed $5,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the certified public accountant on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify, including requiring the certified public accountant to attend continuing education courses or to work under the supervision of another licensee.

(f) Restriction of the authorized scope of practice by the certified public accountant.

(4) The department shall reissue the license of a disciplined licensee upon certification by the *department* ~~board~~ that the disciplined licensee has complied with all of the terms and conditions set forth in the final order.

Section 116. Subsections (2) of section 474.202, Florida Statutes, is amended to read:

474.202 Definitions.—As used in this chapter:

~~(2) "Board" means the Board of Veterinary Medicine.~~

Section 117. Subsection (3) and paragraph (e) of subsection (4) of section 474.2021, Florida Statutes, are amended to read:

474.2021 Veterinary telehealth.—

(3) The *department* ~~board~~ has jurisdiction over a veterinarian practicing veterinary telehealth, regardless of where the veterinarian's physical office is located. The practice of veterinary medicine is deemed to occur when the veterinarian, the patient, or both are located within this state at the time the veterinarian practices veterinary telehealth.

(4) A veterinarian practicing veterinary telehealth:

(e) Shall prescribe all drugs and medications in accordance with all federal and state laws and the following requirements:

1. A veterinarian practicing veterinary telehealth may order, prescribe, or make available medicinal drugs or drugs specifically approved for use in animals by the United States Food and Drug Administration, the use of which conforms to the approved labeling. Prescriptions based solely on a telehealth evaluation may be issued for up to 1 *year* ~~month~~ for products labeled solely for flea and tick control and up to 14 days of treatment for other animal drugs. Prescriptions based solely on a telehealth evaluation may not be renewed without an in-person examination.

2. A veterinarian practicing veterinary telehealth may not order, prescribe, or make available medicinal drugs or drugs as defined in s. 465.003 approved by the United States Food and Drug Administration for human use or compounded antibacterial, antifungal, antiviral, or antiparasitic medications, unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits to the premises where the animal is kept.

3. A veterinarian may not use veterinary telehealth to prescribe a controlled substance as defined in chapter 893 unless the veterinarian has conducted an in-person physical examination of the animal or made medically appropriate and timely visits within the past year to the premises where the animal is kept.

4. A veterinarian practicing veterinary telehealth may not prescribe a drug or other medication for use on a horse engaged in racing or training at a facility under the jurisdiction of the Florida Gaming Control Commission or on a horse that is a covered horse as defined in the federal Horseracing Integrity and Safety Act, 15 U.S.C. ss. 3051 et seq.;

Section 118. Section 474.2065, Florida Statutes, is amended to read:

474.2065 Fees.—The *department* ~~board~~, by rule, shall establish fees for application and examination, reexamination, license renewal, inactive status, renewal of inactive status, license reactivation, periodic inspection of veterinary establishments, and duplicate copies of licenses, certificates, and permits. The fee for the initial application and examination may not exceed $650 plus the actual per applicant cost to the department for purchase of portions of the examination from the Professional Examination Service for the American Veterinary Medical Association or a similar national organization. The fee for licensure by endorsement may not exceed $500. The fee for temporary licensure may not exceed $200. The *department* ~~board~~ shall establish fees that are adequate to ensure its continued operation and to fund the proportionate expenses incurred by the department which are allocated to the regulation of veterinarians. Fees shall be based on departmental estimates of the revenue required to administer this chapter and the provisions relating to the regulation of veterinarians.

Section 119. Subsections (1) through (4) of section 474.207, Florida Statutes, are amended to read:

474.207 Licensure by examination.—

(1) Any person desiring to be licensed as a veterinarian shall apply to the department to take a licensure examination. The *department* ~~board~~ may by rule adopt use of a national examination in lieu of part or all of the examination required by this section, with a reasonable passing score to be set by rule of the *department* ~~board~~.

(2) The department shall license each applicant who the board certifies has:

(a) Completed the application form and remitted an examination fee set by the *department* ~~board~~.

(b)1. Graduated from a college of veterinary medicine accredited by the American Veterinary Medical Association Council on Education; or

2. Graduated from a college of veterinary medicine listed in the American Veterinary Medical Association Roster of Veterinary Colleges of the World and obtained a certificate from the Education Commission for Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence.

(c) Successfully completed the examination provided by the department for this purpose, or an examination determined by the *department* ~~board~~ to be equivalent.

(d) Demonstrated knowledge of the laws and rules governing the practice of veterinary medicine in Florida in a manner designated by rules of the *department* ~~board~~.

The department *may* ~~shall~~ not issue a license to any applicant who is under investigation in any state or territory of the United States or in the District of Columbia for an act which would constitute a violation of this chapter until the investigation is complete and disciplinary proceedings have been terminated, at which time the provisions of s. 474.214 shall apply.

(3) Notwithstanding ~~the provisions of~~ paragraph (2)(b), an applicant shall be deemed to have met the education requirements for licensure upon submission of evidence that the applicant meets one of the following:

(a) The applicant was certified for examination by the board prior to October 1, 1989; or

(b) The applicant immigrated to the United States after leaving her or his home country because of political reasons, provided such country is located in the Western Hemisphere and lacks diplomatic relations with the United States; and

1. Was a Florida resident immediately preceding her or his application for licensure;

2. Demonstrates to the *department* ~~board~~, through submission of documentation verified by the applicant's respective professional association in exile, that she or he received a professional degree in veterinary medicine from a college or university located in the country from which she or he emigrated. However, the *department* ~~board~~ may not require receipt transcripts from the Republic of Cuba as a condition of eligibility under this section; and

3. Lawfully practiced her or his profession for at least 3 years.

(4) Applicants certified for examination or reexamination under subsection (3) who fail the examination three times subsequent to October 1, 1989, shall be required to demonstrate to the *department* ~~board~~ that they meet the requirements of paragraph (2)(b) *before* ~~prior to~~ any further reexamination or certification for licensure.

Section 120. Section 474.211, Florida Statutes, is amended to read:

474.211 Renewal of license.—

(1) The department shall renew a license upon receipt of the renewal application and fee ~~and an affidavit of compliance with continuing education requirements set by rule of the board~~.

(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses.

~~(3) The board may by rule prescribe continuing education, not to exceed 30 hours biennially, as a condition for renewal of a license or certificate. The criteria for such programs, providers, and courses shall be approved by the board.~~

Section 121. Subsections (1), (2), and (3) of section 474.2125, Florida Statutes, are amended to read:

474.2125 Temporary license.—

(1) The *department* ~~board~~ shall adopt rules providing for the issuance of a temporary license to a licensed veterinarian of another state for the purpose of enabling her or him to provide veterinary medical services in this state for the animals of a specific owner or, as may be needed in an emergency as defined in s. 252.34(4), for the animals of multiple owners, provided the applicant would qualify for licensure by endorsement under s. 474.217. No temporary license shall be valid for more than 30 days after its issuance, and no license shall cover more than the treatment of the animals of one owner except in an emergency as defined in s. 252.34(4). After the expiration of 30 days, a new license is required.

(2) Each application for a temporary license shall state the names of all persons who are to enter this state and shall be accompanied by a fee in an amount established by the *department* ~~board~~.

(3) Upon certification of the applicant by the *department* ~~board~~, the department shall issue a temporary license to the applicant.

Section 122. Paragraph (d) of subsection (1) of section 474.213, Florida Statutes, is amended to read:

474.213 Prohibitions; penalties.—

(1) No person shall:

(d) Give false or forged evidence to the *department* ~~board~~ or a member thereof for the purpose of obtaining a license;

Section 123. Paragraphs (a), (f), (h), (j), (v), (aa), (ee), (jj), and (nn) of subsection (1) and subsections (2) and (3) of section 474.214, Florida Statutes, are amended to read:

474.214 Disciplinary proceedings.—

(1) The following acts shall constitute grounds for which the disciplinary actions in subsection (2) may be taken:

(a) Attempting to procure a license to practice veterinary medicine by bribery, by fraudulent representations, or through an error of the department ~~or the board~~.

(f) Violating any provision of this chapter or chapter 455, a rule of the ~~board or~~ department, or a lawful order of the ~~board or~~ department

previously entered in a disciplinary hearing, or failing to comply with a lawfully issued subpoena of the department.

(h) Being unable to practice veterinary medicine with reasonable skill or safety to patients by reason of illness, drunkenness, use of drugs, narcotics, chemicals, or any other material or substance or as a result of any mental or physical condition. In enforcing this paragraph, upon a finding by the secretary, the secretary's designee, or the probable cause panel of the *department* ~~board~~ that probable cause exists to believe that the licensee is unable to practice the profession because of the reasons stated in this paragraph, the department shall have the authority to compel a licensee to submit to a mental or physical examination by a physician designated by the department. If the licensee refuses to comply with the department's order, the department may file a petition for enforcement in the circuit court of the circuit in which the licensee resides or does business. The licensee *may* ~~shall~~ not be named or identified by initials in any other public court records or documents and the enforcement proceedings shall be closed to the public. The department shall be entitled to the summary procedure provided in s. 51.011. A licensee affected under this paragraph shall be afforded an opportunity at reasonable intervals to demonstrate that she or he can resume the competent practice for which she or he is licensed with reasonable skill and safety to patients. Neither the record of proceedings nor the orders entered by the *department* ~~board~~ in any proceedings under this paragraph shall be used against a licensee in any other proceedings.

(j) Knowingly maintaining a professional connection or association with any person who is in violation of the provisions of this chapter or the rules of the ~~board or~~ department. However, if the licensee verifies that the person is actively participating in a *department-approved* ~~board-approved~~ program for the treatment of a physical or mental condition, the licensee is required only to report such person to the consultant.

(v) Failing to keep the equipment and premises of the business establishment in a clean and sanitary condition, having a premises permit suspended or revoked pursuant to s. 474.215, or operating or managing premises that do not comply with requirements established by rule of the *department* ~~board~~.

(aa) Failing to report to the department any person the licensee knows to be in violation of this chapter or of the rules of the department ~~or board~~. However, if the licensee verifies that the person is actively participating in a *department-approved* ~~board-approved~~ program for the treatment of a physical or mental condition, the licensee is required only to report such person to the consultant.

(ee) Failing to keep contemporaneously written medical records as required by rule of the *department* ~~board~~.

(jj) Failing to report to the *department* ~~board~~ within 30 days, in writing, any action set forth in paragraph (b) that has been taken against the practitioner's license to practice veterinary medicine by any jurisdiction, including any agency or subdivision thereof.

(nn) Failing to report a change of address to the *department* ~~board~~ within 60 days thereof.

(2) When the *department* ~~board~~ finds any applicant or veterinarian guilty of any of the grounds set forth in subsection (1), regardless of whether the violation occurred *before* ~~prior to~~ licensure, it may enter an order imposing one or more of the following penalties:

(a) Denial of certification for examination or licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $5,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the veterinarian on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify, including requiring the veterinarian to attend continuing education courses or to work under the supervision of another veterinarian.

(f) Restricting the authorized scope of practice.

(g) Imposition of costs of the investigation and prosecution.

(h) Requiring the veterinarian to undergo remedial education.

In determining appropriate action, the *department* ~~board~~ must first consider those sanctions necessary to protect the public. Only after those sanctions have been imposed may the disciplining authority consider and include in its order requirements designed to rehabilitate the veterinarian. All costs associated with compliance with any order issued under this subsection are the obligation of the veterinarian.

(3) The department shall reissue the license of a disciplined veterinarian upon certification by the *department* ~~board~~ that the disciplined veterinarian has complied with all of the terms and conditions set forth in the final order and is capable of competently and safely engaging in the practice of veterinary medicine.

Section 124. Subsections (1), (5), (7), (8), and (9) of section 474.215, Florida Statutes, are amended to read:

474.215 Premises permits.—

(1) Any establishment, permanent or mobile, where a licensed veterinarian practices must have a premises permit issued by the department. Upon application and payment of a fee not to exceed $250, ~~as set by rule of the board,~~ the department shall cause such establishment to be inspected. A premises permit shall be issued if the establishment meets minimum standards, to be adopted by rule of the *department* ~~board~~, as to sanitary conditions, recordkeeping, equipment, radiation monitoring, services required, and physical plant.

(5) The department may issue a temporary premises permit to a responsible veterinarian who has submitted the application fee and a completed application form affirming compliance with the standards set by rule of the *department* ~~board~~. If the department inspects the establishment and discovers that it is not in compliance with the department's standards, the department shall notify the veterinarian in writing of the deficiencies and shall provide 30 days for correction of the deficiencies and reinspection. Such temporary permit shall become void upon notification by the department that the establishment has failed, after reinspection, to meet those standards. Upon receipt of such notice, the responsible veterinarian shall close the establishment until completion of a subsequent inspection affirming that the required standards have been met and until another permit has been issued by the department.

(7) The *department* ~~board~~ by rule shall establish minimum standards for the operation of limited service veterinary medical practices. Such rules *may* ~~shall~~ not restrict limited service veterinary medical practices and shall be consistent with the type of limited veterinary medical service provided.

(a) Any person that offers or provides limited service veterinary medical practice shall obtain a biennial permit from the *department* ~~board~~ the cost of which *may* ~~shall~~ not exceed $250. The limited service permittee shall register each location where a limited service clinic is held and shall pay a fee set by rule not to exceed $25 to register each such location.

(b) All permits issued under this subsection are subject to the provisions of ss. 474.213 and 474.214.

(c) Notwithstanding any provision of this subsection to the contrary, any temporary rabies vaccination effort operated by a county health department in response to a public health threat, as declared by the State Health Officer in consultation with the State Veterinarian, is not subject to any preregistration, time limitation, or fee requirements, but must adhere to all other requirements for limited service veterinary medical practice as prescribed by rule. The fee charged to the public for a rabies vaccination administered during such temporary rabies vaccination effort may not exceed the actual cost of administering the rabies vaccine. Such rabies vaccination efforts may not be used for any purpose other than to address the public health consequences of the rabies outbreak. The *department* ~~board~~ shall be immediately notified in writing of any temporary rabies vaccination effort operated under this paragraph.

(8) Any person who is not a veterinarian licensed under this chapter but who desires to own and operate a veterinary medical establishment

or limited service clinic shall apply to the *department* ~~board~~ for a premises permit. If the *department* ~~board~~ certifies that the applicant complies with the applicable laws and rules of the *department* ~~board~~, the department shall issue a premises permit. No permit shall be issued unless a licensed veterinarian is designated to undertake the professional supervision of the veterinary medical practice and the minimum standards set by rule of the *department* ~~board~~ for premises where veterinary medicine is practiced. Upon application, the department shall submit the permittee's name for a statewide criminal records correspondence check through the Department of Law Enforcement. The permittee shall notify the *department* ~~board~~ within 10 days after any designation of a new licensed veterinarian responsible for such duties. A permittee under this subsection is subject to the provisions of subsection (9) and s. 474.214.

(9)(a) The department ~~or the board~~ may deny, revoke, or suspend the permit of any permittee under this section and may fine, place on probation, or otherwise discipline any such permittee who has:

1. Obtained a permit by misrepresentation or fraud or through an error of the department ~~or board~~;

2. Attempted to procure, or has procured, a permit for any other person by making, or causing to be made, any false representation;

3. Violated any of the requirements of this chapter or any rule of the *department* ~~board~~; or

4. Been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a felony in any court of this state, of any other state, or of the United States.

(b) If the permit is revoked or suspended, the owner, manager, or proprietor shall cease to operate the premises as a veterinary medical practice as of the effective date of the suspension or revocation. In the event of such revocation or suspension, the owner, manager, or proprietor shall remove from the premises all signs and symbols identifying the premises as a veterinary medical practice. The period of any such suspension shall be prescribed by rule of the *department* ~~board~~, but may not exceed 1 year. If the permit is revoked, the person owning or operating the establishment may not apply for a permit to operate a premises for a period of 1 year after the effective date of such revocation. Upon the effective date of such revocation, the permittee must advise the *department* ~~board~~ of the disposition of all medicinal drugs and must provide for ensuring the security, confidentiality, and availability to clients of all patient medical records.

Section 125. Section 474.216, Florida Statutes, is amended to read:

474.216 License and premises permit to be displayed.—Each person to whom a license or premises permit is issued shall keep such document conspicuously displayed in her or his office, place of business, or place of employment, whether a permanent or mobile veterinary establishment or clinic, and shall, whenever required, exhibit said document to any member or authorized representative of the *department* ~~board~~.

Section 126. Subsections (6), (8), (10), and (11) of section 474.2165, Florida Statutes, are amended to read:

474.2165 Ownership and control of veterinary medical patient records; report or copies of records to be furnished.—

(6) The department may obtain patient records pursuant to a subpoena without written authorization from the client if the department ~~and the probable cause panel of the board~~ find reasonable cause to believe that a veterinarian has excessively or inappropriately prescribed any controlled substance specified in chapter 893 in violation of this chapter or that a veterinarian has practiced his or her profession below that level of care, skill, and treatment required as defined by this chapter.

(8) Notwithstanding the provisions of s. 455.242, records owners shall notify the *department* ~~board office~~ when they are terminating practice, retiring, or relocating and are no longer available to patients, specifying who the new records owner is and where the medical records can be found.

(10) Veterinarians in violation of the provisions of this section shall be disciplined by the *department* ~~board~~.

(11) A records owner furnishing copies of reports or records pursuant to this section shall charge no more than the actual cost of copying, including reasonable staff time, or the amount specified in administrative rule by the *department* ~~board~~.

Section 127. Subsection (1) of section 474.217, Florida Statutes, is amended to read:

474.217 Licensure by endorsement.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting a fee set by the *department* ~~board~~, demonstrates to the *department* ~~board~~ that she or he:

(a) Has demonstrated, in a manner designated by rule of the *department* ~~board~~, knowledge of the laws and rules governing the practice of veterinary medicine in this state; and

(b)1. Holds, and has held for the 3 years immediately preceding the application for licensure, a valid, active license to practice veterinary medicine in another state of the United States, the District of Columbia, or a territory of the United States, provided that the applicant has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the *department* ~~board~~; or

2. Meets the qualifications of s. 474.207(2)(b) and has successfully completed a state, regional, national, or other examination which is equivalent to or more stringent than the examination given by the department and has passed the ~~board's~~ clinical competency examination or another clinical competency examination specified by rule of the *department* ~~board~~.

Section 128. Section 474.221, Florida Statutes, is amended to read:

474.221 Impaired practitioner provisions; applicability.—Notwithstanding the transfer of the Division of Medical Quality Assurance to the Department of Health or any other provision of law to the contrary, veterinarians licensed under this chapter shall be governed by the impaired practitioner program provisions of s. 456.076 as if they were under the jurisdiction of the Division of Medical Quality Assurance, except that for veterinarians the Department of Business and Professional Regulation shall, at its option, exercise any of the powers granted to the Department of Health by that section~~, and "board" shall mean board as defined in this chapter~~.

Section 129. Subsection (4) of section 476.034, Florida Statutes, is amended to read:

476.034 Definitions.—As used in this act:

~~(4) "Board" means the Barbers' Board.~~

Section 130. Subsection (2) of section 476.074, Florida Statutes, is amended to read:

476.074 Legal, investigative, and inspection services.—

(2) The department shall provide all investigative services required by the ~~board or the~~ department in carrying out ~~the provisions of~~ this act.

Section 131. Paragraph (c) of subsection (2) and subsection (3) of section 476.114, Florida Statutes, are amended to read:

476.114 Examination; prerequisites.—

(2) An applicant is eligible for licensure by examination to practice barbering if the applicant:

(c) Has received a minimum of 900 hours of training in sanitation, safety, and laws and rules, as established by the *department* ~~board~~, which must include, but is not limited to, the equivalent of completion of services directly related to the practice of barbering at one of the following:

1. A school of barbering licensed pursuant to chapter 1005;

2. A barbering program within the public school system; or

3. A government-operated barbering program in this state.

The *department* ~~board~~ shall establish by rule procedures whereby the school or program may certify that a person is qualified to take the required examination after the completion of a minimum of 600 actual school hours. If the person passes the examination, she or he has satisfied this requirement; but if the person fails the examination, she or he may not be qualified to take the examination again until the completion of the full requirements provided by this section.

(3) An applicant who meets the requirements set forth in paragraph (2)(c) who fails to pass the examination may take subsequent examinations as many times as necessary to pass, except that the *department* ~~board~~ may specify by rule reasonable timeframes for rescheduling the examination and additional training requirements for applicants who, after the third attempt, fail to pass the examination. *Before* ~~Prior to~~ reexamination, the applicant must file the appropriate form and pay the reexamination fee as required by rule.

Section 132. Subsections (1) and (2) of section 476.134, Florida Statutes, are amended to read:

476.134 Examinations.—

(1) Examinations of applicants for licenses as barbers shall be offered not less than four times each year. The examination of applicants for licenses as barbers shall include a written test. The *department may* ~~board shall have the authority to~~ adopt rules with respect to the examination of applicants for licensure. The *department* ~~board~~ may provide rules with respect to written examinations in such manner as the *department* ~~board~~ may deem fit.

(2) The *department* ~~board~~ shall adopt rules specifying the areas of competency to be covered by the examination. Such rules shall include the relative weight assigned in grading each area. All areas tested shall be reasonably related to the protection of the public and the applicant's competency to practice barbering in a manner which will not endanger the public.

Section 133. Subsections (1), (2), (5), and (6) of section 476.144, Florida Statutes, are amended to read:

476.144 Licensure.—

(1) The department shall license any applicant who the *department* ~~board~~ certifies is qualified to practice barbering in this state.

(2) The *department* ~~board~~ shall certify for licensure any applicant who satisfies the requirements of s. 476.114, and who passes the required examination, achieving a passing grade as established by *department* ~~board~~ rule.

(5) The *department* ~~board~~ shall certify as qualified for licensure by endorsement as a barber in this state an applicant who holds a current active license to practice barbering in another state. The *department* ~~board~~ shall adopt rules specifying procedures for the licensure by endorsement of practitioners desiring to be licensed in this state who hold a current active license in another country and who have met qualifications substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state.

(6) A person may apply for a restricted license to practice barbering. The *department* ~~board~~ shall adopt rules specifying procedures for an applicant to obtain a restricted license if the applicant:

(a)1. Has successfully completed a restricted barber course, as established by rule of the *department* ~~board~~, at a school of barbering licensed pursuant to chapter 1005, a barbering program within the public school system, or a government-operated barbering program in this state; or

2.a. Holds or has within the previous 5 years held an active valid license to practice barbering in another state or country or has held a Florida barbering license which has been declared null and void for failure to renew the license, and the applicant fulfilled the requirements of s. 476.114(2)(c) for initial licensure; and

b. Has not been disciplined relating to the practice of barbering in the previous 5 years; and

(b) Passes a written examination on the laws and rules governing the practice of barbering in Florida, as established by the *department* ~~board~~.

The restricted license shall limit the licensee's practice to those specific areas in which the applicant has demonstrated competence pursuant to rules adopted by the *department* ~~board~~.

Section 134. Subsection (2) of section 476.154, Florida Statutes, is amended to read:

476.154 Biennial renewal of licenses.—

(2) Any license or certificate of registration issued pursuant to this act for a period less than the established biennial issuance period may be issued for that lesser period of time, and the department shall adjust the required fee accordingly. The *department* ~~board~~ shall adopt rules providing for such partial period fee adjustments.

Section 135. Subsection (2) of section 476.155, Florida Statutes, is amended to read:

476.155 Inactive status; reactivation of inactive license.—

(2) The *department* ~~board~~ shall *adopt* ~~promulgate~~ rules relating to licenses which have become inactive and for the renewal of inactive licenses. The *department* ~~board~~ shall prescribe by rule a fee not to exceed $100 for the reactivation of an inactive license and a fee not to exceed $50 for the renewal of an inactive license.

Section 136. Subsection (1) of section 476.192, Florida Statutes, is amended to read:

476.192 Fees; disposition.—

(1) The *department* ~~board~~ shall set by rule fees according to the following schedule:

(a) For barbers, fees for original licensing, license renewal, and delinquent renewal *may* ~~shall~~ not exceed $100.

(b) For barbers, fees for endorsement application, examination, and reexamination *may* ~~shall~~ not exceed $150.

(c) For barbershops, fees for license application, original licensing, license renewal, and delinquent renewal *may* ~~shall~~ not exceed $150.

(d) For duplicate licenses and certificates, fees *may* ~~shall~~ not exceed $25.

Section 137. Paragraph (i) of subsection (1) and subsection (2) of section 476.204, Florida Statutes, are amended to read:

476.204 Penalties.—

(1) It is unlawful for any person to:

(i) Violate or refuse to comply with any provision of this chapter or chapter 455 or a rule or final order of the *department* ~~board~~.

(2) Any person who violates any provision of this section shall be subject to one or more of the following penalties, as determined by the *department* ~~board~~:

(a) Revocation or suspension of any license or registration issued pursuant to this chapter.

(b) Issuance of a reprimand or censure.

(c) Imposition of an administrative fine not to exceed $500 for each count or separate offense.

(d) Placement on probation for a period of time and subject to such reasonable conditions as the *department* ~~board~~ may specify.

(e) Refusal to certify to the department an applicant for licensure.

Section 138. Section 476.214, Florida Statutes, is amended to read:

476.214 Grounds for suspending, revoking, or refusing to grant license or certificate.—

(1) The *department may* ~~board shall have the power to~~ revoke or suspend any license, registration card, or certificate of registration issued pursuant to this act, or to reprimand, censure, deny subsequent licensure of, or otherwise discipline any holder of a license, registration card, or certificate of registration issued pursuant to this act, for any of the following causes:

(a) Gross malpractice or gross incompetency in the practice of barbering;

(b) Practice by a person knowingly having an infectious or contagious disease; or

(c) Commission of any of the offenses described in s. 476.194.

(2) The *department* ~~board~~ shall keep a record of its disciplinary proceedings against holders of licenses or certificates of registration issued pursuant to this act.

(3) The department *may* ~~shall~~ not issue or renew a license or certificate of registration under this chapter to any person against whom or barbershop against which the *department* ~~board~~ has assessed a fine, interest, or costs associated with investigation and prosecution until the person or barbershop has paid in full such fine, interest, or costs associated with investigation and prosecution or until the person or barbershop complies with or satisfies all terms and conditions of the final order.

Section 139. Section 476.234, Florida Statutes, is amended to read:

476.234 Civil proceedings.—In addition to any other remedy, the department may file a proceeding in the name of the state seeking issuance of a restraining order, injunction, or writ of mandamus against any person who is or has been violating any of the provisions of this act or the lawful rules or orders of the ~~board,~~ commission~~,~~ or department.

Section 140. Subsections (2) through (13) of section 477.013, Florida Statutes, are renumbered as subsections (1) through (12), respectively, and present subsections (1) and (8) of that section are amended, to read:

477.013 Definitions.—As used in this chapter:

~~(1) "Board" means the Board of Cosmetology.~~

(7)~~(8)~~ "Specialty salon" means any place of business wherein the practice of one or all of the specialties as defined in subsection *(5)* ~~(6)~~ are engaged in or carried on.

Section 141. Subsections (7), (8), and (9) of section 477.0135, Florida Statutes, are amended to read:

477.0135 Exemptions.—

(7) A license or registration is not required for a person whose occupation or practice is confined solely to hair braiding as defined in *s. 477.013(8)* ~~s. 477.013(9)~~.

(8) A license or registration is not required for a person whose occupation or practice is confined solely to hair wrapping as defined in *s. 477.013(9)* ~~s. 477.013(10)~~.

(9) A license or registration is not required for a person whose occupation or practice is confined solely to body wrapping as defined in *s. 477.013(11)* ~~s. 477.013(12)~~.

Section 142. Section 477.016, Florida Statutes, is amended to read:

477.016 Rulemaking.—

(1) The *department* ~~board~~ may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring duties upon it.

(2) The *department* ~~board~~ may by rule adopt any restriction established by a regulation of the United States Food and Drug Administration related to the use of a cosmetic product or any substance used in the practice of cosmetology if the *department* ~~board~~ finds that the product or substance poses a risk to the health, safety, and welfare of clients or persons providing cosmetology services.

Section 143. Section 477.018, Florida Statutes, is amended to read:

477.018 Investigative services.—The department shall provide all investigative services required by the ~~board or the~~ department in carrying out the provisions of this act.

Section 144. Subsections (2), (3), (5), (6), and (7) of section 477.019, Florida Statutes, are amended to read:

477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement~~; continuing education~~.—

(2) An applicant is eligible for licensure by examination to practice cosmetology if the applicant:

(a) Is at least 16 years of age or has received a high school diploma;

(b) Pays the required application fee, which is not refundable, and the required examination fee, which is refundable if the applicant is determined to not be eligible for licensure for any reason other than failure to successfully complete the licensure examination; and

(c) Has received a minimum of 1,200 hours of training as established by the *department* ~~board~~, which must include, but is not limited to, the equivalent of completion of services directly related to the practice of cosmetology at one of the following:

1. A school of cosmetology licensed pursuant to chapter 1005.

2. A cosmetology program within the public school system.

3. The Cosmetology Division of the Florida School for the Deaf and the Blind, provided the division meets the standards of this chapter.

4. A government-operated cosmetology program in this state.

The *department* ~~board~~ shall establish by rule procedures whereby the school or program may certify that a person is qualified to take the required examination after the completion of a minimum of 1,000 actual school hours. If the person then passes the examination, he or she has satisfied this requirement; but if the person fails the examination, he or she may not be qualified to take the examination again until the completion of the full requirements provided by this section.

(3) Upon an applicant receiving a passing grade, as established by *department* ~~board~~ rule, on the examination and paying the initial licensing fee, the department shall issue a license to practice cosmetology.

(5) Renewal of license registration shall be accomplished pursuant to rules adopted by the *department* ~~board~~.

(6) The *department* ~~board~~ shall certify as qualified for licensure by endorsement as a cosmetologist in this state an applicant who holds a current active license to practice cosmetology in another state.

~~(7)(a) The board shall prescribe by rule continuing education requirements intended to ensure protection of the public through updated training of licensees and registered specialists, not to exceed 10 hours biennially, as a condition for renewal of a license or registration as a specialist under this chapter. Continuing education courses shall include, but not be limited to, the following subjects as they relate to the practice of cosmetology: human immunodeficiency virus and acquired immune deficiency syndrome; Occupational Safety and Health Administration regulations; workers' compensation issues; state and federal laws and rules as they pertain to cosmetologists, cosmetology, salons, specialists, specialty salons, and booth renters; chemical makeup as it~~

~~pertains to hair, skin, and nails; and environmental issues. Courses given at cosmetology conferences may be counted toward the number of continuing education hours required if approved by the board.~~

~~(b) The board may, by rule, require any licensee in violation of a continuing education requirement to take a refresher course or refresher course and examination in addition to any other penalty. The number of hours for the refresher course may not exceed 48 hours.~~

Section 145. Paragraphs (b) and (c) of subsection (1) and subsections (4) and (5) of section 477.0201, Florida Statutes, are amended to read:

477.0201 Specialty registration; qualifications; registration renewal; endorsement.—

(1) Any person is qualified for registration as a specialist in any specialty practice within the practice of cosmetology under this chapter who:

(b) Has received a certificate of completion for:

1. One hundred and eighty hours of training, as established by the *department* ~~board~~, which shall focus primarily on sanitation and safety, to practice specialties as defined in *s. 477.013(11)(a) and (b)* ~~s. 477.013(6)(a) and (b)~~;

2. Two hundred and twenty hours of training, as established by the *department* ~~board~~, which shall focus primarily on sanitation and safety, to practice the specialty as defined in *s. 477.013(11)(c)* ~~s. 477.013(6)(c)~~; or

3. Four hundred hours of training or the number of hours of training required to maintain minimum Pell Grant requirements, as established by the *department* ~~board~~, which shall focus primarily on sanitation and safety, to practice the specialties as defined in *s. 477.013(11)(a)-(c)* ~~s. 477.013(6)(a)-(c)~~.

(c) The certificate of completion specified in paragraph (b) must be from one of the following:

1. A school licensed pursuant to s. 477.023.

2. A school licensed pursuant to chapter 1005 or the equivalent licensing authority of another state.

3. A specialty program within the public school system.

4. A specialty division within the Cosmetology Division of the Florida School for the Deaf and the Blind, provided the training programs comply with minimum curriculum requirements established by the *department* ~~board~~.

(4) Renewal of registration shall be accomplished pursuant to rules adopted by the *department* ~~board~~.

(5) The *department* ~~board~~ shall adopt rules specifying procedures for the registration of specialty practitioners desiring to be registered in this state who have been registered or licensed and are practicing in states which have registering or licensing standards substantially similar to, equivalent to, or more stringent than the standards of this state.

Section 146. Subsection (2) of section 477.0212, Florida Statutes, is amended to read:

477.0212 Inactive status.—

(2) The *department* ~~board~~ shall adopt rules relating to licenses that become inactive and for the renewal of inactive licenses. ~~The rules may not require more than one renewal cycle of continuing education to reactivate a license.~~ The *department* ~~board~~ shall prescribe by rule a fee not to exceed $50 for the reactivation of an inactive license and a fee not to exceed $50 for the renewal of an inactive license.

Section 147. Subsections (1) and (2) of section 477.022, Florida Statutes, are amended to read:

477.022 Examinations.—

(1) The *department* ~~board~~ shall ensure that examinations adequately measure both an applicant's competency and her or his knowledge of related statutory requirements. Professional testing services may be utilized to formulate the examinations. The *department* ~~board~~ may offer a written clinical examination or a performance examination, or both, in addition to a written theory examination.

(2) The *department* ~~board~~ shall ensure that examinations comply with state and federal equal employment opportunity guidelines.

Section 148. Subsections (2), (8), (9), and (10) of section 477.025, Florida Statutes, are amended to read:

477.025 Cosmetology salons; specialty salons; requisites; licensure; inspection; mobile cosmetology salons.—

(2) The *department* ~~board~~ shall adopt rules governing the licensure and operation of salons and specialty salons and their facilities, personnel, safety and sanitary requirements, and the license application and granting process.

(8) Renewal of license registration for cosmetology salons or specialty salons shall be accomplished pursuant to rules adopted by the *department* ~~board~~. The *department* ~~board~~ is further authorized to adopt rules governing delinquent renewal of licenses and may impose penalty fees for delinquent renewal.

(9) The *department* ~~board~~ is authorized to adopt rules governing the periodic inspection of cosmetology salons and specialty salons licensed under this chapter.

(10)(a) The *department* ~~board~~ shall adopt rules governing the licensure, operation, and inspection of mobile cosmetology salons, including their facilities, personnel, and safety and sanitary requirements.

(b) Each mobile salon must comply with all licensure and operating requirements specified in this chapter or chapter 455 or rules of the ~~board or~~ department that apply to cosmetology salons at fixed locations, except to the extent that such requirements conflict with this subsection or rules adopted pursuant to this subsection.

(c) A mobile cosmetology salon must maintain a permanent business address, located in the inspection area of the local department office, at which records of appointments, itineraries, license numbers of employees, and vehicle identification numbers of the licenseholder's mobile salon shall be kept and made available for verification purposes by department personnel, and at which correspondence from the department can be received.

(d) To facilitate periodic inspections of mobile cosmetology salons, *before* ~~prior to~~ the beginning of each month each mobile salon licenseholder must file with the *department* ~~board~~ a written monthly itinerary listing the locations where and the dates and hours when the mobile salon will be operating.

(e) The *department* ~~board~~ shall establish fees for mobile cosmetology salons, not to exceed the fees for cosmetology salons at fixed locations.

(f) The operation of mobile cosmetology salons must be in compliance with all local laws and ordinances regulating business establishments, with all applicable requirements of the Americans with Disabilities Act relating to accommodations for persons with disabilities, and with all applicable OSHA requirements.

Section 149. Section 477.026, Florida Statutes, is amended to read:

477.026 Fees; disposition.—

(1) The *department* ~~board~~ shall set fees according to the following schedule:

(a) For cosmetologists, fees for original licensing, license renewal, and delinquent renewal *may* ~~shall~~ not exceed $50.

(b) For cosmetologists, fees for endorsement application, examination, and reexamination *may* ~~shall~~ not exceed $50.

(c) For cosmetology and specialty salons, fees for license application, original licensing, license renewal, and delinquent renewal *may* ~~shall~~ not exceed $50.

(d) For specialists, fees for application and endorsement registration *may* ~~shall~~ not exceed $30.

(e) For specialists, fees for initial registration, registration renewal, and delinquent renewal *may* ~~shall~~ not exceed $50.

(2) All moneys collected by the department from fees authorized by this chapter shall be paid into the Professional Regulation Trust Fund, which fund is created in the department, and shall be applied in accordance with ss. 215.37 and 455.219. The Legislature may appropriate any excess moneys from this fund to the General Revenue Fund.

(3) The department, with the advice of the *department* ~~board~~, shall prepare and submit a proposed budget in accordance with law.

Section 150. Subsections (2) and (4) of section 477.0263, Florida Statutes, are amended to read:

477.0263 Cosmetology services to be performed in licensed salon; exceptions.—

(2) Pursuant to rules established by the *department* ~~board~~, cosmetology services may be performed by a licensed cosmetologist in a location other than a licensed salon, including, but not limited to, a nursing home, hospital, or residence, when a client for reasons of ill health is unable to go to a licensed salon. Arrangements for the performance of such cosmetology services in a location other than a licensed salon shall be made only through a licensed salon.

(4) Pursuant to rules adopted by the *department* ~~board~~, any cosmetology or specialty service may be performed in a location other than a licensed salon when the service is performed in connection with a special event and is performed by a person who holds the proper license or specialty registration.

Section 151. Section 477.028, Florida Statutes, is amended to read:

477.028 Disciplinary proceedings.—

(1) The *department may* ~~board shall have the power to~~ revoke or suspend the license of a cosmetologist licensed under this chapter, or the registration of a specialist registered under this chapter, and to reprimand, censure, deny subsequent licensure or registration of, or otherwise discipline a cosmetologist or a specialist licensed or registered under this chapter in any of the following cases:

(a) Upon proof that a license or registration has been obtained by fraud or misrepresentation.

(b) Upon proof that the holder of a license or registration is guilty of fraud or deceit or of gross negligence, incompetency, or misconduct in the practice or instruction of cosmetology or a specialty.

(c) Upon proof that the holder of a license or registration is guilty of aiding, assisting, procuring, or advising any unlicensed person to practice as a cosmetologist.

(2) The *department may* ~~board shall have the power to~~ revoke or suspend the license of a cosmetology salon or a specialty salon licensed under this chapter, to deny subsequent licensure of such salon, or to reprimand, censure, or otherwise discipline the owner of such salon in either of the following cases:

(a) Upon proof that a license has been obtained by fraud or misrepresentation.

(b) Upon proof that the holder of a license is guilty of fraud or deceit or of gross negligence, incompetency, or misconduct in the operation of the salon so licensed.

(3) Disciplinary proceedings shall be conducted pursuant to the provisions of chapter 120.

(4) The department *may* ~~shall~~ not issue or renew a license or certificate of registration under this chapter to any person against whom or salon against which the *department* ~~board~~ has assessed a fine, interest, or costs associated with investigation and prosecution until the person or salon has paid in full such fine, interest, or costs associated with investigation and prosecution or until the person or salon complies with or satisfies all terms and conditions of the final order.

Section 152. Paragraph (i) of subsection (1) and subsection (2) of section 477.029, Florida Statutes, are amended to read:

477.029 Penalty.—

(1) It is unlawful for any person to:

(i) Violate or refuse to comply with any provision of this chapter or chapter 455 or a rule or final order of the ~~board or the~~ department.

(2) Any person who violates the provisions of this section shall be subject to one or more of the following penalties, as determined by the *department* ~~board~~:

(a) Revocation or suspension of any license or registration issued pursuant to this chapter.

(b) Issuance of a reprimand or censure.

(c) Imposition of an administrative fine not to exceed $500 for each count or separate offense.

(d) Placement on probation for a period of time and subject to such reasonable conditions as the *department* ~~board~~ may specify.

(e) Refusal to certify to the department an applicant for licensure.

Section 153. Subsections (4) through (16) of section 481.203, Florida Statutes, are renumbered as subsections (3) through (15), respectively, and subsection (3) and present subsection (8) of that section are amended, to read:

481.203 Definitions.—As used in this part, the term:

~~(3) "Board" means the Board of Architecture and Interior Design.~~

(7)~~(8)~~ "Diversified interior design experience" means experience which substantially encompasses the various elements of interior design services set forth under the definition of "interior design" in subsection *(9)* ~~(10)~~.

Section 154. Section 481.207, Florida Statutes, is amended to read:

481.207 Fees.—The *department* ~~board~~, by rule, may establish fees for architects and registered interior designers, to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee is nonrefundable. The fee for initial application and examination for architects may not exceed $775 plus the actual per applicant cost to the department for purchase of the examination from the National Council of Architectural Registration Boards or similar national organizations. The initial nonrefundable fee for registered interior designers may not exceed $75. The biennial renewal fee for architects may not exceed $200. The biennial renewal fee for registered interior designers may not exceed $75. The delinquency fee may not exceed the biennial renewal fee established by the *department* ~~board~~ for an active license. The *department* ~~board~~ shall establish fees that are adequate to ensure the continued operation of the *department* ~~board~~ and to fund the proportionate expenses incurred by the department which are allocated to the regulation of architects and registered interior designers. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of architects and interior designers.

Section 155. Subsection (1) of section 481.209, Florida Statutes, is amended to read:

481.209 Examinations.—

(1) A person desiring to be licensed as a registered architect by initial examination shall apply to the department, complete the application form, and remit a nonrefundable application fee. The department shall license any applicant who the *department* ~~board~~ certifies has passed the licensure examination prescribed by *department* ~~board~~ rule and is a graduate of a school or college of architecture with a program accredited by the National Architectural Accreditation Board.

Section 156. Section 481.211, Florida Statutes, is amended to read:

481.211 Architecture internship required.—An applicant for licensure as a registered architect shall complete, before licensure, an internship of diversified architectural experience approved by the *department* ~~board~~, which meets the requirements set forth by rule.

Section 157. Subsections (3), (4), and (5) of section 481.215, Florida Statutes, are amended to read:

481.215 Renewal of license or certificate of registration.—

~~(3) A license or certificate of registration renewal may not be issued to an architect or a registered interior designer by the department until the licensee or registrant submits proof satisfactory to the department that, during the 2 years before application for renewal, the licensee or registrant participated per biennium in not less than 20 hours of at least 50 minutes each per biennium of continuing education approved by the board. The board shall approve only continuing education that builds upon the basic knowledge of architecture or interior design. The board may make exception from the requirements of continuing education in emergency or hardship cases.~~

~~(4) The board shall by rule establish criteria for the approval of continuing education courses and providers and shall by rule establish criteria for accepting alternative nonclassroom continuing education on an hour-for-hour basis.~~

~~(5) For a license or certificate of registration, the board shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, 2 hours in specialized or advanced courses on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the licensee's respective area of practice. Such hours count toward the continuing education hours required under subsection (3). A licensee may complete the courses required under this subsection online.~~

Section 158. Section 481.217, Florida Statutes, is amended to read:

481.217 Inactive status.—

~~(1) The board may prescribe by rule continuing education requirements as a condition of reactivating a license. The rules may not require more than one renewal cycle of continuing education to reactivate a license or registration for a registered architect or registered interior designer.~~

~~(2)~~ The *department* ~~board~~ shall adopt rules relating to application procedures for inactive status and for the reactivation of inactive licenses and registrations.

Section 159. Subsection (2), paragraph (b) of subsection (3), and subsection (5) of section 481.219, Florida Statutes, are amended to read:

481.219 Qualification of business organizations.—

(2) If a licensee or an applicant proposes to engage in the practice of architecture as a business organization, the licensee or applicant shall qualify the business organization upon approval of the *department* ~~board~~.

(3)

(b) In the event a qualifying agent ceases employment with a qualified business organization, the *department* ~~executive director or the chair of the board~~ may authorize another registered architect employed by the business organization to temporarily serve as its qualifying agent for a period of no more than 60 days. The business organization is not authorized to operate beyond such period under this chapter absent replacement of the qualifying agent who has ceased employment.

(5) The *department* ~~board~~ shall allow a licensee or an applicant to qualify one or more business organizations to offer architectural services, or to use a fictitious name to offer such services, if one or more of the principal officers of the corporation or limited liability company, or one or more partners of the partnership, and all personnel of the corporation, limited liability company, or partnership who act in its behalf in this state as architects, are registered as provided by this part.

Section 160. Subsections (1), (2), (6), (11), and (12) of section 481.221, Florida Statutes, are amended to read:

481.221 Seals; display of certificate number.—

(1) The *department* ~~board~~ shall prescribe, by rule, one or more forms of seals to be used by registered architects holding valid certificates of registration.

(2) Each registered architect shall obtain one seal in a form approved by rule of the *department* ~~board~~ and may, in addition, register her or his seal electronically in accordance with ss. 668.001-668.006. All final construction documents and instruments of service which include drawings, plans, specifications, or reports prepared or issued by the registered architect and being filed for public record shall bear the signature and seal of the registered architect who prepared or approved the document and the date on which they were sealed. The signature, date, and seal shall be evidence of the authenticity of that to which they are affixed. Final plans, specifications, or reports prepared or issued by a registered architect may be transmitted electronically and may be signed by the registered architect, dated, and sealed electronically with the seal in accordance with ss. 668.001-668.006.

(6) No registered architect shall affix her or his signature or seal to any final construction document or instrument of service which includes drawings, plans, specifications, or architectural documents which were not prepared by her or him or under her or his responsible supervising control or by another registered architect and reviewed, approved, or modified and adopted by her or him as her or his own work according to rules adopted by the *department* ~~board~~.

(11) When the certificate of registration of a registered architect or interior designer has been revoked or suspended by the *department* ~~board~~, the registered architect or interior designer shall surrender her or his seal to the secretary of the *department* ~~board~~ within a period of 30 days after the revocation or suspension has become effective. If the certificate of the registered architect or interior designer has been suspended for a period of time, her or his seal shall be returned to her or him upon expiration of the suspension period.

(12) A person may not sign and seal by any means any final plan, specification, or report after her or his certificate of registration has expired or is suspended or revoked. A registered architect or interior designer whose certificate of registration is suspended or revoked shall, within 30 days after the effective date of the suspension or revocation, surrender her or his seal to the *department* ~~executive director of the board~~ and confirm in writing to the *department* ~~executive director~~ the cancellation of the registered architect's or interior designer's electronic signature in accordance with ss. 668.001-668.006. When a registered architect's or interior designer's certificate of registration is suspended for a period of time, her or his seal shall be returned upon expiration of the period of suspension.

Section 161. Section 481.222, Florida Statutes, is amended to read:

481.222 Architects performing building code inspection services.—Notwithstanding any other provision of law, a person who is currently licensed to practice as an architect under this part may provide building code inspection services described in *s. 468.603(4) and (7)* ~~s. 468.603(5) and (8)~~ to a local government or state agency upon its request, without being certified by the Florida Building Code Administrators and Inspectors *licensing program* ~~Board~~ under part XII of chapter 468. With respect to the performance of such building code inspection services, the architect is subject to the disciplinary guidelines of this part and s. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of an architect's performance of building code in-

spection services shall be conducted by the *Department of Business and Professional Regulation* ~~Board of Architecture and Interior Design rather than the Florida Building Code Administrators and Inspectors Board~~. An architect may not perform plans review as an employee of a local government upon any job that the architect or the architect's company designed.

Section 162. Paragraphs (a) and (d) of subsection (1) of section 481.223, Florida Statutes, are amended to read:

481.223 Prohibitions; penalties; injunctive relief.—

(1) A person may not knowingly:

(a) Practice architecture unless the person is an architect or a registered architect; however, a licensed architect who has been licensed by the *department* ~~board~~ and who chooses to relinquish or not to renew his or her license may use the title "Architect, Retired" but may not otherwise render any architectural services.

(d) Give false or forged evidence to the *department* ~~board or a member thereof~~.

Section 163. Paragraphs (a), (g), and (i) of subsection (1) and subsections (2), (3), and (4) of section 481.225, Florida Statutes, are amended to read:

481.225 Disciplinary proceedings against registered architects.—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:

(a) Violating any provision of s. 455.227(1), s. 481.221, or s. 481.223, or any rule of the ~~board or~~ department lawfully adopted pursuant to this part or chapter 455.

(g) Committing an act of fraud or deceit, or of negligence, incompetency, or misconduct, in the practice of architecture, including, but not limited to, allowing the preparation of any architectural studies, plans, or other instruments of service in an office that does not have a full-time Florida-registered architect assigned to such office or failing to ensure the responsible supervising control of services or projects, as required by *department* ~~board~~ rule.

(i) Aiding, assisting, procuring, or advising any unlicensed person to practice architecture contrary to this part or to a rule of the department ~~or the board~~.

(2) The *department* ~~board~~ shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the *department* ~~board~~ finds any registered architect guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $1,000 for each count or separate offense and a fine of up to $5,000 for matters pertaining to a material violation of the Florida Building Code as reported by a local jurisdiction.

(d) Issuance of a reprimand.

(e) Placement of the registered architect on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify, including requiring the registered architect to attend continuing education courses or to work under the supervision of another registered architect.

(f) Restriction of the authorized scope of practice by the registered architect.

(4) The department shall reissue the license of a disciplined registered architect upon certification by the *department* ~~board~~ that he or she has complied with all of the terms and conditions set forth in the final order.

Section 164. Paragraph (a) of subsection (1) and subsection (2) of section 481.2251, Florida Statutes, are amended to read:

481.2251 Disciplinary proceedings against registered interior designers.—

(1) The following acts constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(a) Attempting to register or renewing registration by bribery, by fraudulent misrepresentation, or through an error of the *department* ~~board~~;

(2) When the *department* ~~board~~ finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order taking the following action or imposing one or more of the following penalties:

(a) Refusal to register the applicant;

(b) Refusal to renew an existing registration;

(c) Removal from the state registry; or

(d) Imposition of an administrative fine not to exceed $500 for each violation or separate offense and a fine of up to $2,500 for matters pertaining to a material violation of the Florida Building Code as reported by a local jurisdiction.

Section 165. Subsection (1) of section 481.303, Florida Statutes, is amended to read:

481.303 Definitions.—As used in this chapter, the term:

~~(1) "Board" means the Board of Landscape Architecture.~~

Section 166. Section 481.306, Florida Statutes, is amended to read:

481.306 Authority to make rules.—The *department may* ~~board has authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter and chapter 455 conferring duties upon it.

Section 167. Section 481.307, Florida Statutes, is amended to read:

481.307 Fees.—The *department* ~~board~~, by rule, may establish fees to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the costs of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee is nonrefundable. The combined fees for initial application and examination may not exceed $800 plus the actual per applicant cost to the department for purchase of portions of the examination from the Council of Landscape Architectural Registration Boards or a similar national organization. The biennial renewal fee may not exceed $600. The delinquency fee may not exceed the biennial renewal fee established by the *department* ~~board~~ for an active license. The *department* ~~board~~ shall establish fees that are adequate to ensure the continued operation of the *department* ~~board~~ and to fund the proportionate expenses incurred by the department which are allocated to the regulation of landscape architects. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of landscape architects.

Section 168. Subsection (1) of section 481.309, Florida Statutes, is amended to read:

481.309 Examinations.—

(1) A person desiring to be licensed as a registered landscape architect shall apply to the department to take the licensure examination. The department shall examine each applicant who the *department* ~~board~~ certifies:

(a) Has completed the application form and remitted a nonrefundable application fee and an examination fee which is refundable if the applicant is found to be ineligible to take the examination; and

(b)1. Has completed a professional degree program in landscape architecture as approved by the *department* ~~Landscape Architectural Accreditation Board~~; or

2. Presents evidence of not less than 6 years of actual practical experience in landscape architectural work of a grade and character satisfactory to the *department* ~~board~~. Each year of education completed in a recognized school shall be considered to be equivalent to 1 year of experience, with a maximum credit of 4 years.

Section 169. Section 481.310, Florida Statutes, is amended to read:

481.310 Practical experience requirement.—Beginning October 1, 1990, every applicant for licensure as a registered landscape architect shall demonstrate, *before* ~~prior to~~ licensure, 1 year of practical experience in landscape architectural work. An applicant who holds a master of landscape architecture degree and a bachelor's degree in a related field is not required to demonstrate 1 year of practical experience in landscape architectural work to obtain licensure. The *department* ~~board~~ shall adopt rules providing standards for the required experience. An applicant who qualifies for examination pursuant to s. 481.309(1)(b)1. may obtain the practical experience after completing the required professional degree. Experience used to qualify for examination pursuant to s. 481.309(1)(b)2. may not be used to satisfy the practical experience requirement under this section.

Section 170. Section 481.311, Florida Statutes, is amended to read:

481.311 Licensure.—

(1) The department shall license any applicant who the *department* ~~board~~ certifies is qualified to practice landscape architecture and who has paid the initial licensure fee.

(2) The *department* ~~board~~ shall certify for licensure any applicant who:

(a) Passes the examination required by s. 481.309; and

(b) Satisfies the experience requirement of s. 481.310.

(3) The *department* ~~board~~ shall certify as qualified for a license by endorsement an applicant who:

(a) Qualifies to take the examination as set forth in s. 481.309; and has passed a national, regional, state, or territorial licensing examination which is substantially equivalent to the examination required by s. 481.309;

(b) Holds a valid license to practice landscape architecture issued by another state or territory of the United States, if the criteria for issuance of such license were substantially identical to the licensure criteria which existed in this state at the time the license was issued; or

(c) Has held a valid license to practice landscape architecture in another state or territory of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the *department* ~~board~~, subject to subsection (5). An applicant who has met the requirements to be qualified for a license by endorsement, except for successful completion of an examination that is equivalent to or more stringent than the examination required by the *department* ~~board~~, may take the examination required by the *department* ~~board~~ without completing additional education requirements. Such application must be submitted to the *department* ~~board~~ while the applicant holds a valid license in another state or territory or within 2 years after the expiration of such license.

(4) The *department* ~~board~~ may refuse to certify any applicant who is under investigation in any jurisdiction for any act which would constitute a violation of this act or of chapter 455, until the investigation is complete and disciplinary proceedings have been terminated.

(5) The *department* ~~board~~ may refuse to certify any applicant who has violated any of the provisions of s. 481.325.

Section 171. Subsections (3), (4), and (5) of section 481.313, Florida Statutes, are amended to read:

481.313 Renewal of license.—

~~(3) No license renewal shall be issued to a landscape architect by the department until the licensee submits proof, satisfactory to the department, that during the 2-year period prior to application for renewal, the licensee participated in such continuing education courses required by the board. The board shall approve only continuing education courses that relate to and increase the basic knowledge of landscape architecture. The board may make an exception from the requirements of continuing education in emergency or hardship cases.~~

~~(4) The board, by rule adopted pursuant to ss. 120.536(1) and 120.54, shall establish criteria for the approval of continuing education courses and providers, and shall by rule establish criteria for accepting alternative nonclassroom continuing education on an hour for hour basis. A landscape architect shall receive hour for hour credit for attending continuing education courses approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education that relate to and increase his or her basic knowledge of landscape architecture, as determined by the board, if the landscape architect submits proof satisfactory to the board that such course was approved by the Landscape Architecture Continuing Education System or another nationally recognized clearinghouse for continuing education, along with the syllabus or outline for such course and proof of course attendance.~~

~~(5) The board shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, a specified number of hours in specialized or advanced courses, approved by the Florida Building Commission, on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the licensee's respective area of practice.~~

Section 172. Section 481.315, Florida Statutes, is amended to read:

481.315 Inactive status.—

(1) A license that has become inactive or delinquent may be reactivated under this section upon application to the department and payment of any applicable biennial renewal or delinquency fee, or both, and a reactivation fee. ~~The board may not require a licensee to complete more than one renewal cycle of continuing education requirements.~~

(2) The *department* ~~board~~ shall adopt rules relating to application procedures for inactive status and for the reactivation of inactive licenses.

Section 173. Subsection (1) of section 481.317, Florida Statutes, is amended to read:

481.317 Temporary certificates.—

(1) Upon the approval by the *department* ~~board~~ and payment of the fee set in s. 481.307, the department shall grant a temporary certificate of registration for work on a specified project in this state for a period not to exceed 1 year to an applicant who is licensed in another state or territory to practice landscape architecture.

Section 174. Subsection (3) of section 481.319, Florida Statutes, is amended to read:

481.319 Corporate and partnership practice of landscape architecture.—

(3) A landscape architect applying to practice in the name of a corporation must file with the department the names and addresses of all officers and *department* ~~board~~ members of the corporation, including the principal officer or officers, duly registered to practice landscape architecture in this state and, also, of all individuals duly registered to practice landscape architecture in this state who shall be in responsible charge of the practice of landscape architecture by the corporation in this state. A landscape architect applying to practice in the name of a partnership must file with the department the names and addresses of all partners of the partnership, including the partner or partners duly registered to practice landscape architecture in this state and, also, of an individual or individuals duly registered to practice landscape ar-

chitecture in this state who shall be in responsible charge of the practice of landscape architecture by said partnership in this state.

Section 175. Subsections (1) and (2) of section 481.321, Florida Statutes, are amended to read:

481.321 Seals; display of certificate number.—

(1) The *department* ~~board~~ shall prescribe, by rule, one or more forms of seals for use by a registered landscape architect who holds a valid certificate of registration. Each registered landscape architect shall obtain one seal in a form approved by rule of the *department* ~~board~~ and may, in addition, register her or his seal electronically in accordance with ss. 668.001-668.006. All final plans, specifications, or reports prepared or issued by the registered landscape architect and filed for public record shall be signed by the registered landscape architect, dated, and stamped or sealed electronically with her or his seal. The signature, date, and seal constitute evidence of the authenticity of that to which they are affixed. Final plans, specifications, or reports prepared or issued by a registered landscape architect may be transmitted electronically and may be signed by the registered landscape architect, dated, and sealed electronically with the seal in accordance with ss. 668.001-668.006.

(2) It is unlawful for any person to sign and seal by any means any final plan, specification, or report after her or his certificate of registration is expired, suspended, or revoked. A registered landscape architect whose certificate of registration is suspended or revoked shall, within 30 days after the effective date of the suspension or revocation, surrender her or his seal to the *department* ~~executive director of the board~~ and confirm in writing to the *department* ~~executive director~~ the cancellation of the landscape architect's electronic signature in accordance with ss. 668.001-668.006. When a landscape architect's certificate of registration is suspended for a period of time, her or his seal shall be returned upon expiration of the period of suspension.

Section 176. Paragraph (d) of subsection (1) of section 481.323, Florida Statutes, is amended to read:

481.323 Prohibitions; penalties.—

(1) A person may not knowingly:

(d) Give false or forged evidence to the *department* ~~board~~ or a member thereof;

Section 177. Subsections (2), (3), and (4) of section 481.325, Florida Statutes, are amended to read:

481.325 Disciplinary proceedings.—

(2) The *department* ~~board~~ shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the *department* ~~board~~ finds any registered landscape architect guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $1,000 for each count or separate offense and a fine of up to $5,000 for matters pertaining to a material violation of the Florida Building Code as reported by a local jurisdiction.

(d) Issuance of a reprimand.

(e) Placement of the registered landscape architect on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify, including requiring the registered landscape architect to attend continuing education courses or to work under the supervision of another registered landscape architect.

(f) Restriction of the authorized scope of practice by the registered landscape architect.

(4) The department shall reissue the license of a disciplined registered landscape architect upon certification by the *department* ~~board~~ that she or he has complied with all of the terms and conditions set forth in the final order.

Section 178. Paragraph (c) of subsection (7) of section 489.103, Florida Statutes, is amended to read:

489.103 Exemptions.—This part does not apply to:

(7)

(c) To qualify for exemption under this subsection, an owner must personally appear and sign the building permit application and must satisfy local permitting agency requirements, if any, proving that the owner has a complete understanding of the owner's obligations under the law as specified in the disclosure statement in this section. However, for purposes of implementing a "United States Department of Energy SunShot Initiative: Rooftop Solar Challenge" grant and the participation of county and municipal governments, including local permitting agencies under the jurisdiction of such county and municipal governments, an owner's notarized signature or personal appearance to sign the permit application is not required for a solar project, as described in subparagraph (a)3., if the building permit application is submitted electronically to the permitting agency and the owner certifies the application and disclosure statement using the permitting agency's electronic confirmation system. If any person violates the requirements of this subsection, the local permitting agency shall withhold final approval, revoke the permit, or pursue any action or remedy for unlicensed activity against the owner and any person performing work that requires licensure under the permit issued. The local permitting agency shall provide the person with a disclosure statement in substantially the following form:

DISCLOSURE STATEMENT

1. I understand that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license.

2. I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.

3. I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.

4. I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed $75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease, unless I am completing the requirements of a building permit where the contractor listed on the permit substantially completed the project. If a building or residence that I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption.

5. I understand that, as the owner-builder, I must provide direct, on-site supervision of the construction.

6. I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance.

7. I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property.

My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.

8. I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk.

9. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

10. I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the *Department of Business and Professional Regulation* ~~Florida Construction Industry Licensing Board~~ at ...(telephone number)... or ...(Internet website address)... for more information about licensed contractors.

11. I am aware of, and consent to, an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the following address: ...(address of property)....

12. I agree to notify ...(issuer of disclosure statements)... immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure.

Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the ~~Construction Industry Licensing Board and~~ Department of Business and Professional Regulation may be unable to assist you with any financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if an unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

Signature: ...(signature of property owner)....

Date: ...(date)....

Section 179. Subsections (2) through (19) of section 489.105, Florida Statutes, are renumbered as subsections (1) through (18), respectively, and subsection (1) and present subsection (6) of that section are amended, to read:

489.105 Definitions.—As used in this part:

~~(1) "Board" means the Construction Industry Licensing Board.~~

(5)~~(6)~~ "Contracting" means, except as exempted in this part, engaging in business as a contractor and includes, but is not limited to, performance of any of the acts as set forth in subsection *(2)* ~~(3)~~ which define types of contractors. The attempted sale of contracting services and the negotiation or bid for a contract on these services also constitutes contracting. If the services offered require licensure or agent qualification, the offering, negotiation for a bid, or attempted sale of these services requires the corresponding licensure. However, the term "contracting" *does* ~~shall~~ not extend to an individual, partnership, corporation, trust, or other legal entity that offers to sell or sells completed residences on property on which the individual or business entity has any legal or equitable interest, or to the individual or business entity that offers to sell or sells manufactured or factory-built buildings that will be completed on site on property on which either party to a contract has any legal or equitable interest, if the services of a qualified contractor certified or registered pursuant to the requirements of this chapter have been or will be retained for the purpose of constructing or completing such residences.

Section 180. Section 489.108, Florida Statutes, is amended to read:

489.108 Rulemaking authority.—The *department* ~~board~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter conferring duties upon it.

Section 181. Paragraphs (c), (e), (f), and (g) of subsection (1) and subsection (2) of section 489.109, Florida Statutes, are amended to read:

489.109 Fees.—

(1) The *department* ~~board~~, by rule, shall establish reasonable fees to be paid for applications, certification and renewal, registration and renewal, and recordmaking and recordkeeping. The fees shall be established as follows:

(c) The *department* ~~board~~, by rule, may establish delinquency fees, not to exceed the applicable renewal fee for renewal applications made after the expiration date of the certificate or registration.

(e) The *department* ~~board~~, by rule, shall impose a renewal fee for an inactive status certificate or registration, not to exceed the renewal fee for an active status certificate or registration. Neither the inactive certification fee nor the inactive registration fee may exceed $50. The *department* ~~board~~, by rule, may provide for a different fee for inactive status where such status is sought by a building code administrator, plans examiner, or inspector certified pursuant to part XII of chapter 468 who is employed by a local government and is not allowed by the terms of such employment to maintain a certificate on active status issued pursuant to this part.

(f) The *department* ~~board~~, by rule, shall impose an additional late fee on a delinquent status certificateholder or registrant when such certificateholder or registrant applies for active or inactive status.

(g) The *department* ~~board~~, by rule, shall impose an additional fee, not to exceed the applicable renewal fee, which reasonably reflects the costs of processing a certificateholder's or registrant's request to change licensure status at any time other than at the beginning of a licensure cycle.

(2) ~~The board shall establish fees that are adequate to ensure the continued operation of the board.~~ Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of the construction industry.

Section 182. Paragraph (c) of subsection (2) and subsection (3) of section 489.111, Florida Statutes, are amended to read:

489.111 Licensure by examination.—

(2) A person shall be eligible for licensure by examination if the person:

(c) Meets eligibility requirements according to one of the following criteria:

1. Has received a baccalaureate degree from an accredited 4-year college in the appropriate field of engineering, architecture, or building construction and has 1 year of proven experience in the category in which the person seeks to qualify. For the purpose of this part, a minimum of 2,000 person-hours shall be used in determining full-time equivalency. An applicant who is exempt from passing an examination under s. 489.113(1) is eligible for a license under this section.

2. Has a total of at least 4 years of active experience as a worker who has learned the trade by serving an apprenticeship as a skilled worker who is able to command the rate of a mechanic in the particular trade or as a foreman who is in charge of a group of workers and usually is responsible to a superintendent or a contractor or his or her equivalent; provided, however, that at least 1 year of active experience shall be as a foreman.

3. Has a combination of not less than 1 year of experience as a foreman and not less than 3 years of credits for any accredited college-level courses; has a combination of not less than 1 year of experience as a skilled worker, 1 year of experience as a foreman, and not less than 2 years of credits for any accredited college-level courses; or has a combination of not less than 2 years of experience as a skilled worker, 1 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior college or community college-level courses shall be considered accredited college-level courses.

4.a. An active certified residential contractor is eligible to receive a certified building contractor license after passing or having previously passed the building contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified residential contractor is eligible to receive a certified general contractor license after passing or having previously passed the general contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified building contractor is eligible to receive a certified general contractor license after passing or having previously passed the general contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

5.a. An active certified air-conditioning Class C contractor is eligible to receive a certified air-conditioning Class B contractor license after passing or having previously passed the air-conditioning Class B contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified air-conditioning Class C contractor is eligible to receive a certified air-conditioning Class A contractor license after passing or having previously passed the air-conditioning Class A contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified air-conditioning Class B contractor is eligible to receive a certified air-conditioning Class A contractor license after passing or having previously passed the air-conditioning Class A contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

6.a. An active certified swimming pool servicing contractor is eligible to receive a certified residential swimming pool contractor license after passing or having previously passed the residential swimming pool contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified swimming pool servicing contractor is eligible to receive a certified commercial swimming pool contractor license after passing or having previously passed the swimming pool commercial contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified residential swimming pool contractor is eligible to receive a certified commercial swimming pool contractor license after passing or having previously passed the commercial swimming pool contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

d. An applicant is eligible to receive a certified swimming pool/spa servicing contractor license after passing or having previously passed the swimming pool/spa servicing contractors' examination if he or she has satisfactorily completed 60 hours of instruction in courses related to the scope of work covered by that license and approved by the *department* ~~Construction Industry Licensing Board~~ by rule and has at least 1 year of proven experience related to the scope of work of such a contractor.

(3)(a) The *department* ~~board~~ may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:

1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a certified contractor; and

2. The finding by the *department* ~~board~~ of lack of good moral character is supported by clear and convincing evidence.

(b) When an applicant is found to be unqualified for a certificate because of a lack of good moral character, the *department* ~~board~~ shall furnish the applicant a statement containing the findings of the *department* ~~board~~, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.

Section 183. Subsections (1) and (2), paragraph (f) of subsection (3), and subsections (6), (7), and (8) of section 489.113, Florida Statutes, are amended to read:

489.113 Qualifications for practice; restrictions.—

(1) Any person who desires to engage in contracting on a statewide basis shall, as a prerequisite thereto, establish his or her competency and qualifications to be certified pursuant to this part. To establish competency, a person shall pass the appropriate examination approved ~~by the board~~ and certified by the department. If an applicant has received a baccalaureate degree in building construction from an accredited 4-year college, or a related degree as approved by the *department* ~~board~~ by rule, and has a grade point average of 3.0 or higher, such applicant is only required to take and pass the business and finance portion of the examination. Any person who desires to engage in contracting on other than a statewide basis shall, as a prerequisite thereto, be registered pursuant to this part, unless exempted by this part.

(2) A person must be certified or registered in order to engage in the business of contracting in this state. However, for purposes of complying with the provisions of this chapter, a subcontractor who is not certified or registered may perform construction work under the supervision of a person who is certified or registered, provided that the work is within the scope of the supervising contractor's license, the supervising contractor is responsible for the work, and the subcontractor being supervised is not engaged in construction work that would require a license as a contractor under any of the categories listed in *s. 489.105(2)(d)-(o)* ~~s. 489.105(3)(d)-(o)~~. This subsection does not affect the application of any local construction licensing ordinances. To enforce this subsection:

(a) The department shall issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provision of such order.

(b) A county, municipality, or local licensing board created by special act may issue a cease and desist order to prohibit any person from engaging in the business of contracting who does not hold the required certification or registration for the work being performed under this part.

(3) A contractor shall subcontract all electrical, mechanical, plumbing, roofing, sheet metal, swimming pool, and air-conditioning work, unless such contractor holds a state certificate or registration in the respective trade category, however:

(f) A solar contractor *may* ~~shall~~ not be required to subcontract minor, as defined by *department* ~~board~~ rule, electrical, mechanical, plumbing, or roofing work so long as that work is within the scope of the license held by the solar contractor and where such work exclusively pertains to the installation of residential solar energy equipment as defined by rules of the *department* ~~board adopted in conjunction with the Electrical Contracting Licensing Board~~.

(6)(a) The *department* ~~board~~ shall, by rule, designate those types of specialty contractors which may be certified under this part. The limit of the scope of work and responsibility of a specialty contractor shall be established by the *department* ~~board~~ by rule. However, a certified specialty contractor category established by *department* ~~board~~ rule exists as a voluntary statewide licensing category and does not create a mandatory licensing requirement. Any mandatory statewide construction contracting licensure requirement may only be established through specific statutory provision.

(b) By July 1, 2025, the *department* ~~board~~ shall, by rule, establish certified specialty contractor categories for voluntary licensure for all of the following:

1. Structural aluminum or screen enclosures.

2. Marine seawall work.

3. Marine bulkhead work.

4. Marine dock work.

5. Marine pile driving.

6. Structural masonry.

7. Structural prestressed, precast concrete work.

8. Rooftop solar heating installation.

9. Structural steel.

10. Window and door installation, including garage door installation and hurricane or windstorm protection.

11. Plaster and lath.

12. Structural carpentry.

(7) If an eligible applicant fails any contractor's written examination, except the general and building contractors' examination, and provides the *department* ~~board~~ with acceptable proof of lack of comprehension of written examinations, the applicant may petition the *department* ~~board~~ to be administered a uniform oral examination, subject to the following conditions:

(a) The applicant documents 10 years of experience in the appropriate construction craft.

(b) The applicant files written recommendations concerning his or her competency in the appropriate construction craft.

(c) The applicant is administered only one oral examination within a period of 1 year.

(8) Any public record of the *department* ~~board~~, when certified by the *department* ~~executive director of the board or the executive director's representative~~, may be received as prima facie evidence in any administrative or judicial proceeding.

Section 184. Subsection (1) of section 489.1131, Florida Statutes, is amended to read:

489.1131 Credit for relevant military training and education.—

(1) The department shall provide a method by which honorably discharged veterans may apply for licensure. The method must include a veteran-specific application and provide:

(a) To the fullest extent possible, credit toward the requirements for licensure for military experience, training, and education received and completed during service in the United States Armed Forces if the military experience, training, or education is substantially similar to the experience, training, or education required for licensure.

(b) Acceptance of up to 3 years of active duty service in the United States Armed Forces, regardless of duty or training, to meet the experience requirements of s. 489.111(2)(c). At least 1 additional year of active experience as a foreman in the trade, either civilian or military, is required to fulfill the experience requirement of s. 489.111(2)(c).

The *department* ~~board~~ may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

Section 185. Subsection (1) of section 489.1136, Florida Statutes, is amended to read:

489.1136 Medical gas certification.—

(1)(a) In addition to the certification or registration required to engage in business as a plumbing contractor, any plumbing contractor who wishes to engage in the business of installation, improvement, repair, or maintenance of any tubing, pipe, or similar conduit used to transport gaseous or partly gaseous substances for medical purposes shall take~~, as part of the contractor's continuing education requirement, at least once during the holding of such license,~~ a course of at least 6 hours *before any installation, improvement, repair, or maintenance of any tubing, pipe, or similar conduit used to transport gaseous or partly gaseous substances for medical purposes*. Such course shall be given by an instructional facility or teaching entity that has been approved by the *department* ~~board~~. In order for a course to be approved, the *department* ~~board~~ must find that the course is designed to teach familiarity with the National Fire Prevention Association Standard 99C (Standard on Gas and Vacuum Systems, latest edition) and also designed to teach familiarity and practical ability in performing and inspecting brazing duties required of medical gas installation, improvement, repair, or maintenance work. Such course shall issue a certificate of completion to the taker of the course, which certificate shall be available for inspection by any entity or person seeking to have such contractor engage in the business of installation, improvement, repair, or maintenance of a medical gas system.

(b) Any other natural person who is employed by a licensed plumbing contractor to provide work on the installation, improvement, repair, or maintenance of a medical gas system, except as noted in paragraph (c), shall, as a prerequisite to his or her ability to provide such service, take a course approved by the *department* ~~board~~. Such course shall be at least 8 hours and consist of both classroom and practical work designed to teach familiarity with the National Fire Prevention Association Standard 99C (Standard on Gas and Vacuum Systems, latest edition) and also designed to teach familiarity and practical ability in performing and inspecting brazing duties required of medical gas installation, improvement, repair, or maintenance work. Such course shall also include the administration of a practical examination in the skills required to perform work as outlined above, including brazing, and each examination shall be reasonably constructed to test for knowledge of the subject matter. The person taking such course and examination must, upon successful completion of both, be issued a certificate of completion by the giver of such course, which certificate shall be made available by the holder for inspection by any person or entity seeking to have such person perform work on the installation, improvement, repair, or maintenance of a medical gas system.

(c) Any other natural person who wishes to perform only brazing duties incidental to the installation, improvement, repair, or maintenance of a medical gas system shall pass an examination designed to show that person's familiarity with and practical ability in performing brazing duties required of medical gas installation, improvement, repair, or maintenance. Such examination shall be from a test approved by the *department* ~~board~~. Such examination must test for knowledge of National Fire Prevention Association Standard 99C (Standard on Gas and Vacuum Systems, latest edition). The person taking such examination must, upon passing such examination, be issued a certificate of completion by the giver of such examination, and such certificate shall be made available by the holder for inspection by any person or entity seeking to have or employ such person to perform brazing duties on a medical gas system.

(d) It is the responsibility of the licensed plumbing contractor to ascertain whether members of his or her workforce are in compliance with this subsection, and such contractor is subject to discipline under s. 489.129 for violation of this subsection.

(e) Training programs in medical gas piping installation, improvement, repair, or maintenance shall be reviewed annually by the *department* ~~board~~ to ensure that programs have been provided equitably across the state.

(f) Periodically, the *department* ~~board~~ shall review training programs in medical gas piping installation for quality in content and instruction in accordance with the National Fire Prevention Association Standard 99C (Standard on Gas and Vacuum Systems, latest edition). The *department* ~~board~~ shall also respond to complaints regarding approved programs.

Section 186. Section 489.114, Florida Statutes, is amended to read:

489.114 Evidence of workers' compensation coverage.—Except as provided in s. 489.115(5)(d), any person, business organization, or qualifying agent engaged in the business of contracting in this state and certified or registered under this part shall, as a condition precedent to the issuance or renewal of a certificate or registration of the contractor, provide to the *department* ~~Construction Industry Licensing Board~~, as provided by *department* ~~board~~ rule, evidence of workers' compensation coverage pursuant to chapter 440. In the event that the Division of Workers' Compensation of the Department of Financial Services receives notice of the cancellation of a policy of workers' compensation insurance insuring a person or entity governed by this section, the Division of Workers' Compensation shall certify and identify all persons or entities by certification or registration license number to the department after verification is made by the Division of Workers' Compensation that persons or entities governed by this section are no longer covered by workers' compensation insurance. Such certification and verification by the Division of Workers' Compensation may result from records furnished to the Division of Workers' Compensation by the persons or entities governed by this section or an investigation completed by the Division of Workers' Compensation. The department shall notify the persons or entities governed by this section who have been determined to be in noncompliance with chapter 440, and the persons or entities notified shall provide certification of compliance with chapter 440 to the department and pay an administrative fine in the amount of $500. The failure to maintain workers' compensation coverage as required by law shall be grounds for the *department* ~~board~~ to revoke, suspend, or deny the issuance or renewal of a certificate or registration of the contractor under the provisions of s. 489.129.

Section 187. Paragraph (a) of subsection (2), subsection (3), paragraph (b) of subsection (4), and subsections (5), (6), (7), and (9) of section 489.115, Florida Statutes, are amended to read:

489.115 Certification and registration; endorsement; reciprocity; renewals~~; continuing education~~.—

(2)(a) The department shall issue a certificate or registration to each person qualified by the *department* ~~board~~ and upon receipt of the original license fee.

(3) The *department* ~~board~~ shall certify as qualified for certification by endorsement any applicant who:

(a) Meets the requirements for certification as set forth in this section; has passed a national, regional, state, or United States territorial licensing examination that is substantially equivalent to the examination required by this part; and has satisfied the requirements set forth in s. 489.111;

(b) Holds a valid license to practice contracting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to Florida's current certification criteria;

(c) Holds a valid, current license to practice contracting issued by another state or territory of the United States, if the state or territory has entered into a reciprocal agreement with the *department* ~~board~~ for the recognition of contractor licenses issued in that state, based on criteria for the issuance of such licenses that are substantially equivalent to the criteria for certification in this state; or

(d) Has held a valid, current license to practice contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to subsections (5)-(9). The *department* ~~board~~ may consider an applicant's technical competence to ensure the applicant is able to meet the requirements of this state's codes and standards for wind mitigation and water intrusion. The *department* ~~board~~ may also consider whether such applicant has had a license to practice contracting revoked, suspended, or otherwise acted against by the licensing authority of another state, territory, or country. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active. Division I contractors and roofing contractors must complete a 2-hour course on the Florida Building Code which includes information on wind mitigation techniques. The required courses may be completed online.

(4)

~~(b)1. Each certificateholder or registrant shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 14 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall establish by rule that a portion of the required 14 hours must deal with the subject of workers' compensation, business practices, workplace safety, and, for applicable licensure categories, wind mitigation methodologies, and 1 hour of which must deal with laws and rules. The board shall by rule establish criteria for the approval of continuing education courses and providers, including requirements relating to the content of courses and standards for approval of providers, and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour for hour basis. The board shall prescribe by rule the continuing education, if any, which is required during the first biennium of initial licensure. A person who has been licensed for less than an entire biennium must not be required to complete the full 14 hours of continuing education.~~

~~2. In addition, the board may approve specialized continuing education courses on compliance with the wind resistance provisions for one and two family dwellings contained in the Florida Building Code and any alternate methodologies for providing such wind resistance which have been approved for use by the Florida Building Commission. Division I certificateholders or registrants who demonstrate proficiency upon completion of such specialized courses may certify plans and specifications for one and two family dwellings to be in compliance with the code or alternate methodologies, as appropriate, except for dwellings located in floodways or coastal hazard areas as defined in ss. 60.3D and E of the National Flood Insurance Program.~~

~~3. The board shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, a specified number of hours in specialized or advanced module courses, approved by the Florida Building Commission, on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the contractor's respective discipline.~~

(5)(a) As a prerequisite to the initial issuance or the renewal of a certificate or registration, the applicant shall submit an affidavit on a form provided by the *department* ~~board~~ attesting to the fact that the applicant has obtained workers' compensation insurance as required by chapter 440, public liability insurance, and property damage insurance for the safety and welfare of the public, in amounts determined by rule of the *department* ~~board~~. The *department* ~~board~~ shall by rule establish a procedure to verify the accuracy of such affidavits based upon a random sample method.

(b) In addition to the affidavit of insurance, as a prerequisite to the initial issuance of a certificate, the applicant shall furnish a credit report from a nationally recognized credit agency that reflects the financial responsibility of the applicant and evidence of financial responsibility, credit, and business reputation of either himself or herself or the business organization he or she desires to qualify. The *department* ~~board~~ shall adopt rules defining financial responsibility based upon the applicant's credit history, ability to be bonded, and any history of bankruptcy or assignment of receivers. The *department* ~~board~~ may also adopt rules that would allow applicants to demonstrate financial responsibility, as an alternative to the foregoing, by providing minimum credit scores or bonds payable as prescribed for financially responsible officers. Such rules shall specify the financial responsibility grounds on which the *department* ~~board~~ may refuse to qualify an applicant for certification.

(c) If, within 60 days from the date the applicant is notified that he or she has qualified, he or she does not provide the evidence required, he or she shall apply to the department for an extension of time which shall be granted upon a showing of just cause.

(d) An applicant for initial issuance of a certificate or registration shall submit as a prerequisite to qualifying for an exemption from workers' compensation coverage requirements under s. 440.05 an affidavit attesting to the fact that the applicant will obtain an exemption within 30 days after the date the initial certificate or registration is issued by the *department* ~~board~~.

(6) An applicant for initial issuance of a certificate or registration shall submit to a statewide criminal history records check through the Department of Law Enforcement. The Department of Business and Professional Regulation shall submit the requests for the criminal history records check to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall return the results to the department to determine if the applicant meets certification or registration requirements. If the applicant has been convicted of a felony, the *department* ~~board~~ may deny licensure to the applicant based upon the severity of the crime, the relationship of the crime to contracting, or the potential for public harm. The *department* ~~board~~ shall also, in denying or approving licensure, consider the length of time since the commission of the crime and the rehabilitation of the applicant. The *department* ~~board~~ may not deny licensure to an applicant based solely upon a felony conviction or the applicant's failure to provide proof of restoration of civil rights.

(7) An initial applicant shall, along with the application, and a certificateholder or registrant shall, upon requesting a change of status, submit to the *department* ~~board~~ a credit report from a nationally recognized credit agency that reflects the financial responsibility of the applicant or certificateholder or registrant. The credit report required for the initial applicant shall be considered the minimum evidence necessary to satisfy the *department* ~~board~~ that he or she is financially responsible to be certified, has the necessary credit and business reputation to engage in contracting in the state, and has the minimum financial stability necessary to avoid the problem of financial mismanagement or misconduct. The *department* ~~board~~ shall, by rule, adopt guidelines for determination of financial stability, which may include minimum requirements for net worth, cash, and bonding for Division I certificateholders of no more than $20,000 and for Division II certificateholders of no more than $10,000. Fifty percent of the financial requirements may be met by completing a 14-hour financial responsibility course approved by the *department* ~~board~~.

(9) An initial applicant shall submit, along with the application, a complete set of fingerprints to the department. The fingerprints shall be submitted to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward them to the Federal Bureau of Investigation for national processing for the purpose of determining if the applicant has a criminal history record. The department shall and the *department* ~~board~~ may review the background results to determine if an applicant meets licensure requirements. The cost for the fingerprint processing shall be borne by the person subject to the background screening. These fees are to be collected by the authorized agencies or vendors. The authorized agencies or vendors are responsible for paying the processing costs to the Department of Law Enforcement.

Section 188. Subsections (7) and (8) of section 489.116, Florida Statutes, are renumbered as subsections (6) and (7), respectively, and subsections (2) through (5) and subsection (6) and present subsection (7) of that section are amended, to read:

489.116 Inactive and delinquent status; renewal and cancellation notices.—

(2) The *department* ~~board~~ shall permit a certificateholder or registrant to elect, at the time of licensure renewal, an active or inactive status.

(3) An inactive status certificateholder or registrant may change to active status at any time, if the certificateholder or registrant meets all requirements for active status, pays any additional licensure fees necessary to equal those imposed on an active status certificateholder or registrant, pays any applicable late fees, and meets all ~~continuing education~~ requirements prescribed by the *department* ~~board~~.

(4) A certificateholder or registrant shall apply with a completed application, as determined by *department* ~~board~~ rule, to renew an active or inactive status certificate or registration before the certificate or registration expires. Failure of a certificateholder or registrant to so apply shall cause the certificate or registration to become a delinquent certificate or registration. Further, any delinquent certificateholder or registrant who fails to apply to renew licensure on either active or inactive status before expiration of the current licensure cycle must reapply in the same manner as an applicant for initial certification or registration.

(5) A delinquent status certificateholder or registrant must apply with a completed application, as determined by *department* ~~board~~ rule, for active or inactive status during the current licensure cycle. Failure by a delinquent status certificateholder or registrant to become active or inactive before the expiration of the current licensure cycle renders the certificate or registration void, and any subsequent licensure shall be subject to all procedures and requirements imposed on an applicant for initial licensure.

~~(6) The board may not require an inactive certificateholder or registrant to complete more than one renewal cycle of continuing education for reactivating a certificate or registration.~~

(6)~~(7)~~ The status or any change in status of a certificateholder or registrant *may* ~~shall~~ not alter in any way the *department's* ~~board's~~ right to impose discipline or to enforce discipline previously imposed on a certificateholder or registrant for acts or omissions committed by the certificateholder or registrant while holding a certificate or registration.

Section 189. Paragraphs (a) and (c) of subsection (1), subsection (2), paragraph (a) of subsection (3), and subsection (4) of section 489.117, Florida Statutes, are amended to read:

489.117 Registration; specialty contractors.—

(1)(a) A person engaged in the business of a contractor as defined in *s. 489.105(2)(a)-(o)* ~~s. 489.105(3)(a)-(o)~~ must be registered before engaging in business as a contractor in this state, unless he or she is certified. Except as provided in paragraph (2)(b), to be initially registered, the applicant must submit the required fee and file evidence of successful compliance with the local examination and licensing requirements, if any, in the area for which registration is desired. An examination is not required for registration.

(c) Each registrant shall report to the *department* ~~board~~ each local jurisdiction and each category of registration in which the registrant holds a certificate of competency or license, or where the registrant has been granted a certificate of competency or license by reciprocal agreement, for which registration is required by this part, within 30 days after obtaining such certificate or license.

(2)(a) Except as provided in paragraph (b), the *department* ~~board~~ may not issue a new registration after July 1, 1993, based on any certificate of competency or license for a category of contractor defined in *s. 489.105(2)(a)-(o)* ~~s. 489.105(3)(a)-(o)~~ which is issued by a municipal or county government that does not exercise disciplinary control and oversight over such locally licensed contractors, including forwarding a recommended order in each action to the *department* ~~board~~ as provided in s. 489.131(7). For purposes of this subsection and s. 489.131(10), the *department* ~~board~~ shall determine the adequacy of such disciplinary control by reviewing the local government's ability to process and investigate complaints and to take disciplinary action against locally licensed contractors.

(b) The *department* ~~board~~ shall issue a registration to an eligible applicant to engage in the business of a contractor in a specified local jurisdiction, provided each of the following conditions are satisfied:

1. The applicant held, in any local jurisdiction in this state during 2021, 2022, or 2023, a certificate of registration issued by the state or a local license issued by a local jurisdiction to perform work in a category of contractor defined in *s. 489.105(2)(a)-(o)* ~~s. 489.105(3)(a)-(o)~~.

2. The applicant submits all of the following to the *department* ~~board~~:

a. Evidence of the certificate of registration or local license held by the applicant as required by subparagraph 1.

b. Evidence that the specified local jurisdiction does not have a license type available for the category of work for which the applicant was

issued a certificate of registration or local license during 2021, 2022, or 2023, such as a notification on the website of the local jurisdiction or an e-mail or letter from the office of the local building official or local building department stating that such license type is not available in that local jurisdiction.

c. Evidence that the applicant has submitted the required fee.

d. Evidence of compliance with the insurance and financial responsibility requirements of s. 489.115(5).

An examination is not required for an applicant seeking a registration under this paragraph.

(c) The *department* ~~board~~ is responsible for disciplining licensees issued a registration under paragraph (b). The *department* ~~board~~ shall make such licensure and disciplinary information available through the automated information system provided pursuant to s. 455.2286.

(d) The fees for an applicant seeking a registration under paragraph (b) and renewal of such registration every 2 years are the same as the fees established by the *department* ~~board~~ for applications, registration and renewal, and record making and recordkeeping, as set forth in s. 489.109. The department shall provide license, renewal, and cancellation notices pursuant to ss. 455.273 and 455.275.

(3)(a) Upon findings of fact supporting the need therefor, the *department* ~~board~~ may grant a limited nonrenewable registration to a contractor not domiciled in the state, for one project. During the period of such registration the *department* ~~board~~ may require compliance with this and any other statute of the state.

(4)(a)1. A person whose job scope does not substantially correspond to either the job scope of one of the contractor categories defined in *s. 489.105(2)(a)-(o)* ~~s. 489.105(3)(a)-(o)~~, or the job scope of one of the certified specialty contractor categories established by *department* ~~board~~ rule, is not required to register with the *department* ~~board~~. A local government, as defined in s. 163.211, may not require a person to obtain a license, issued by the local government or the state, for a job scope which does not substantially correspond to the job scope of one of the contractor categories defined in *s. 489.105(2)(a)-(o) and (q)* ~~s. 489.105(3)(a)-(o) and (q)~~ or authorized in s. 489.1455(1), or the job scope of one of the certified specialty contractor categories established pursuant to s. 489.113(6). A local government may not require a state or local license to obtain a permit for such job scopes. For purposes of this section, job scopes for which a local government may not require a license include, but are not limited to, painting; flooring; cabinetry; interior remodeling when the scope of the project does not include a task for which a state license is required; driveway or tennis court installation; handyman services; decorative stone, tile, marble, granite, or terrazzo installation; plastering; pressure washing; stuccoing; caulking; and canvas awning and ornamental iron installation.

2. A county that includes an area designated as an area of critical state concern under s. 380.05 may offer a license for any job scope which requires a contractor license under this part if the county imposed such a licensing requirement before January 1, 2021.

3. A local government may continue to offer a license for veneer, including aluminum or vinyl gutters, siding, soffit, or fascia; rooftop painting, coating, and cleaning above three stories in height; or fence installation and erection if the local government imposed such a licensing requirement before January 1, 2021.

4. A local government may not require a license as a prerequisite to submit a bid for public works projects if the work to be performed does not require a license under general law.

(b) The local jurisdictions are responsible for providing the following information to the *department* ~~board~~ within 30 days after licensure of, or any disciplinary action against, a locally licensed contractor who is registered under this part:

1. Licensure information.

2. Code violation information pursuant to s. 553.781.

3. Disciplinary information.

The *department* ~~board~~ shall maintain such licensure and disciplinary information as it is provided to the *department* ~~board~~ and shall make the information available through the automated information system provided pursuant to s. 455.2286.

(c) Providing discipline to such locally licensed contractors is the responsibility of the local jurisdiction.

(d) Any person who is not required to obtain registration or certification pursuant to *s. 489.105(2)(d)-(o)* ~~s. 489.105(3)(d)-(o)~~ may perform contracting services for the construction, remodeling, repair, or improvement of single-family residences, including a townhouse as defined in the Florida Building Code, without obtaining a local license if such person is under the supervision of a certified or registered general, building, or residential contractor. As used in this paragraph, supervision *may* ~~shall~~ not be deemed to require the existence of a direct contract between the certified or registered general, building, or residential contractor and the person performing specialty contracting services.

(e) Any person who is not certified or registered may perform the work of a specialty contractor whose scope of practice is limited to the type of work specified under *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~ for the construction, remodeling, repair, or improvement of commercial or residential swimming pools, interactive water features as defined in the Florida Building Code, hot tubs, and spas without obtaining a local license or certification as a specialty contractor if he or she is supervised by a contractor who is certified or registered under *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~; the work is within the scope of the supervising contractor's license; the supervising contractor is responsible for the work; and the work does not require certification or registration under *s. 489.105(2)(d)-(i), (m)-(o)* ~~s. 489.105(3)(d)-(i), (m)-(o), or s. 489.505~~. Such supervision does not require a direct contract between the contractor certified or registered under *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~ and the person performing the work, or for the person performing the work to be an employee of the contractor certified or registered under *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~. This paragraph does not limit the exemptions provided in s. 489.103 and may not be construed to expand the scope of a contractor certified or registered under *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~ to provide plumbing or electrical services for which certification or registration is required by this part or part II.

Section 190. Section 489.118, Florida Statutes, is amended to read:

489.118 Certification of registered contractors; grandfathering provisions.—The *department* ~~board~~ shall, upon receipt of a completed application and appropriate fee, issue a certificate in the appropriate category to any contractor registered under this part who makes application to the *department* ~~board~~ and can show that he or she meets each of the following requirements:

(1) Currently holds a valid registered local license in one of the contractor categories defined in *s. 489.105(3)(a)-(p)* ~~s. 489.105(3)(a)-(p)~~.

(2) Has, for that category, passed a written examination that the *department* ~~board~~ finds to be substantially similar to the examination required to be licensed as a certified contractor under this part. For purposes of this subsection, a written, proctored examination such as that produced by the National Assessment Institute, Block and Associates, NAI/Block, Experior Assessments, Professional Testing, Inc., or Assessment Systems, Inc., shall be considered to be substantially similar to the examination required to be licensed as a certified contractor. The *department* ~~board~~ may not impose or make any requirements regarding the nature or content of these cited examinations.

(3) Has at least 5 years of experience as a contractor in that contracting category, or as an inspector or building administrator with oversight over that category, at the time of application. For contractors, only time periods in which the contractor license is active and the contractor is not on probation shall count toward the 5 years required by this subsection.

(4) Has not had his or her contractor's license revoked at any time, had his or her contractor's license suspended within the last 5 years, or been assessed a fine in excess of $500 within the last 5 years.

(5) Is in compliance with the insurance and financial responsibility requirements in s. 489.115(5).

Section 191. Paragraphs (b), (c), and (e) of subsection (2), paragraph (a) of subsection (3), paragraphs (a), (b), and (e) of subsection (5), subsection (6), and paragraphs (a) and (b) of subsection (7) of section 489.119, Florida Statutes, are amended to read:

489.119 Business organizations; qualifying agents.—

(2) If the applicant proposes to engage in contracting as a business organization, including any partnership, corporation, business trust, or other legal entity, or in any name other than the applicant's legal name or a fictitious name where the applicant is doing business as a sole proprietorship, the applicant must apply for registration or certification as the qualifying agent of the business organization.

(b)1. An application for registration or certification to qualify a business organization must include an affidavit on a form provided by the *department* ~~board~~ attesting that the applicant has final approval authority for all construction work performed by the business organization and that the applicant has final approval authority on all business matters, including contracts, specifications, checks, drafts, or payments, regardless of the form of payment, made by the business organization, except where a financially responsible officer is approved.

2. The application for financially responsible officer must include an affidavit on a form provided by the *department* ~~board~~ attesting that the applicant's approval is required for all checks, drafts, or payments, regardless of the form of payment, made by the business organization and that the applicant has authority to act for the business organization in all financial matters.

3. The application for secondary qualifying agent must include an affidavit on a form provided by the *department* ~~board~~ attesting that the applicant has authority to supervise all construction work performed by the business organization as provided in s. 489.1195(2).

(c) The *department* ~~board~~ may deny an application for registration or certification to qualify a business organization if the applicant, or any person listed in paragraph (a), has been involved in past disciplinary actions or on any grounds for which an individual registration or certification may be denied.

(e) A joint venture, including a joint venture composed of qualified business organizations, is itself a separate and distinct organization that must be qualified in accordance with *department* ~~board~~ rules.

(3)(a) A qualifying agent must be certified or registered under this part in order for the business organization to operate in the category of contracting in which the qualifying agent is certified or registered. If any qualifying agent ceases to be affiliated with a business organization, he or she shall inform the department. In addition, if the qualifying agent is the only certified or registered contractor affiliated with the business organization, the business organization shall notify the department of the termination of the qualifying agent and shall have 60 days from the termination of the qualifying agent's affiliation with the business organization in which to employ another qualifying agent. The business organization may not engage in contracting until a qualifying agent is employed, unless the *department* ~~executive director or chair of the board~~ has granted a temporary nonrenewable certificate or registration to the financially responsible officer, the president, a partner, or, in the case of a limited partnership, the general partner, who assumes all responsibilities of a primary qualifying agent for the business organization. This temporary certificate or registration shall only allow the business organization to proceed with incomplete contracts. For the purposes of this paragraph, an incomplete contract is one which has been awarded to, or entered into by, the business organization *before* ~~prior to~~ the cessation of affiliation of the qualifying agent with the business organization or one on which the business organization was the low bidder and the contract is subsequently awarded, regardless of whether any actual work has commenced under the contract *before* ~~prior to~~ the qualifying agent ceasing to be affiliated with the business organization.

(5)(a) Each registered or certified contractor shall affix the number of his or her registration or certification to each application for a building permit and on each building permit issued and recorded. Each city or county building department shall require, as a precondition for the issuance of the building permit, that the contractor taking out the permit must provide verification giving his or her *department* ~~Construction Industry Licensing Board~~ registration or certification number.

(b) The registration or certification number of each contractor shall appear in each offer of services, business proposal, bid, contract, or advertisement, regardless of medium, as defined by *department* ~~board~~ rule, used by that contractor or business organization in the practice of contracting.

(e) The *department* ~~board~~ shall issue a notice of noncompliance for the first offense, and may assess a fine or issue a citation for failure to correct the offense within 30 days or for any subsequent offense, to any contractor or business organization that fails to include the certification or registration number as required by this part when submitting an advertisement for publication, broadcast, or printing or fails to display the certification or registration number as required by this part.

(6) Each qualifying agent shall pay the department an amount equal to the original fee for registration or certification to qualify a new business organization. If the qualifying agent for a business organization desires to qualify additional business organizations, the *department* ~~board~~ shall require the qualifying agent to present evidence of his or her ability to supervise the construction activities of each such organization. Approval of each business organization is discretionary with the *department* ~~board~~.

(7)(a) A business organization proposing to engage in contracting is not required to apply for or obtain authorization under this part to engage in contracting if:

1. The business organization employs one or more registered or certified contractors licensed in accordance with this part who are responsible for obtaining permits and supervising all of the business organization's contracting activities;

2. The business organization engages only in contracting on property owned by the business organization or by its parent, subsidiary, or affiliated entities; and

3. The business organization, or its parent entity if the business organization is a wholly owned subsidiary, maintains a minimum net worth of $20 million.

(b) Any business organization engaging in contracting under this subsection shall provide the *department* ~~board~~ with the name and license number of each registered or certified contractor employed by the business organization to supervise its contracting activities. The business organization is not required to post a bond or otherwise evidence any financial or credit information except as necessary to demonstrate compliance with paragraph (a).

Section 192. Paragraphs (b) and (d) of subsection (1), paragraphs (a) and (b) of subsection (2), and paragraphs (a) and (b) of subsection (3) of section 489.1195, Florida Statutes, are amended to read:

489.1195 Responsibilities.—

(1) A qualifying agent is a primary qualifying agent unless he or she is a secondary qualifying agent under this section.

(b) Upon approval by the *department* ~~board~~, a business entity may designate a financially responsible officer for purposes of certification or registration. A financially responsible officer shall be responsible for all financial aspects of the business organization and may not be designated as the primary qualifying agent. The designated financially responsible officer shall furnish evidence of the financial responsibility, credit, and business reputation of either himself or herself, or the business organization he or she desires to qualify, as determined appropriate by the *department* ~~board~~.

(d) The *department* ~~board~~ shall adopt rules prescribing the qualifications for financially responsible officers, including net worth, cash, and bonding requirements. These qualifications must be at least as extensive as the requirements for the financial responsibility of qualifying agents.

(2)(a) One of the qualifying agents for a business organization that has more than one qualifying agent may be designated as the sole primary qualifying agent for the business organization by a joint agreement that is executed, on a form provided by the *department* ~~board~~, by all qualifying agents for the business organization.

(b) The joint agreement must be submitted to the *department* ~~board~~ for approval. If the *department* ~~board~~ determines that the joint agreement is in good order, it shall approve the designation and immediately notify the qualifying agents of such approval. The designation made by the joint agreement is effective upon receipt of the notice by the qualifying agents.

(3)(a) A qualifying agent who has been designated by a joint agreement as the sole primary qualifying agent for a business organization may terminate this status as such by giving actual notice to the business organization, to the *department* ~~board~~, and to all secondary qualifying agents of his or her intention to terminate this status. The notice to the *department* ~~board~~ must include proof satisfactory to the *department* ~~board~~ that he or she has given the notice required in this paragraph.

(b) The status of the qualifying agent shall cease upon the designation of a new primary qualifying agent or 60 days after satisfactory notice of termination has been provided to the *department* ~~board~~, whichever first occurs.

Section 193. Section 489.121, Florida Statutes, is amended to read:

489.121 Emergency registration upon death of contractor.—If an incomplete contract exists at the time of death of a contractor, the contract may be completed by any person even though not certified or registered. Such person shall notify the *department* ~~board~~, within 30 days after the death of the contractor, of his or her name and address, knowledge of the contract, and ability to complete it. If the *department* ~~board~~ approves, he or she may proceed with the contract. For purposes of this section, an incomplete contract is one which has been awarded to, or entered into by, the contractor before his or her death, or on which he or she was the low bidder and the contract is subsequently awarded to him or her, regardless of whether any actual work has commenced under the contract before the contractor's death.

Section 194. Subsection (1) of section 489.126, Florida Statutes, is amended to read:

489.126 Moneys received by contractors.—

(1) For purposes of this section, the term "contractor" includes all definitions as set forth in *s. 489.105(2)* ~~s. 489.105(3)~~, and any person performing or contracting or promising to perform work described therein, without regard to the licensure of the person.

Section 195. Subsection (6) of section 489.127, Florida Statutes, is amended to read:

489.127 Prohibitions; penalties.—

(6) Local building departments may collect outstanding fines against registered or certified contractors issued by the *department* ~~Construction Industry Licensing Board~~ and may retain 75 percent of the fines they are able to collect, provided that they transmit 25 percent of the fines they are able to collect to the department according to a procedure to be determined by the department.

Section 196. Subsections (1) through (9), paragraph (d) of subsection (11), and subsection (12) of section 489.129, Florida Statutes, are amended to read:

489.129 Disciplinary proceedings.—

(1) The *department* ~~board~~ may take any of the following actions against any certificateholder or registrant: place on probation or reprimand the licensee, revoke, suspend, or deny the issuance or renewal of the certificate or registration, require financial restitution to a consumer for financial harm directly related to a violation of a provision of this part, impose an administrative fine not to exceed $10,000 per violation, require continuing education, or assess costs associated with investigation and prosecution, if the contractor, financially responsible officer, or business organization for which the contractor is a primary qualifying agent, a financially responsible officer, or a secondary qualifying agent responsible under s. 489.1195 is found guilty of any of the following acts:

(a) Obtaining a certificate or registration by fraud or misrepresentation.

(b) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of contracting or the ability to practice contracting.

(c) Violating any provision of chapter 455.

(d) Performing any act which assists a person or entity in engaging in the prohibited uncertified and unregistered practice of contracting, if the certificateholder or registrant knows or has reasonable grounds to know that the person or entity was uncertified and unregistered.

(e) Knowingly combining or conspiring with an uncertified or unregistered person by allowing his or her certificate or registration to be used by the uncertified or unregistered person with intent to evade the provisions of this part. When a certificateholder or registrant allows his or her certificate or registration to be used by one or more business organizations without having any active participation in the operations, management, or control of such business organizations, such act constitutes prima facie evidence of an intent to evade the provisions of this part.

(f) Acting in the capacity of a contractor under any certificate or registration issued hereunder except in the name of the certificateholder or registrant as set forth on the issued certificate or registration, or in accordance with the personnel of the certificateholder or registrant as set forth in the application for the certificate or registration, or as later changed as provided in this part.

(g) Committing mismanagement or misconduct in the practice of contracting that causes financial harm to a customer. Financial mismanagement or misconduct occurs when:

1. Valid liens have been recorded against the property of a contractor's customer for supplies or services ordered by the contractor for the customer's job; the contractor has received funds from the customer to pay for the supplies or services; and the contractor has not had the liens removed from the property, by payment or by bond, within 75 days after the date of such liens;

2. The contractor has abandoned a customer's job and the percentage of completion is less than the percentage of the total contract price paid to the contractor as of the time of abandonment, unless the contractor is entitled to retain such funds under the terms of the contract or refunds the excess funds within 30 days after the date the job is abandoned; or

3. The contractor's job has been completed, and it is shown that the customer has had to pay more for the contracted job than the original contract price, as adjusted for subsequent change orders, unless such increase in cost was the result of circumstances beyond the control of the contractor, was the result of circumstances caused by the customer, or was otherwise permitted by the terms of the contract between the contractor and the customer.

(h) Being disciplined by any municipality or county for an act or violation of this part.

(i) Failing in any material respect to comply with the provisions of this part or violating a rule or lawful order of the *department* ~~board~~.

(j) Abandoning a construction project in which the contractor is engaged or under contract as a contractor. A project may be presumed abandoned after 90 days if the contractor terminates the project without just cause or without proper notification to the owner, including the reason for termination, or fails to perform work without just cause for 90 consecutive days.

(k) Signing a statement with respect to a project or contract falsely indicating that the work is bonded; falsely indicating that payment has been made for all subcontracted work, labor, and materials which re-

sults in a financial loss to the owner, purchaser, or contractor; or falsely indicating that workers' compensation and public liability insurance are provided.

(l) Committing fraud or deceit in the practice of contracting.

(m) Committing incompetency or misconduct in the practice of contracting.

(n) Committing gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property.

(o) Proceeding on any job without obtaining applicable local building department permits and inspections.

(p) Intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner under part I of chapter 713 or a notice to contractor under chapter 255 or part I of chapter 713.

(q) Failing to satisfy within a reasonable time, the terms of a civil judgment obtained against the licensee, or the business organization qualified by the licensee, relating to the practice of the licensee's profession.

(r) Committing misapplication of construction funds in violation of s. 713.345. If a contractor, subcontractor, sub-subcontractor, or other person licensed by the *department* ~~board~~ under this chapter is convicted of misapplication of construction funds, the *department* ~~board~~ must suspend all licenses issued to such licensee under this chapter for a minimum of 1 year from the date of conviction. The suspension required under this paragraph is not exclusive, and the *department* ~~board~~ may impose any additional penalties set forth in this subsection.

For the purposes of this subsection, construction is considered to be commenced when the contract is executed and the contractor has accepted funds from the customer or lender. A contractor does not commit a violation of this subsection when the contractor relies on a building code interpretation rendered by a building official or person authorized by s. 553.80 to enforce the building code, absent a finding of fraud or deceit in the practice of contracting, or gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property on the part of the building official, in a proceeding under chapter 120.

(2) If a registrant or certificateholder disciplined under subsection (1) is a qualifying agent or financially responsible officer for a business organization and the violation was performed in connection with a construction project undertaken by that business organization, the *department* ~~board~~ may impose an additional administrative fine not to exceed $5,000 per violation against the business organization or against any partner, officer, director, trustee, or member if such person participated in the violation or knew or should have known of the violation and failed to take reasonable corrective action.

(3) The *department* ~~board~~ may specify by rule the acts or omissions which constitute violations of this section.

(4) In recommending penalties in any proposed recommended final order, the department shall follow the penalty guidelines established by the *department* ~~board~~ by rule. The department shall advise the administrative law judge of the appropriate penalty, including mitigating and aggravating circumstances, and the specific rule citation.

(5) The *department* ~~board~~ may not reinstate the certification or registration of, or cause a certificate or registration to be issued to, a person who or business organization which the *department* ~~board~~ has determined is unqualified or whose certificate or registration the *department* ~~board~~ has suspended until it is satisfied that such person or business organization has complied with all the terms and conditions set forth in the final order and is capable of competently engaging in the business of contracting.

(6)(a) The *department* ~~board~~ may assess interest or penalties on all fines imposed under this chapter against any person or business organization which has not paid the imposed fine by the due date established by rule or final order. The provisions of chapter 120 do not apply to such assessment. Interest rates to be imposed shall be established by rule and *may* ~~shall~~ not be usurious.

(b) Venue for all actions to enforce any fine levied by the *department* ~~board~~ shall be in Duval County. The *department* ~~board~~ is authorized to enter into contracts with private businesses or attorneys to collect such fines with payment for such collections made on a contingent fee basis. All such contracts shall be publicly advertised and competitively awarded based upon responses submitted to a request for proposals developed by the *department* ~~board~~.

(7) The *department may* ~~board shall~~ not issue or renew a certificate or registration to any person or business organization that has been assessed a fine, interest, or costs associated with investigation and prosecution, or has been ordered to pay restitution, until such fine, interest, or costs associated with investigation and prosecution or restitution are paid in full or until all terms and conditions of the final order have been satisfied.

(8) If the *department* ~~board~~ finds any certified or registered contractor guilty of a violation, the *department* ~~board~~ may, as part of its disciplinary action, require such contractor to obtain continuing education in the areas of contracting affected by such violation.

(9) Any person certified or registered pursuant to this part who has had his or her license revoked *may* ~~shall~~ not be eligible to be a partner, officer, director, or trustee of a business organization defined by this section or be employed in a managerial or supervisory capacity for a 5-year period. Such person shall also be ineligible to reapply for certification or registration under this part for a period of 5 years after the effective date of the revocation.

(11)

(d) The arbitrator's order shall become a final order of the *department* ~~board~~ if not challenged by the complainant or the certificateholder or registrant within 30 days after filing. The *department's* ~~board's~~ review of the arbitrator's order shall operate in the manner of the review of recommended orders pursuant to s. 120.57(1) and *may* ~~shall~~ not be a de novo review.

(12) When an investigation of a contractor is undertaken, the department shall promptly furnish to the contractor or the contractor's attorney a copy of the complaint or document that resulted in the initiation of the investigation. The department shall make the complaint and supporting documents available to the contractor. The complaint or supporting documents shall contain information regarding the specific facts that serve as the basis for the complaint. The contractor may submit a written response to the information contained in such complaint or document within 20 days after service to the contractor of the complaint or document. The contractor's written response shall be considered by the probable cause panel. The right to respond does not prohibit the issuance of a summary emergency order if necessary to protect the public. However, if the *department decides* ~~secretary, or the secretary's designee, and the chair of the board or the chair of the probable cause panel agree in writing~~ that such notification would be detrimental to the investigation, the department may withhold notification. The department may conduct an investigation without notification to a contractor if the act under investigation is a criminal offense.

Section 197. Paragraphs (c) and (f) of subsection (3), paragraphs (b) and (c) of subsection (6), paragraphs (c), (d), (e), and (f) of subsection (7), and subsections (10), (11), and (12) of section 489.131, Florida Statutes, are amended to read:

489.131 Applicability.—

(3) Nothing in this part limits the power of a municipality or county:

(c) To collect business taxes, subject to s. 205.065, and inspection fees for engaging in contracting or examination fees from persons who are registered with the *department* ~~board~~ pursuant to local examination requirements and issue business tax receipts. However, nothing in this part shall be construed to require general contractors, building contractors, or residential contractors to obtain additional business tax receipts for specialty work when such specialty work is performed by employees of such contractors on projects for which they have substantially full responsibility and such contractors do not hold themselves out to the public as being specialty contractors.

(f) To refuse to issue permits or issue permits with specific conditions to a contractor who has committed multiple violations, when he or she has been disciplined for each of them by the *department* ~~board~~ and when each disciplinary action has involved revocation or suspension of a license, imposition of an administrative fine of at least $1,000, or probation; or to issue permits with specific conditions to a contractor who, within the previous 12 months, has had disciplinary action other than a citation or letter of guidance taken against him or her by the department or by a local board or agency which licenses contractors and has reported the action pursuant to paragraph (6)(c), for engaging in the business or acting in the capacity of a contractor without a license. However, this subsection does not supersede the provisions of s. 489.113(4), and no county or municipality may require any certificateholder to obtain a local professional license or pay a local professional license fee as a condition of performing any services within the scope of the certificateholder's statewide license as established under this part.

(6)

(b) To engage in contracting in the territorial area, an applicant shall also be registered with the *department* ~~board~~, as required by s. 489.117.

(c) Each local board or agency that licenses contractors must transmit quarterly to the *department* ~~board~~ a report of any disciplinary action taken against contractors and of any administrative or disciplinary action taken against unlicensed persons for engaging in the business or acting in the capacity of a contractor including any cease and desist orders issued pursuant to s. 489.113(2)(b) and any fine issued pursuant to s. 489.127(5).

(7)

(c) In addition to any action the local jurisdiction enforcement body may take against the individual's local license, and any fine the local jurisdiction may impose, the local jurisdiction enforcement body shall issue a recommended penalty for *department* ~~board~~ action. This recommended penalty may include a recommendation for no further action, or a recommendation for suspension, restitution, revocation, or restriction of the registration, or a fine to be levied by the *department* ~~board~~, or a combination thereof. The recommended penalty must specify the violations of this chapter upon which the recommendation is based. The local jurisdiction enforcement body shall inform the disciplined contractor and the complainant of the local license penalty imposed, the *department* ~~board~~ penalty recommended, his or her rights to appeal, and the consequences should he or she decide not to appeal. The local jurisdiction enforcement body shall, upon having reached adjudication or having accepted a plea of nolo contendere, immediately inform the *department* ~~board~~ of its action and the recommended *department* ~~board~~ penalty.

(d) The ~~department, the~~ disciplined contractor~~,~~ or the complainant may challenge the local jurisdiction enforcement body's recommended penalty for *department* ~~board~~ action to the *department* ~~Construction Industry Licensing Board~~. A challenge shall be filed within 60 days after the issuance of the recommended penalty to the *department* ~~board~~. If challenged, there is a presumptive finding of probable cause and the case may proceed without the need for a probable cause hearing.

(e) Failure of the department, the disciplined contractor, or the complainant to challenge the local jurisdiction's recommended penalty within the time period set forth in this subsection shall constitute a waiver of the right to a hearing before the *department* ~~board~~. A waiver of the right to a hearing before the *department* ~~board~~ shall be deemed an admission of the violation, and the penalty recommended shall become a final order according to procedures developed by *department* ~~board~~ rule without further *department* ~~board~~ action. The disciplined contractor may appeal this *department* ~~board~~ action to the district court.

(f)1. The department may investigate any complaint which is made with the department. However, the department may not initiate or pursue any complaint against a registered contractor who is not also a certified contractor where a local jurisdiction enforcement body has jurisdiction over the complaint, unless summary procedures are initiated by the secretary pursuant to s. 455.225(8), or unless the local jurisdiction enforcement body has failed to investigate and prosecute a complaint, or make a finding of no violation, within 6 months of receiving the complaint. The department shall refer the complaint to the local jurisdiction enforcement body for investigation, and if appropriate, prosecution. However, the department may investigate such complaints to the extent necessary to determine whether summary procedures should be initiated.

2. Upon a recommendation by the department, the *department* ~~board~~ may make conditional, suspend, or rescind its determination of the adequacy of the local government enforcement body's disciplinary procedures granted under s. 489.117(2).

(10) No municipal or county government may issue any certificate of competency or license for any contractor defined in *s. 489.105(2)(a)-(o)* ~~s. 489.105(3)(a)-(o)~~ after July 1, 1993, unless such local government exercises disciplinary control and oversight over such locally licensed contractors, including forwarding a recommended order in each action to the *department* ~~board~~ as provided in subsection (7). Each local board that licenses and disciplines contractors must have at least two consumer representatives on that board. If the *local* board has seven or more members, at least three of those members must be consumer representatives. The consumer representative may be any resident of the local jurisdiction who is not, and has never been, a member or practitioner of a profession regulated by the *department* ~~board~~ or a member of any closely related profession.

(11) Any municipal or county government which enters or has in place a reciprocal agreement which accepts a certificate of competency or license issued by another municipal or county government in lieu of its own certificate of competency or license allowing contractors defined in *s. 489.105(2)(a)-(o)* ~~s. 489.105(3)(a)-(o)~~, shall file a certified copy of such agreement with the *department* ~~board~~ not later than 60 days after July 1, 1993, or 30 days after the effective date of such agreement.

(12) Unless specifically provided, ~~the provisions of~~ this part *does* ~~shall~~ not ~~be construed to~~ create a civil cause of action.

Section 198. Subsection (5) of section 489.132, Florida Statutes, is amended to read:

489.132 Prohibited acts by unlicensed principals; investigation; hearing; penalties.—

(5) The department may suspend, revoke, or deny issuance or renewal of a certificate or registration for any individual or business organization that associates a person as an officer, director, or partner, or in a managerial or supervisory capacity, after such person has been found under a final order to have violated this section or was an officer, director, partner, trustee, or manager of a business organization disciplined by the *department* ~~board~~ by revocation, suspension, or fine in excess of $2,500, upon finding reasonable cause that such person knew or reasonably should have known of the conduct leading to the discipline.

Section 199. Subsections (2) and (4) of section 489.133, Florida Statutes, are amended to read:

489.133 Pollutant storage systems specialty contractors; definitions; certification; restrictions.—

(2) The *department* ~~board~~ shall adopt rules providing standards for registration of precision tank testers who precision test a pollutant storage tank. The Department of Environmental Protection shall approve the methodology, procedures, and equipment used and shall approve the applicant as being eligible for registration as a registered precision tank tester. A registered precision tank tester is subject to the provisions of ss. 489.129 and 489.132 and is considered a contractor operating as a primary qualifying agent for the business entity employing him or her, which is considered a contracting firm for the purposes of ss. 489.129 and 489.132. A person who registers under this subsection is exempt from municipal, county, or development district registration under s. 489.117 and may operate as a precision tank tester statewide.

(4) The *department* ~~board~~ shall adopt rules providing standards for certification of pollutant storage systems specialty contractors, including persons who remove such systems. The *department* ~~board~~ shall provide the proposed rules to the Department of Environmental Protection for review and comment *before* ~~prior to~~ adoption. The rules shall include, but not be limited to:

(a) Standards for operating as a pollutant storage systems specialty contractor.

(b) Requirements for certification as a pollutant storage systems specialty contractor.

(c) Requirements for certification without examination of pollutant storage systems specialty contractors for any person who has passed a local licensure examination, a licensure examination in another state, or a licensure examination of a national organization, which is at least as stringent as the examination adopted by the *department* ~~board~~.

Section 200. Subsections (1) and (2) of section 489.1401, Florida Statutes, are amended to read:

489.1401 Legislative intent.—

(1) It is the intent of the Legislature that actions taken by the *department* ~~Construction Industry Licensing Board~~ with respect to contractor sanctions and pursuant to this chapter are an exercise of the department's regulatory power for the protection of public safety and welfare.

(2) It is the intent of the Legislature that the sole purpose of the Florida Homeowners' Construction Recovery Fund is to compensate an aggrieved claimant who contracted for the construction or improvement of the homeowner's residence located within this state and who has obtained a final judgment in a court of competent jurisdiction, was awarded restitution by the *department* ~~Construction Industry Licensing Board~~, or received an award in arbitration against a licensee on grounds of financial mismanagement or misconduct, abandoning a construction project, or making a false statement with respect to a project. Such grievance must arise directly out of a transaction conducted when the judgment debtor was licensed and must involve an act enumerated in s. 489.129(1)(g), (j), or (k).

Section 201. Paragraphs (c) through (l) of subsection (1) of section 489.1402, Florida Statutes, are redesignated as paragraphs (b) through (k), respectively, and paragraph (b) and present paragraph (d) of that subsection are amended, to read:

489.1402 Homeowners' Construction Recovery Fund; definitions.—

(1) The following definitions apply to ss. 489.140-489.144:

~~(b) "Board" means the Construction Industry Licensing Board.~~

(c)~~(d)~~ "Contractor" means a Division I or Division II contractor performing his or her respective services described in *s. 489.105(2)* ~~s. 489.105(3)~~.

Section 202. Paragraphs (a), (e), (f), and (g) of subsection (1), paragraph (f) of subsection (2), and subsection (3) of section 489.141, Florida Statutes, are amended to read:

489.141 Conditions for recovery; eligibility.—

(1) A claimant is eligible to seek recovery from the recovery fund after making a claim and exhausting the limits of any available bond, cash bond, surety, guarantee, warranty, letter of credit, or policy of insurance if each of the following conditions is satisfied:

(a) The claimant has received a final judgment in a court of competent jurisdiction in this state or has received an award in arbitration or the *department* ~~Construction Industry Licensing Board~~ has issued a final order directing the licensee to pay restitution to the claimant. The *department* ~~board~~ may waive this requirement if:

1. The claimant is unable to secure a final judgment against the licensee due to the death of the licensee; or

2. The claimant has sought to have assets involving the transaction that gave rise to the claim removed from the bankruptcy proceedings so that the matter might be heard in a court of competent jurisdiction in this state and, after due diligence, the claimant is precluded by action of the bankruptcy court from securing a final judgment against the licensee.

(e) The contract was executed and the violation occurred on or after July 1, 1993, and provided that:

1. The claimant has caused to be issued a writ of execution upon such judgment, and the officer executing the writ has made a return showing that no personal or real property of the judgment debtor or licensee liable to be levied upon in satisfaction of the judgment can be found or that the amount realized on the sale of the judgment debtor's or licensee's property pursuant to such execution was insufficient to satisfy the judgment;

2. If the claimant is unable to comply with subparagraph 1. for a valid reason to be determined by the *department* ~~board~~, the claimant has made all reasonable searches and inquiries to ascertain whether the judgment debtor or licensee is possessed of real or personal property or other assets subject to being sold or applied in satisfaction of the judgment and by his or her search has discovered no property or assets or has discovered property and assets and has taken all necessary action and proceedings for the application thereof to the judgment but the amount thereby realized was insufficient to satisfy the judgment; and

3. The claimant has made a diligent attempt, as defined by *department* ~~board~~ rule, to collect the restitution awarded by the *department* ~~board~~.

(f) A claim for recovery is made within 1 year after the conclusion of any civil, criminal, or administrative action or award in arbitration based on the act. This paragraph applies to any claim filed with the *department* ~~board~~ after October 1, 1998.

(g) Any amounts recovered by the claimant from the judgment debtor or licensee, or from any other source, have been applied to the damages awarded by the court or the amount of restitution ordered by the *department* ~~board~~.

(2) A claimant is not qualified to make a claim for recovery from the recovery fund if:

(f) The claimant had entered into a contract with a licensee to perform a scope of work described in *s. 489.105(2)(d)-(q)* ~~s. 489.105(3)(d)-(q)~~ before July 1, 2016.

(3) The *department* ~~board~~ may determine by rule documentation that is required to complete a claim.

Section 203. Section 489.142, Florida Statutes, is amended to read:

489.142 *Department* ~~Board~~ powers relating to recovery; conduct of hearings and service.—

(1) With respect to actions for recovery from the recovery fund, the *department* ~~board~~ may intervene, enter an appearance, file an answer, defend the action, or take any action it deems appropriate and may take recourse through any appropriate method of review on behalf of the State of Florida. The *department* ~~board~~ may delegate to the department by rule the authority to close any case when a claimant is not qualified to make a claim for recovery from the recovery fund under s. 489.141(2); when after notice the claimant has failed to provide documentation in support of the claim as required by the *department* ~~board~~; or when the licensee has reached the aggregate limit.

(2) Notwithstanding any other provision of law, the *department* ~~board~~ shall cause a notice of hearing to be served 14 days in advance of the hearing on the claimant and on the licensee whose license is subject to suspension by s. 489.143. Each notice shall inform the recipient of any administrative hearing or judicial review that is available under s. 120.569, s. 120.57, or s. 120.68; shall indicate the procedure that must be followed to obtain the hearing or judicial review; and shall state the time limits that apply. Service of the notice on the licensee shall be made in accordance with s. 455.275. Service of the notice on the claimant shall be by regular United States mail at the address provided on the claim. The service of notice in accordance with this section is complete upon expiration of 14 days after deposit in the United States mail. Proof of service of a notice shall be made by entry in the records of the department that the notice was given. The entry shall be admissible in judicial and administrative proceedings of this state and shall constitute sufficient proof that notice was given.

(3) Notwithstanding any other provision of law, *department* ~~board~~ hearings on claims shall be conducted in accordance with ss. 120.569 and 120.57(2). All claim hearings shall be conducted at the *department's* ~~board's~~ regular meeting at the place, date, and time published. Orders of the *department* ~~board~~ denying or awarding funds to a claimant constitute final orders that may be appealed in accordance with s. 120.68. Orders awarding or denying claims shall be served in the same manner as notices of hearing in this section.

Section 204. Section 489.1425, Florida Statutes, is amended to read:

489.1425 Duty of contractor to notify residential property owner of recovery fund.—

(1) Each agreement or contract for repair, restoration, improvement, or construction to residential real property must contain a written statement explaining the consumer's rights under the recovery fund, except where the value of all labor and materials does not exceed $2,500. The written statement must be substantially in the following form:

FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND

PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A CLAIM, CONTACT THE FLORIDA *DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION* ~~CONSTRUCTION INDUSTRY LICENSING BOARD~~ AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

The statement must shall be immediately followed by the *department's* ~~board's~~ address and telephone number as established by *department* ~~board~~ rule.

(2)(a) Upon finding a first violation of subsection (1), the *department* ~~board~~ may fine the contractor up to $500, and the moneys must be deposited into the recovery fund.

(b) Upon finding a second or subsequent violation of subsection (1), the *department* ~~board~~ shall fine the contractor $1,000 per violation, and the moneys must be deposited into the recovery fund.

Section 205. Subsections (1), (2), (4), and (6) of section 489.143, Florida Statutes, are amended to read:

489.143 Payment from the fund.—

(1) The fund shall be disbursed as provided in s. 489.141 on a final order of the *department* ~~board~~.

(2) A claimant who meets all of the conditions prescribed in s. 489.141 may apply to the *department* ~~board~~ to cause payment to be made to a claimant from the recovery fund in an amount equal to the judgment, award, or restitution order or $25,000, whichever is less, or an amount equal to the unsatisfied portion of such person's judgment, award, or restitution order, but only to the extent and amount of actual damages suffered by the claimant, and only up to the maximum payment allowed for each respective Division I and Division II claim. Payment from the fund for other costs related to or pursuant to civil proceedings such as postjudgment interest, attorney fees, court costs, medical damages, and punitive damages is prohibited. The recovery fund is not obligated to pay a judgment, an award, or a restitution order, or any portion thereof, which is not expressly based on one of the grounds for recovery set forth in s. 489.141.

(4) Upon receipt by a claimant under subsection (2) of payment from the recovery fund, the claimant shall assign his or her additional right, title, and interest in the judgment, award, or restitution order, to the extent of such payment, to the *department* ~~board~~, and thereupon the *department* ~~board~~ shall be subrogated to the right, title, and interest of the claimant; and any amount subsequently recovered on the judgment, award, or restitution order, to the extent of the right, title, and interest of the *department* ~~board~~ therein, shall be for the purpose of reimbursing the recovery fund.

(6) For contracts entered into before July 1, 2004, payments for claims against any one licensee may not exceed, in the aggregate, $100,000 annually, up to a total aggregate of $250,000. For any claim approved by the *department* ~~board~~ which is in excess of the annual cap, the amount in excess of $100,000 up to the total aggregate cap of $250,000 is eligible for payment in the next and succeeding fiscal years, but only after all claims for the then-current calendar year have been paid. Payments may not exceed the aggregate annual or per claimant limits under law. Beginning January 1, 2005, for each Division I contract entered into after July 1, 2004, payment from the recovery fund is subject only to a total aggregate cap of $500,000 for each Division I licensee. Beginning January 1, 2017, for each Division II contract entered into on or after July 1, 2016, payment from the recovery fund is subject only to a total aggregate cap of $150,000 for each Division II licensee. Beginning January 1, 2025, for Division I and Division II contracts entered into on or after July 1, 2024, payment from the recovery fund is subject only to a total aggregate cap of $2 million for each Division I licensee and $600,000 for each Division II licensee.

Section 206. Paragraph (a) of subsection (1) of section 489.1455, Florida Statutes, is amended to read:

489.1455 Journeyman; reciprocity; standards.—

(1) Counties and municipalities are authorized to issue journeyman licenses in the plumbing, pipe fitting, mechanical, or HVAC trades to an individual who:

(a) Has scored at least 70 percent, or after October 1, 1997, at least 75 percent, on a proctored journeyman Block and Associates examination or other proctored examination approved by the *department* ~~board~~ for the trade in which he or she is licensed;

Section 207. Section 489.146, Florida Statutes, is amended to read:

489.146 Privatization of services.—Notwithstanding any other provision of this part relating to the review of licensure applications, issuance of licenses and renewals, collection of revenues, fees, and fines, service of documents, publications, and printing, and other ministerial functions of the department relating to the regulation of contractors, the department shall make all reasonable efforts to contract with one or more private entities for provision of such services, when such services can be provided in a more efficient manner by private entities. The department or the *department* ~~board~~ shall retain final authority for licensure decisions and rulemaking, including all appeals or other legal action resulting from such licensure decisions or rulemaking.

Section 208. Subsection (1) of section 489.509, Florida Statutes, is amended to read:

489.509 Fees.—

(1) The *department* ~~board~~, by rule, shall establish fees to be paid for applications, examination, reexamination, transfers, licensing and renewal, reinstatement, and recordmaking and recordkeeping. The examination fee shall be in an amount that covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee is nonrefundable. The fee for initial application and examination for certification of electrical contractors may not exceed $400. The initial application fee for registration may not exceed $150. The biennial renewal fee may not exceed $400 for certificateholders and $200 for registrants. The fee for initial application and examination for certification of alarm system contractors may not exceed $400. The biennial renewal fee for certified alarm system contractors may not exceed $450. The *department* ~~board~~ may establish a fee for a temporary certificate as an alarm system contractor not to exceed $75. The *department* ~~board~~ may also establish by rule a delinquency fee not to exceed $50. The fee to transfer a certificate or registration from one business organization to another may not exceed $200. The fee for reactivation of an inactive license may not exceed $50. The *department* ~~board~~ shall establish fees that are adequate to ensure the continued operation of the *department* ~~board~~. Fees shall be based on department estimates of the revenue required to implement this part and the provisions of law with respect to the regulation of electrical contractors and alarm system contractors.

Section 209. Section 489.510, Florida Statutes, is amended to read:

489.510 Evidence of workers' compensation coverage.—Except as provided in s. 489.515(3)(b), any person, business organization, or qualifying agent engaged in the business of contracting in this state and certified or registered under this part shall, as a condition precedent to the issuance or renewal of a certificate or registration of the contractor, provide to the *department* ~~Electrical Contractors' Licensing Board~~, as provided by *department* ~~board~~ rule, evidence of workers' compensation coverage pursuant to chapter 440. In the event that the Division of Workers' Compensation of the Department of Financial Services receives notice of the cancellation of a policy of workers' compensation insurance insuring a person or entity governed by this section, the Division of Workers' Compensation shall certify and identify all persons or entities by certification or registration license number to the department after verification is made by the Division of Workers' Compensation that persons or entities governed by this section are no longer covered by workers' compensation insurance. Such certification and verification by the Division of Workers' Compensation may result from records furnished to the Division of Workers' Compensation by the persons or entities governed by this section or an investigation completed by the Division of Workers' Compensation. The department shall notify the persons or entities governed by this section who have been determined to be in noncompliance with chapter 440, and the persons or entities notified shall provide certification of compliance with chapter 440 to the department and pay an administrative fine in the amount of $500. The failure to maintain workers' compensation coverage as required by law shall be grounds for the *department* ~~board~~ to revoke, suspend, or deny the issuance or renewal of a certificate or registration of the contractor under the provisions of s. 489.533.

Section 210. Paragraph (b) of subsection (1) and subsections (2) through (5) of section 489.511, Florida Statutes, are amended to read:

489.511 Certification; application; examinations; endorsement.—

(1)

(b) Any person desiring to be certified as a contractor shall apply to the department in writing and must meet the following criteria:

1. Be of good moral character;

2. Pass the certification examination, achieving a passing grade as established by *department* ~~board~~ rule; and

3. Meet eligibility requirements according to one of the following criteria:

a. Has, within the 6 years immediately preceding the filing of the application, at least 3 years of proven management experience in the trade or education equivalent thereto, or a combination thereof, but not more than one-half of such experience may be educational equivalent;

b. Has, within the 8 years immediately preceding the filing of the application, at least 4 years of experience as a supervisor or contractor in the trade for which he or she is making application, or at least 4 years of experience as a supervisor in electrical or alarm system work with the United States Armed Forces;

c. Has, within the 12 years immediately preceding the filing of the application, at least 6 years of comprehensive training, technical education, or supervisory experience associated with an electrical or alarm system contracting business, or at least 6 years of technical experience, education, or training in electrical or alarm system work with the United States Armed Forces or a governmental entity;

d. Has, within the 12 years immediately preceding the filing of the application, been licensed for 3 years as a professional engineer who is qualified by education, training, or experience to practice electrical engineering; or

e. Has any combination of qualifications under sub-subparagraphs a.-c. totaling 6 years of experience.

(2) The *department* ~~board~~ may determine by rule the number of times per year the applicant may take the examination and after three unsuccessful attempts may require the applicant to complete additional college-level or technical education courses in the areas of deficiency, as determined by the *department* ~~board~~, as a condition of future eligibility to take the examination.

(3)(a) "Good moral character" means a personal history of honesty, fairness, and respect for the rights of others and for laws of this state and nation.

(b) The *department* ~~board~~ may determine that an individual applying for certification is ineligible for failure to satisfy the requirement of good moral character only if:

1. There is a substantial connection between the lack of good moral character of the individual and the professional responsibilities of a certified contractor; and

2. The finding by the *department* ~~board~~ of lack of good moral character is supported by clear and convincing evidence.

(c) When an individual is found to be unqualified for certification because of a lack of good moral character, the *department* ~~board~~ shall furnish such individual a statement containing the findings of the *department* ~~board~~, a complete record of the evidence upon which the determination was based, and a notice of the rights of the individual to a rehearing and appeal.

(4) The *department* ~~board~~ shall, by rule, designate those types of specialty electrical or alarm system contractors who may be certified under this part. The limit of the scope of work and responsibility of a certified specialty contractor shall be established by *department* ~~board~~ rule. A certified specialty contractor category exists as an optional statewide licensing category. Qualification for certification in a specialty category created by rule shall be the same as set forth in paragraph (1)(b). The existence of a specialty category created by rule does not itself create any licensing requirement; however, neither does its optional nature remove any licensure requirement established elsewhere in this part.

(5) The *department* ~~board~~ shall certify as qualified for certification by endorsement any individual applying for certification who:

(a) Meets the requirements for certification as set forth in this section; has passed a national, regional, state, or United States territorial licensing examination that is substantially equivalent to the examination required by this part; and has satisfied the requirements set forth in s. 489.521;

(b) Holds a valid license to practice electrical or alarm system contracting issued by another state or territory of the United States, if the criteria for issuance of such license were substantially equivalent to the certification criteria that existed in this state at the time the certificate was issued; or

(c) Has held a valid, current license to practice electrical or alarm system contracting issued by another state or territory of the United States for at least 10 years before the date of application and is applying for the same or similar license in this state, subject to ss. 489.510 and 489.521(3)(a) and subparagraph (1)(b)1. Such application must be made either when the license in another state or territory is active or within 2 years after such license was last active. Electrical contractors and alarm system contractors must complete a 2-hour course on the Florida Building Code. The required courses may be completed online.

Section 211. Paragraph (c) of subsection (1) and subsections (3) and (6) of section 489.513, Florida Statutes, are amended to read:

489.513 Registration; application; requirements.—

(1) Any person engaged in the business of contracting in the state shall be registered in the proper classification unless he or she is certified. Any person desiring to be a registered contractor shall apply to the department for registration and must:

(c) Meet eligibility requirements according to the following criteria:

1. As used in this subsection, the term "good moral character" means a personal history of honesty, fairness, and respect for the rights of others and for state and federal law.

2. The *department* ~~board~~ may determine that an individual applying for registration is ineligible due to failure to satisfy the requirement of good moral character only if:

a. There is a substantial connection between the lack of good moral character of the individual and the professional responsibilities of a registered contractor; and

b. The finding by the *department* ~~board~~ of lack of good moral character is supported by clear and convincing evidence.

3. When an individual is found to be unqualified because of lack of good moral character, the *department* ~~board~~ must furnish such individual a statement containing the findings of the *department* ~~board~~, a complete record of evidence upon which the determination was based, and a notice of the rights of the individual to a rehearing and an appeal.

(3) To be registered as an electrical contractor, an alarm system contractor I, an alarm system contractor II, or a residential alarm system contractor, the applicant shall file evidence of holding a current certificate of competency issued by any municipality or county of the state for the type of work for which registration is desired, on a form provided by the department, together with evidence of having passed an appropriate local examination, written or oral, designed to test skills and knowledge relevant to the technical performance of the profession, accompanied by the registration fee fixed pursuant to this part. For any person working or wishing to work in any local jurisdiction that does not require an examination for its license, the applicant may apply and shall be considered qualified to be issued a registration in the appropriate electrical or alarm system category, provided that he or she shows that he or she has scored at least 75 percent on an examination which is substantially equivalent to the examination approved by the *department* ~~board~~ for certification in the category and that he or she has had at least 3 years' technical experience in the trade. The requirement to take and pass an examination in order to obtain a registration *does* ~~shall~~ not apply to persons making application *before* ~~prior to~~ the effective date of this act.

(6) The local jurisdictions are responsible for providing the following information to the *department* ~~board~~ within 30 days after licensure of, or any disciplinary action against, a locally licensed contractor who is registered under this part:

(a) Licensure information.

(b) Code violation information pursuant to s. 553.781.

(c) Disciplinary information.

The *department* ~~board~~ shall maintain such licensure and disciplinary information as it is provided to the *department* ~~board~~ and shall make the information available through the automated information system provided pursuant to s. 455.2286.

Section 212. Section 489.514, Florida Statutes, is amended to read:

489.514 Certification for registered contractors; grandfathering provisions.—

(1) The *department* ~~board~~ shall, upon receipt of a completed application, appropriate fee, and proof of compliance with the provisions of this section, issue:

(a) To an applying registered electrical contractor, a certificate as an electrical contractor~~, as defined in s. 489.505(12)~~;

(b) To an applying registered alarm system contractor, a certificate in the matching alarm system contractor category~~, as defined in s. 489.505(2)(a) or (b)~~; or

(c) To an applying registered electrical specialty contractor, a certificate in the matching electrical specialty contractor category~~, as defined in s. 489.505(19)~~.

(2) Any contractor registered under this part who makes application under this section to the *department* ~~board~~ shall meet each of the following requirements for certification:

(a) Currently holds a valid registered local license in the category of electrical contractor, alarm system contractor, or electrical specialty contractor.

(b) Has, for that category, passed a written, proctored examination that the *department* ~~board~~ finds to be substantially similar to the examination required to be licensed as a certified contractor under this part. For purposes of this subsection, a written, proctored examination such as that produced by the National Assessment Institute, Block and Associates, NAI/Block, Experior Assessments, Professional Testing, Inc., or Assessment Systems, Inc., shall be considered to be substantially similar to the examination required to be licensed as a certified contractor. The *department* ~~board~~ may not impose or make any requirements regarding the nature or content of these cited examinations.

(c) Has at least 5 years of experience as a contractor in that contracting category, or as an inspector or building administrator with oversight over that category, at the time of application. For contractors, only time periods in which the contractor license is active and the contractor is not on probation shall count toward the 5 years required under this subsection.

(d) Has not had his or her contractor's license revoked at any time, had his or her contractor's license suspended in the last 5 years, or been assessed a fine in excess of $500 in the last 5 years.

(e) Is in compliance with the insurance and financial responsibility requirements in s. 489.515(1)(b).

Section 213. Subsections (1) through(4) of section 489.515, Florida Statutes, are amended to read:

489.515 Issuance of certificates; registrations.—

(1)(a) The department shall issue a certificate to a person who the *department* ~~board~~ certifies is qualified to become a certified contractor.

(b) The *department* ~~board~~ shall certify as qualified for certification any person who satisfies the requirements of s. 489.511 and who submits satisfactory evidence that he or she has obtained both workers' compensation insurance or an acceptable exemption certificate issued by the department and public liability and property damage insurance for the health, safety, and welfare of the public in amounts determined by rule of the *department* ~~board~~, and furnishes evidence of financial responsibility, credit, and business reputation of either himself or herself or the business organization he or she desires to qualify.

(c) Upon compliance with the provisions of this section and payment of the certification fee, the department shall issue the person a certificate.

(2) The department shall issue a registration to a person who is in compliance with the provisions of s. 489.513 and who the *department* ~~board~~ certifies is qualified to be registered.

(3)(a) As a prerequisite to the initial issuance or the renewal of a certificate or registration, the applicant shall submit an affidavit on a form provided by the *department* ~~board~~ attesting to the fact that the applicant has obtained both workers' compensation insurance or an acceptable exemption certificate issued by the department and public liability and property damage insurance for the health, safety, and welfare of the public in amounts determined by rule of the *department* ~~board~~. The *department* ~~board~~ shall by rule establish a procedure to verify the accuracy of such affidavits based upon a random audit method.

(b) An applicant for initial issuance of a certificate or registration shall submit as a prerequisite to qualifying for an exemption from workers' compensation coverage requirements under s. 440.05 an affidavit attesting to the fact that the applicant will obtain an exemption within 30 days after the date the initial certificate or registration is issued by the *department* ~~board~~.

(4) The *department* ~~board~~ may refuse to certify any applicant who has violated any of the provisions of s. 489.533.

Section 214. Subsection (4) of section 489.516, Florida Statutes, is amended to read:

489.516 Qualifications to practice; restrictions; prerequisites.—

(4) A county or municipality may suspend or deny a locally issued permit when the local building official, tax collector, or other authorized person determines that the contractor has failed to obtain both workers' compensation insurance or an acceptable exemption certificate issued by the department and public liability and property damage insurance in the amounts determined by rule of the *department* ~~board~~.

Section 215. Section 489.5161, Florida Statutes, is amended to read:

489.5161 Credit for relevant military training and education.—

(1) The department shall provide a method by which honorably discharged veterans may apply for licensure. The method must include a veteran-specific application and provide, to the fullest extent possible, credit toward the requirements for licensure for military experience, training, and education received and completed during service in the United States Armed Forces if the military experience, training, or education is substantially similar to the experience, training, or education required for licensure. The *department* ~~board~~ may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(2) Notwithstanding any other provision of law, beginning October 1, 2017, and annually thereafter, the department~~, in conjunction with the board,~~ is directed to prepare and submit a report titled "Construction and Electrical Contracting Veteran Applicant Statistics" to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall include statistics and information relating to this section and s. 489.1131 which detail:

(a) The number of applicants who identified themselves as veterans.

(b) The number of veterans whose application for a license was approved.

(c) The number of veterans whose application for a license was denied, including data on the reasons for denial.

(d) Data on the application processing times for veterans.

(e) Recommendations on ways to improve the department's ability to meet the needs of veterans which would effectively address the challenges that veterans face when separating from military service and seeking a license regulated by the department pursuant to this part.

Section 216. Subsections (4), (5), and (6) of section 489.517, Florida Statutes, are renumbered as subsections (3), (4), and (5), respectively, and subsection (3) and present subsections (5) and (6) of that section are amended, to read:

489.517 Renewal of certificate or registration~~; continuing education~~.—

~~(3)(a) Each certificateholder or registrant licensed as a specialty contractor or an alarm system contractor shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 7 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall by rule establish criteria for the approval of continuing education courses and providers and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour for hour basis.~~

~~(b) Each certificateholder or registrant licensed as an electrical contractor shall provide proof, in a form established by rule of the board, that the certificateholder or registrant has completed at least 11 classroom hours of at least 50 minutes each of continuing education courses during each biennium since the issuance or renewal of the certificate or registration. The board shall by rule establish criteria for the approval of continuing education courses and providers and may by rule establish criteria for accepting alternative nonclassroom continuing education on an hour for hour basis.~~

(4)~~(5)~~ By applying for renewal, each certificateholder or registrant certifies that he or she has continually maintained the required amounts of public liability and property damage insurance as specified by *department* ~~board~~ rule. The *department* ~~board~~ shall establish by rule a procedure to verify the public liability and property damage insurance for a specified period, based upon a random sampling method.

(5)~~(6)~~ The *department* ~~board~~ shall require, by rule adopted pursuant to ss. 120.536(1) and 120.54, a specialized number of hours in specialized or advanced module courses, approved by the Florida Building Commission, on any portion of the Florida Building Code, adopted pursuant to part IV of chapter 553, relating to the contractor's respective discipline.

Section 217. Subsection (6) is renumbered as subsection (5), paragraph (b) of subsection (1), paragraphs (b) and (d) of subsection (4), and subsection (5) of section 489.518, Florida Statutes, are amended to read:

489.518 Alarm system agents.—

(1) A licensed electrical or alarm system contractor may not employ a person to perform the duties of a burglar alarm system agent unless the person:

(b) Has successfully completed a minimum of 14 hours of training within 90 days after employment, to include basic alarm system electronics in addition to related training including CCTV and access control training, with at least 2 hours of training in the prevention of false alarms. Such training shall be from a *department-approved* ~~board-approved~~ provider, and the employee or applicant for employment shall provide proof of successful completion to the licensed employer. The *department* ~~board~~ shall by rule establish criteria for the approval of training courses and providers and may by rule establish criteria for accepting alternative nonclassroom education on an hour-for-hour basis. The *department* ~~board~~ shall approve providers that conduct training in other than the English language. The *department* ~~board~~ shall establish a fee for the approval of training providers or courses, not to exceed $60. Qualified employers may conduct training classes for their employees, with *department* ~~board~~ approval.

(4)

(b) The identification card shall be designed in a *department-approved* ~~board-approved~~ format. The card must include a picture of the agent, must specify at least the name of the holder of the card and the name and license number of the contractor, and must be signed by the contractor and by the holder of the card. Each identification card is valid for a period of 2 years after the date of issuance. The identification card must be in the possession of each burglar alarm system agent while engaged in burglar alarm system agent duties.

(d) Each identification card must be renewed every 2 years ~~and in a board-approved format to show compliance with the 6 hours of continuing education necessary to maintain certification as a burglar alarm system agent~~.

~~(5) Each burglar alarm system agent must receive 6 hours of continuing education on burglar alarm system installation and repair and false alarm prevention every 2 years from a board-approved sponsor of training and through a board-approved training course.~~

Section 218. Subsection (6) of section 489.5185, Florida Statutes, is renumbered as subsection (5) and paragraph (b) of subsection (1), paragraphs (a) and (f) of subsection (2), paragraphs (b) and (d) of subsection (4), and subsection (5) of that section are amended, to read:

489.5185 Fire alarm system agents.—

(1) A certified unlimited electrical contractor or licensed fire alarm contractor may not employ a person to perform the duties of a fire alarm system agent unless the person:

(b) Has successfully completed a minimum of 14 hours of initial training, to include basic fire alarm system technology in addition to

related training in National Fire Protection Association (NFPA) codes and standards and access control training, with at least 2 hours of training in the prevention of false alarms. Such training must be from a *department-approved* ~~board-approved~~ provider, and the employee or applicant for employment must provide proof of successful completion to the licensed employer. The *department* ~~board~~, by rule, shall establish criteria for the approval of training courses and providers. The *department* ~~board~~ shall approve qualified providers that conduct training in other than the English language. The *department* ~~board~~ shall establish a fee for the approval of training providers, not to exceed $200, and a fee for the approval of courses at $25 per credit hour, not to exceed $100 per course.

(2)(a) Any applicant for employment as a fire alarm system agent, or any individual employed as a fire alarm system agent on the effective date of this act, who has completed alarm system agent or burglar alarm system agent training *before* ~~prior to~~ the effective date of this act in a *department-certified* ~~board-certified~~ program is not required to take additional training in order to comply with the initial training requirements of this section.

(f) If a person holds a current National Institute of Certification in Engineering Technologies (NICET) Level II certification or higher in Fire Alarm Systems or Inspection and Testing of Fire Alarm Systems, a current certification as an Electronic Security Association (ESA) Certified Fire Alarm Technician, or a current certification as an ESA Certified Fire Alarm Designer, he or she is required to complete only the 2 hours of training in the prevention of false alarms required by paragraph (1)(b) from a *department-approved* ~~board-approved~~ sponsor of training and through a *department-approved* ~~board-approved~~ training course.

(4)

(b) The card shall follow a *department-approved* ~~board-approved~~ format, to include a picture of the agent; shall specify at least the name of the holder of the card and the name and license number of the certified unlimited electrical contractor or licensed fire alarm contractor; and shall be signed by both the contractor and the holder of the card. Each identification card shall be valid for a period of 2 years after the date of issuance. The identification card must be in the possession of the fire alarm system agent while engaged in fire alarm system agent duties.

~~(d) Each identification card must be renewed every 2 years and in a board-approved format to show compliance with the 6 hours of continuing education necessary to maintain certification as a fire alarm system agent.~~

~~(5)(a) Except as provided in paragraph (b), each fire alarm system agent must receive 6 hours of continuing education on fire alarm system installation and repair and false alarm prevention every 2 years from a board-approved sponsor of training and through a board-approved training course.~~

~~(b) A person holding a current NICET Level II certification or higher in Fire Alarm Systems or Inspection and Testing of Fire Alarm Systems, certification as an ESA Certified Fire Alarm Technician, or certification as an ESA Certified Fire Alarm Designer is required to complete only 2 hours of continuing education training in the prevention of false alarms every 2 years from a board-approved sponsor of training and through a board-approved training course.~~

Section 219. Subsections (1) and (3) of section 489.519, Florida Statutes, are amended to read:

489.519 Inactive status.—

(1) A certificate or registration that becomes inactive may be reactivated under s. 489.517 upon application to the department. ~~The board may not require a licensee to complete more than one renewal cycle of continuing education to reactivate a certificate or registration.~~

~~(3) The board shall impose, by rule, continuing education requirements for inactive certificateholders, when inactive status is sought by certificateholders who are also building code administrators, plans examiners, or inspectors certified pursuant to part XII of chapter 468.~~

Section 220. Section 489.520, Florida Statutes, is amended to read:

489.520 Automated licensure status information system.—By January 1, 1995, the department shall implement an automated licensure status information system for electrical and alarm system contracting. The system shall provide instant notification to local building departments and other interested parties, as determined by the ~~board or~~ department, regarding the status of the certification or registration of any contractor certified or registered pursuant to the provisions of this part. The provision of such information shall consist, at a minimum, of an indication of whether the certification or registration of the contractor applying for a permit is active, of any current failure of the contractor to make restitution according to the terms of any final action by the *department* ~~board~~, of any ongoing disciplinary cases against the contractor that are subject to public disclosure, and whether there are any outstanding fines against the contractor.

Section 221. Paragraphs (a) and (b) of subsection (2), subsections (3), (4), and (5), paragraph (c) of subsection (7), subsections (8) and (9), and paragraph (b) of subsection (10) of section 489.521, Florida Statutes, are amended to read:

489.521 Business organizations; qualifying agents.—

(2)(a)1. If the applicant proposing to engage in contracting is a partnership, corporation, business trust, or other legal entity, other than a sole proprietorship, the application shall state the name of the partnership and its partners; the name of the corporation and its officers and directors and the name of each of its stockholders who is also an officer or director; the name of the business trust and its trustees; or the name of such other legal entity and its members. In addition, the applicant shall furnish evidence of statutory compliance if a fictitious name is used. A joint venture, including a joint venture composed of qualified business organizations, is itself a separate and distinct organization that shall be qualified in accordance with *department* ~~board~~ rules. The registration or certification, when issued upon application of a business organization, shall be in the name of the qualifying agent, and the name of the business organization shall be noted thereon. If there is a change in any information that is required to be stated on the application, the business organization shall, within 45 days after such change occurs, mail the correct information to the department.

2. Any person certified or registered pursuant to this part who has had his or her license revoked *may* ~~shall~~ not be eligible for a 5-year period to be a partner, officer, director, or trustee of a business organization as defined by this section. Such person shall also be ineligible to reapply for certification or registration under this part for a period of 5 years.

(b) The applicant shall also show that the proposed qualifying agent is legally qualified to act for the business organization in all matters connected with its electrical or alarm system contracting business and concerning regulations by the *department* ~~board~~ and that he or she has authority to supervise electrical or alarm system contracting undertaken by the business organization.

(3)(a) The applicant shall furnish evidence of financial responsibility, credit, and business reputation of the business organization, as well as the name of the qualifying agent. The *department* ~~board~~ shall adopt rules defining financial responsibility based upon the business organization's credit history, ability to be bonded, and any history of bankruptcy or assignment of receivers. Such rules shall specify the financial responsibility grounds on which the *department* ~~board~~ may determine that a business organization is not qualified to engage in contracting.

(b) In the event a qualifying agent must take the certification examination, the *department* ~~board~~ shall, within 60 days from the date of the examination, inform the business organization in writing whether or not its qualifying agent has qualified.

(c) If the qualifying agent of a business organization applying to engage in contracting, after having been notified to do so, does not appear for examination within 1 year from the date of filing of the application, the examination fee paid by it shall be credited as an earned fee to the department. A new application to engage in contracting shall be accompanied by another application fee fixed pursuant to this act.

Forfeiture of a fee may be waived by the *department* ~~board~~ for good cause.

(d) Once the *department* ~~board~~ has determined that the business organization's proposed qualifying agent has qualified, the business organization shall be authorized to engage in the contracting business. The certificate, when issued, shall be in the name of the qualifying agent, and the name of the business organization shall be noted thereon.

(4) As a prerequisite to the initial issuance of a certificate, the applicant or the business organization he or she qualifies shall submit evidence that he or she or the business organization has obtained public liability and property damage insurance for the safety and welfare of the public in an amount to be determined by *department* ~~board~~ rule.

(5) At least one officer or supervising employee of the business organization must be qualified under this act in order for the business organization to be qualified to engage in contracting in the category of the business conducted. If any individual so qualified on behalf of the business organization ceases to qualify the business organization, he or she shall notify the ~~board and the~~ department thereof within 30 days after such occurrence. In addition, if the individual is the only individual who qualifies the business organization, the business organization shall notify the ~~board and the~~ department of the individual's termination, and it shall have a period of 60 days from the termination of the individual to qualify another person under the provision of this act, failing which, the *department* ~~board~~ shall determine that the business organization is no longer qualified to engage in contracting. The individual shall also inform the *department* ~~board~~ in writing when he or she proposes to engage in contracting in his or her own name or in affiliation with another business organization, and the individual, or such new business organization, shall supply the same information to the *department* ~~board~~ as required for applicants under this act. After an investigation of the financial responsibility, credit, and business reputation of the individual or the new business organization and upon a favorable determination, the *department* ~~board~~ shall certify the business organization as qualified, and the department shall issue, without examination, a new certificate in the individual's name, which shall include the name of the new business organization, as provided in this section.

(7)

(c) The *department* ~~board~~ shall assess a fine of not less than $100 or issue a citation to any contractor who fails to include that contractor's certification or registration number when submitting an advertisement for publication, broadcast, or printing. In addition, any person who claims in any advertisement to be a certified or registered contractor, but who does not hold a valid state certification or registration, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) Each qualifying agent shall pay the department an amount equal to the original fee for certification or registration to qualify any additional business organizations. If the qualifying agent for a business organization desires to qualify additional business organizations, the *department* ~~board~~ shall require him or her to present evidence of supervisory ability and financial responsibility of each such organization. Allowing a licensee to qualify more than one business organization shall be conditioned upon the licensee showing that the licensee has both the capacity and intent to adequately supervise each business organization in accordance with s. 489.522(1). The *department may* ~~board shall~~ not limit the number of business organizations which the licensee may qualify except upon the licensee's failing to provide such information as is required under this subsection or upon a finding that such information or evidence as is supplied is incomplete or unpersuasive in showing the licensee's capacity and intent to comply with the requirements of this subsection. A qualification for an additional business organization may be revoked or suspended upon a finding by the *department* ~~board~~ that the licensee has failed in the licensee's responsibility to adequately supervise the operations of that business organization in accordance with s. 489.522(1). Failure of the responsibility to adequately supervise the operations of a business organization in accordance with s. 489.522(1) shall be grounds for denial to qualify additional business organizations.

(9) If a business organization or any of its partners, officers, directors, trustees, or members is disciplined for violating s. 489.533(1), the *department* ~~board~~ may, on that basis alone, deny issuance of a certificate or registration to a qualifying agent on behalf of that business organization.

(10)

(b) Any business organization engaging in contracting under this subsection shall provide the *department* ~~board~~ with the name and license number of each registered or certified contractor employed by the business organization to supervise its contracting activities. The business organization is not required to post a bond or otherwise evidence any financial or credit information except as necessary to demonstrate compliance with paragraph (a).

Section 222. Subsection (2) and paragraph (a) of subsection (3) of section 489.522, Florida Statutes, are amended to read:

489.522 Qualifying agents; responsibilities.—

(2) One of the qualifying agents for a business organization that has more than one qualifying agent may be designated as the sole primary qualifying agent for the business organization by a joint agreement that is executed, on a form provided by the *department* ~~board~~, by all qualifying agents for the business organization. The joint agreement shall be submitted to the *department* ~~board~~ for approval. If the *department* ~~board~~ determines that the joint agreement is in good order, it shall approve the designation and immediately notify the qualifying agents of such approval. The designation made by the joint agreement is effective upon receipt of the notice by the qualifying agents. The qualifying agent designated for a business organization by a joint agreement is the sole primary qualifying agent for the business organization, and all other qualifying agents for the business organization are secondary qualifying agents.

(a) A designated sole primary qualifying agent has all the responsibilities and duties of a primary qualifying agent, notwithstanding that there are secondary qualifying agents for specified jobs. The designated sole primary qualifying agent is jointly and equally responsible with secondary qualifying agents for field work supervision.

(b) A secondary qualifying agent is responsible only for:

1. The supervision of field work at sites where his or her license was used to obtain the building permit; and

2. Any other work for which he or she accepts responsibility.

A secondary qualifying agent is not responsible for supervision of financial matters.

(c) A primary qualifying agent shall have approval authority for checks, payments, drafts, and contracts issued by or entered into by the business organization.

(3)(a) A qualifying agent who has been designated by a joint agreement as the sole primary qualifying agent for a business organization may terminate this status as such by giving actual notice to the business organization, to the *department* ~~board~~, and to all secondary qualifying agents of his or her intention to terminate this status. The notice to the *department* ~~board~~ shall include proof satisfactory to the *department* ~~board~~ that he or she has given the notice required in this paragraph. The status of the qualifying agent shall cease upon the designation of a new primary qualifying agent or 60 days after satisfactory notice of termination has been provided to the *department* ~~board~~, whichever first occurs. If no new primary qualifying agent has been designated within 60 days, all secondary qualifying agents for the business organization shall become primary qualifying agents, unless the joint agreement specifies that one or more of them shall become sole qualifying agents under such circumstances, in which case only they shall become sole qualifying agents.

Section 223. Section 489.523, Florida Statutes, is amended to read:

489.523 Emergency registration upon death of contractor.—If an incomplete contract exists at the time of death of a contractor, the contract may be completed by any person even though not certified. The

person shall notify the *department* ~~appropriate board~~, within 30 days after the death of the contractor, of his or her name and address, knowledge of the contract, and ability to complete it. If the *department* ~~board~~ approves, he or she may proceed with the contract. The *department* ~~board~~ shall then issue an emergency registration which shall expire upon the completion of the contract. For purposes of this section, and upon written approval of the *department* ~~board~~, an incomplete contract may be one which has been awarded to, or entered into by, the contractor before his or her death, or on which he or she was the low bidder and the contract is subsequently awarded to him or her, regardless of whether any actual work has commenced under the contract before the contractor's death.

Section 224. Section 489.525, Florida Statutes, is amended to read:

489.525 Report to local building officials.—The department may report to all building officials the contents of this part and the contents of the rules of the *department* ~~board~~. Any information that is available through the Internet or other electronic means may be excluded from the report.

Section 225. Subsections (2), (3), (4), (5), and (6) and paragraphs (b) and (e) of subsection (7) of section 489.533, Florida Statutes, are amended to read:

489.533 Disciplinary proceedings.—

(2) When the *department* ~~board~~ finds any applicant, contractor, or business organization for which the contractor is a primary qualifying agent or secondary qualifying agent responsible under s. 489.522 guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for certification or registration.

(b) Revocation or suspension of a certificate or registration.

(c) Imposition of an administrative fine not to exceed $10,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the contractor on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify, including requiring the contractor to attend continuing education courses or to work under the supervision of another contractor.

(f) Restriction of the authorized scope of practice by the contractor.

(g) Require financial restitution to a consumer.

(3) In recommending penalties in any proposed recommended final order, the department shall follow the penalty guidelines established by the *department* ~~board~~ by rule. The department shall advise the administrative law judge of the appropriate penalty, including mitigating and aggravating circumstances, and the specific rule citation.

(4) The *department* ~~board~~ may not reinstate the certificate or registration of, or cause a certificate or registration to be issued to, a person who the *department* ~~board~~ has determined unqualified until it is satisfied that such person has complied with all the terms and conditions set forth in the final order and is capable of competently engaging in the business of contracting.

(5) When the *department* ~~board~~ imposes administrative fines pursuant to subsection (2) resulting from violation of chapter 633 or violation of the rules of the State Fire Marshal, 50 percent of the fine shall be paid into the Insurance Regulatory Trust Fund to help defray the costs of investigating the violations and obtaining the corrective action. The State Fire Marshal may participate at its discretion, but not as a party, in any proceedings before the *department* ~~board~~ relating to violation of chapter 633 or the rules of the State Fire Marshal, in order to make recommendations as to the appropriate penalty in such case. However, the State Fire Marshal *does* ~~shall~~ not have standing to bring disciplinary proceedings regarding certification.

(6) The *department* ~~board~~ may restrain any violation of this part by action in a court of competent jurisdiction.

(7)

(b) *A* ~~No~~ licensee may *not* avail himself or herself of the mediation process more than three times without the approval of the *department* ~~board~~. The *department* ~~board~~ may consider the subject and the dates of the earlier complaints in rendering its decision. The *department's* ~~board's~~ decision *may* ~~shall~~ not be considered a final agency action and is not appealable.

(e) The department~~, in conjunction with the board,~~ shall determine by rule the types of cases which may be included in the mediation process. The department may initiate or continue disciplinary action, pursuant to chapter 455 and this chapter against the licensee as determined by rule.

Section 226. Paragraph (a) of subsection (1) of section 489.5335, Florida Statutes, is amended to read:

489.5335 Journeyman; reciprocity; standards.—

(1) Counties and municipalities are authorized to issue journeyman licenses in the electrical and alarm system trades to an individual who:

(a) Has scored at least 70 percent, or after October 1, 1997, at least 75 percent, on a proctored journeyman Block and Associates examination or other proctored examination approved by the *department* ~~board~~ for the trade in which he or she is licensed;

Section 227. Paragraph (e) of subsection (3) and paragraphs (b) and (c) of subsection (5) of section 489.537, Florida Statutes, are amended to read:

489.537 Application of this part.—

(3) Nothing in this act limits the power of a municipality or county:

(e)1. To refuse to issue permits or issue permits with specific conditions to a contractor who has committed multiple violations, when he or she has been disciplined for each of them by the *department* ~~board~~ and when each disciplinary action has involved revocation or suspension of a license, imposition of an administrative fine of at least $1,000, or probation.

2. To issue permits with specific conditions to a contractor who, within the previous 12 months, has had final action taken against him or her, by the department or by a local board or agency which licenses contractors and has reported the action pursuant to paragraph (5)(c), for engaging in the business or acting in the capacity of a contractor without a license.

(5)

(b) To engage in contracting in the territorial area, an applicant shall also be registered with the *department* ~~board~~.

(c) Each local board or agency which licenses contractors shall transmit monthly to the *department* ~~board~~ a report of any disciplinary action taken against contractors and any administrative or disciplinary action taken against unlicensed persons for engaging in the business or acting in the capacity of a contractor, including any cease and desist order issued pursuant to s. 489.516(2)(b).

Section 228. Section 489.552, Florida Statutes, is amended to read:

489.552 Registration required.—A person *may* ~~shall~~ not hold himself or herself out as a septic tank contractor or a master septic tank contractor in this state unless he or she is registered by the department in accordance with the provisions of this part. However, nothing in this part prohibits any person licensed pursuant to *s. 489.105(2)(m)* ~~s. 489.105(3)(m)~~ in this state from engaging in the profession for which he or she is licensed.

Section 229. Subsection (1) of section 492.102, Florida Statutes, is amended to read:

492.102 Definitions.—For the purposes of this chapter, unless the context clearly requires otherwise:

~~(1) "Board" means the Board of Professional Geologists.~~

Section 230. Section 492.104, Florida Statutes, is amended to read:

492.104 Rulemaking authority.—The *department* ~~Board of Professional Geologists~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this chapter. Every licensee shall be governed and controlled by this chapter and the rules adopted by the *department* ~~board~~. The *department* ~~board~~ is authorized to set, by rule, fees for application, examination, late renewal, initial licensure, and license renewal. These fees may not exceed the cost of implementing the application, examination, initial licensure, and license renewal or other administrative process and shall be established as follows:

(1) The application fee *may* ~~shall~~ not exceed $150 and shall be nonrefundable.

(2) The examination fee *may* ~~shall~~ not exceed $250, and the fee may be apportioned to each part of a multipart examination. The examination fee shall be refundable in whole or part if the applicant is found to be ineligible to take any portion of the licensure examination.

(3) The initial license fee *may* ~~shall~~ not exceed $100.

(4) The biennial renewal fee *may* ~~shall~~ not exceed $150.

(5) The fee for reactivation of an inactive license may not exceed $50.

(6) The fee for a provisional license may not exceed $400.

(7) The fee for application, examination, and licensure for a license by endorsement is as provided in this section for licenses in general.

Section 231. Subsection (1), paragraph (b) of subsection (2), and subsection (3) of section 492.105, Florida Statutes, are amended to read:

492.105 Licensure by examination; requirements; fees.—

(1) Any person desiring to be licensed as a professional geologist shall apply to the department to take the licensure examination. The written licensure examination shall be designed to test an applicant's qualifications to practice professional geology, and shall include such subjects as will tend to ascertain the applicant's knowledge of the fundamentals, theory, and practice of professional geology and may include such subjects as are taught in curricula of accredited colleges and universities. The written licensure examination may be a multipart examination. The department shall examine each applicant who the *department* ~~board~~ certifies:

(a) Has completed the application form and remitted a nonrefundable application fee and an examination fee which is refundable if the applicant is found to be ineligible to take the examination.

(b) Is at least 18 years of age.

(c) Has not committed any act or offense in any jurisdiction which would constitute the basis for disciplining a professional geologist licensed pursuant to this chapter.

(d) Has fulfilled the following educational requirements at a college or university, the geological curricula of which meet the criteria established by an accrediting agency recognized by the United States Department of Education:

1. Graduation from such college or university with a major in geology or other related science acceptable to the *department* ~~board~~; and

2. Satisfactory completion of at least 30 semester hours or 45 quarter hours of geological coursework.

(e) Has at least 5 years of verified professional geological work experience, which includes a minimum of 3 years of professional geological work under the supervision of a licensed or qualified geologist or professional engineer registered under chapter 471 as qualified in the field or discipline of professional engineering work performed; or has a minimum of 5 accumulative years of verified geological work experience in responsible charge of geological work as determined by the *department* ~~board~~.

(2) The department shall issue a license to practice professional geology to any person who has:

(b) Been certified by the *department* ~~board~~ as qualified to practice professional geology; and

(3) The department *may* ~~shall~~ not issue a license to any applicant who is under investigation in any jurisdiction for an offense which would constitute a violation of this chapter. Upon completion of the investigation, the disciplinary provisions of s. 492.113 shall apply.

Section 232. Subsections (1) and (2) of section 492.1051, Florida Statutes, are amended to read:

492.1051 Registered geologist-in-training; requirements.—

(1) A person desiring to register as a geologist-in-training shall apply to the department to take a discrete portion of the examination required for licensure as a professional geologist in this state. This discrete portion shall cover the fundamentals of geology. The department shall examine each applicant who the *department* ~~board~~ certifies:

(a) Has completed the application form and remitted a nonrefundable application fee and an examination fee that is refundable if the applicant is found to be ineligible to take the examination.

(b) Has not committed an act or offense in any jurisdiction which constitutes grounds for disciplining a professional geologist licensed under this chapter; and

(c) Has successfully completed at least 30 semester hours or 45 quarter hours of geological coursework at a college or university, the geological curricula of which meet the criteria established by an accrediting agency recognized by the United States Department of Education and, if still enrolled, has provided a letter of good academic standing from the college or university.

(2) The department shall register as a geologist-in-training each applicant who the *department* ~~board~~ certifies has passed the fundamentals of geology portion of the licensure examination.

Section 233. Section 492.106, Florida Statutes, is amended to read:

492.106 Provisional licenses.—The department may provide a provisional license to any person who is not a resident of and has not established a place of business in this state, and who is duly licensed in another state, territory, or possession of the United States, or in the District of Columbia, and who has qualifications which the *department* ~~board~~, upon advice of a committee of the *department* ~~board~~, deems comparable to those required of professional geologists in this state, upon written application accompanied by the proper application fee, offered *before* ~~prior to~~ the practice of professional geology in this state, under the following restrictions:

(1) Satisfactory proof of licensure as required above shall include the name, residence address, business address, and certification of the license of the applicant from the issuing state, together with the name and address of the authority issuing such license.

(2) The practice of professional geology under a provisional license *may* ~~shall~~ not exceed 1 year.

(3) The practice of professional geology under a provisional license shall be confined to one specified project. Such license may not be renewed or reissued for 5 years from the date of original issuance.

(4) A written statement shall be furnished to the department within 60 days of completion of the work, indicating the time engaged and the nature of the work. A person holding a provisional license shall exhibit such provisional license each time and on each occasion that an indication of licensure is required.

Section 234. Subsection (1) of section 492.107, Florida Statutes, is amended to read:

492.107 Seals.—

(1) The *department* ~~board~~ shall prescribe, by rule, a form of seal, including its electronic form, to be used by persons holding valid licenses. All geological papers, reports, and documents prepared or issued by the licensee shall be signed, dated, and sealed by the licensee who performed or is responsible for the supervision, direction, or control of the work contained in the papers, reports, or documents. Such signature, date, and seal shall be evidence of the authenticity of that to which they are affixed. Geological papers, reports, and documents prepared or issued by the licensee may be transmitted electronically provided they have been signed by the licensee, dated, and electronically sealed. It is unlawful for any person to sign or seal any document as a professional geologist unless that person holds a current, active license as a professional geologist which has not expired or been revoked or suspended, unless reinstated or reissued.

Section 235. Subsection (1) of section 492.108, Florida Statutes, is amended to read:

492.108 Licensure by endorsement; requirements; fees.—

(1) The department shall issue a license by endorsement to any applicant who, upon applying to the department and remitting an application fee, has been certified by the *department* ~~board~~ that he or she:

(a) Has met the qualifications for licensure in s. 492.105(1)(b)-(e) and:

1. Is the holder of an active license in good standing in a state, trust, territory, or possession of the United States.

2. Was licensed through written examination in at least one state, trust, territory, or possession of the United States, the examination requirements of which have been approved by the *department* ~~board~~ as substantially equivalent to or more stringent than those of this state, and has received a score on such examination which is equal to or greater than the score required by this state for licensure by examination.

3. Has taken and successfully passed the laws and rules portion of the examination required for licensure as a professional geologist in this state.

(b) Has held a valid license to practice geology in another state, trust, territory, or possession of the United States for at least 10 years before the date of application and has successfully completed a state, regional, national, or other examination that is equivalent to or more stringent than the examination required by the department. If such applicant has met the requirements for a license by endorsement except successful completion of an examination that is equivalent to or more stringent than the examination required by the *department* ~~board~~, such applicant may take the examination required by the *department* ~~board~~. Such application must be submitted to the *department* ~~board~~ while the applicant holds a valid license in another state or territory or within 2 years after the expiration of such license.

Section 236. Subsection (2) of section 492.1101, Florida Statutes, is amended to read:

492.1101 Inactive status.—

(2) The *department* ~~board~~ shall *adopt* ~~promulgate~~ rules relating to the reactivation of inactive licenses and shall prescribe by rule a fee for the reactivation of inactive licenses.

Section 237. Subsection (1) of section 492.111, Florida Statutes, is amended to read:

492.111 Practice of professional geology by a firm, corporation, or partnership.—The practice of, or offer to practice, professional geology by individual professional geologists licensed under the provisions of this chapter through a firm, corporation, or partnership offering geological services to the public through individually licensed professional geologists as agents, employees, officers, or partners thereof is permitted subject to the provisions of this chapter, if:

(1) At all times that it offers geological services to the public, the firm, corporation, or partnership is qualified by one or more individuals who hold a current, active license as a professional geologist in the state and are serving as a geologist of record for the firm, corporation, or partnership. A geologist of record may be any principal officer or employee of such firm or corporation, or any partner or employee of such partnership, who holds a current, active license as a professional geologist in this state, or any other Florida-licensed professional geologist with whom the firm, corporation, or partnership has entered into a long-term, ongoing relationship, as defined by rule of the *department* ~~board~~, to serve as one of its geologists of record. The geologist of record shall notify the department of any changes in the relationship or identity of that geologist of record within 30 days after such change.

Section 238. Paragraph (k) of subsection (1) and subsections (2), (3), and (4) of section 492.113, Florida Statutes, are amended to read:

492.113 Disciplinary proceedings.—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:

(k) Violating a rule of the department ~~or board~~ or any order of the department ~~or board~~ previously entered in a disciplinary hearing.

(2) The *department* ~~board~~ shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the *department* ~~board~~ finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $1,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the licensee on probation for a period of time and subject to such conditions as the *department* ~~board~~ may specify.

(f) Restriction of the authorized scope of practice by the licensee.

(4) The department shall reissue the license of a disciplined professional geologist upon certification by the *department* ~~board~~ that the disciplined person has complied with the terms and conditions set forth in the final order.

Section 239. Subsections (10) through (13) of section 493.6101, Florida Statutes, are amended to read:

493.6101 Definitions.—

~~(10) "Branch office" means each additional location of an agency where business is actively conducted which advertises as performing or is engaged in the business authorized by the license.~~

~~(11) "Sponsor" means any Class "C," Class "MA," or Class "M" licensee who supervises and maintains under his or her direction and control a Class "CC" intern; or any Class "E" or Class "MR" licensee who supervises and maintains under his or her direction and control a Class "EE" intern.~~

~~(12) "Intern" means an individual who studies as a trainee or apprentice under the direction and control of a designated sponsoring licensee.~~

~~(13) "Manager" means any licensee who directs the activities of licensees at any agency or branch office. The manager shall be assigned to and shall primarily operate from the agency or branch office location for which he or she has been designated as manager. The manager of a private investigative agency may, however, manage up to three offices within a 150-mile radius of the location listed on the agency's Class "A" license, provided that these three offices consist of either:~~

~~(a) The location listed on the agency's Class "A" license and up to two branch offices; or~~

~~(b) Up to three branch offices.~~

Section 240. Subsection (7) of section 493.6105, Florida Statutes, is amended to read:

493.6105 Initial application for license.—

~~(7) In addition to the application requirements for individuals, partners, or officers outlined under subsection (3), the application for an agency license must contain the following information:~~

~~(a) The proposed name under which the agency intends to operate.~~

~~(b) The street address, mailing address, and telephone numbers of the principal location at which business is to be conducted in this state.~~

~~(c) The street address, mailing address, and telephone numbers of all branch offices within this state.~~

~~(d) The names and titles of all partners or, in the case of a corporation, the names and titles of its principal officers.~~

Section 241. Subsection (2) of section 493.6106, Florida Statutes, is amended to read:

493.6106 License requirements; posting.—

(2) Each agency shall have a minimum of one physical location within this state from which the normal business of the agency is conducted, and this location shall be considered the primary office for that agency in this state.

~~(a)~~ If an agency or branch office desires to change the physical location of the business, as it appears on the license, the department must be notified within 10 days after the change, and, except upon renewal, the fee prescribed in s. 493.6107 must be submitted for each license requiring revision. Each license requiring revision must be returned with such notification.

~~(b) The Class "A," Class "B," or Class "R" license and any branch office or school license shall at all times be posted in a conspicuous place at the licensed physical location in this state where the business is conducted.~~

~~(c) Each Class "A," Class "B," Class "R," branch office, or school licensee shall display, in a place that is in clear and unobstructed public view, a notice on a form prescribed by the department stating that the business operating at this location is licensed and regulated by the Department of Agriculture and Consumer Services and that any questions or complaints should be directed to the department.~~

~~(d) A minimum of one properly licensed manager shall be designated for each agency and branch office location.~~

Section 242. Subsections (4), (5), and (6) of section 493.6111, Florida Statutes, are renumbered as subsections (3), (6), and (7), respectively, and subsection (2) and present subsection (3) are amended, to read:

493.6111 License; contents; identification card.—

(2) Licenses shall be valid for a period of 2 years, except for ~~Class "A," Class "B," Class "AB,"~~ Class "K," ~~Class "R," and branch agency licenses, which shall be valid for a period of 3 years.~~

~~(3) The department shall, upon complete application and payment of the appropriate fees, issue a separate license to each branch office for which application is made.~~

Section 243. Subsection (1) of section 493.6113, Florida Statutes, is amended to read:

493.6113 Renewal application for licensure.—

(1) A license granted under ~~the provisions of~~ this chapter shall be renewed biennially by the department, except for ~~Class "A," Class "B," Class "AB,"~~ Class "K," ~~Class "R," and branch agency licenses, which shall be renewed every 3 years.~~

Section 244. Paragraphs (r) and (x) of subsection (1) of section 493.6118, Florida Statutes, are amended to read:

493.6118 Grounds for disciplinary action.—

(1) The following constitute grounds for which disciplinary action specified in subsection (2) may be taken by the department against any licensee, agency, or applicant regulated by this chapter, or any unlicensed person engaged in activities regulated under this chapter:

~~(r) Failure or refusal by a sponsor to certify a biannual written report on an intern or to certify completion or termination of an internship to the department within 15 working days.~~

(x) In addition to the grounds for disciplinary action prescribed in paragraphs (a)-(t) *and*~~, Class "R" recovery agencies~~, Class "E" recovery agents, ~~and Class "EE" recovery agent interns~~ are prohibited from committing the following acts:

1. Recovering a motor vehicle, mobile home, motorboat, aircraft, personal watercraft, all-terrain vehicle, farm equipment, or industrial equipment that has been sold under a conditional sales agreement or under the terms of a chattel mortgage before authorization has been received from the legal owner or mortgagee.

2. Charging for expenses not actually incurred in connection with the recovery, transportation, storage, or disposal of repossessed property or personal property obtained in a repossession.

3. Using any repossessed property or personal property obtained in a repossession for the personal benefit of a licensee or an officer, director, partner, manager, or employee of a licensee.

4. Selling property recovered under ~~the provisions of~~ this chapter, except with written authorization from the legal owner or the mortgagee thereof.

5. Failing to notify the police or sheriff's department of the jurisdiction in which the repossessed property is recovered within 2 hours after recovery.

6. Failing to remit moneys collected in lieu of recovery of a motor vehicle, mobile home, motorboat, aircraft, personal watercraft, all-terrain vehicle, farm equipment, or industrial equipment to the client within 10 working days.

7. Failing to deliver to the client a negotiable instrument that is payable to the client, within 10 working days after receipt of such instrument.

8. Falsifying, altering, or failing to maintain any required inventory or records regarding disposal of personal property contained in or on repossessed property pursuant to s. 493.6404(1).

9. Carrying any weapon or firearm when he or she is on private property and performing duties under his or her license whether or not he or she is licensed pursuant to s. 790.06.

10. Soliciting from the legal owner the recovery of property subject to repossession after such property has been seen or located on public or private property if the amount charged or requested for such recovery is more than the amount normally charged for such a recovery.

11. Wearing, presenting, or displaying a badge in the course of performing a repossession regulated by this chapter.

Section 245. Subsection (6) of section 493.6120, Florida Statutes, is amended to read:

493.6120 Violations; penalty.—

~~(6) A person who was an owner, officer, partner, or manager of a licensed agency or a Class "DS" or "RS" school or training facility at the time of any activity that is the basis for revocation of the agency or branch office license or the school or training facility license and who knew or should have known of the activity shall have his or her personal licenses or approval suspended for 3 years and may not have any financial interest in or be employed in any capacity by a licensed agency or a school or training facility during the period of suspension.~~

Section 246. Subsection (2) of section 493.6123, Florida Statutes, is amended to read:

493.6123 Publication to industry.—

(2) The department shall develop and make available to each Class "C," Class "D," and Class "E" licensee ~~and all interns~~ a pamphlet detailing in plain language the legal authority, rights, and obligations of his or her class of licensure. Within the pamphlet, the department should endeavor to present situations that the licensee may be expected to commonly encounter in the course of doing business pursuant to his or her specific license, and provide to the licensee information on his or her legal options, authority, limits to authority, and obligations. The department shall supplement this with citations to statutes and legal decisions, as well as a selected bibliography that would direct the licensee to materials the study of which would enhance his or her professionalism. The department shall provide a single copy of the appropriate pamphlet without charge to each individual to whom a license is issued, but may charge for additional copies to recover its publication costs. The pamphlet shall be updated every 2 years as necessary to reflect rule or statutory changes, or court decisions. Intervening changes to the regulatory situation shall be noticed in the industry newsletter issued pursuant to subsection (1).

Section 247. Section 493.6201, Florida Statutes, is amended to read:

493.6201 Classes of licenses.—

~~(1) Any person, firm, company, partnership, or corporation which engages in business as a private investigative agency shall have a Class "A" license. A Class "A" license is valid for only one location.~~

~~(2) Each branch office of a Class "A" agency shall have a Class "AA" license. Where a person, firm, company, partnership, or corporation holds both a Class "A" and Class "B" license, each additional or branch office shall have a Class "AB" license.~~

~~(3) Any individual who performs the services of a manager for a:~~

~~(a) Class "A" private investigative agency or Class "AA" branch office shall have a Class "MA" license. A Class "C" or Class "M" licensee may be designated as the manager, in which case the Class "MA" license is not required.~~

~~(b) Class "A" and "B" agency or a Class "AB" branch office shall have a Class "M" license.~~

~~(4) Class "C" or Class "CC" licensees shall own or be an employee of a Class "A" agency, a Class "A" and Class "B" agency, or a branch office. This does not include those who are exempt under s. 493.6102, but who possess a Class "C" license solely for the purpose of holding a Class "G" license.~~

(1)~~(5)~~ Any individual who performs the services of a private investigator shall have a Class "C" license.

~~(6) Any individual who performs private investigative work as an intern under the direction and control of a designated, sponsoring Class "C" licensee or a designated, sponsoring Class "MA" or Class "M" licensee must have a Class "CC" license.~~

(2)~~(7)~~ Only ~~Class "M," Class "MA,"~~ Class "C," ~~or Class "CC"~~ licensees are permitted to bear a firearm, and any such licensee who bears a firearm shall also have a Class "G" license.

(3)~~(8)~~ A Class "C" ~~or Class "CC"~~ licensee may perform bodyguard services without obtaining a Class "D" license.

Section 248. Section 493.6202, Florida Statutes, is amended to read:

493.6202 Fees.—

(1) The department shall establish by rule examination and license fees *for Class "C" license—private investigators*, not to exceed *$75.* ~~the following:~~

~~(a) Class "A" license—private investigative agency: $450.~~

~~(b) Class "AA" or "AB" license—branch office: $125.~~

~~(c) Class "MA" license—private investigative agency manager: $75.~~

~~(d) Class "C" license—private investigator: $75.~~

~~(e) Class "CC" license—private investigator intern: $60.~~

(2) The department may establish by rule a fee for the replacement or revision of a license, which fee shall not exceed $30.

(3) The fees set forth in this section must be paid by check or money order or, at the discretion of the department, by electronic funds transfer at the time the application is approved, except that the applicant for a Class "G," *or* Class "C," ~~Class "CC," Class "M," or Class "MA"~~ license must pay the license fee at the time the application is made. If a license is revoked or denied or if the application is withdrawn, the license fee is nonrefundable.

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "C," ~~Class "CC," or Class "MA"~~ license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 249. Section 493.6203, Florida Statutes, is amended to read:

493.6203 License requirements.—In addition to the license requirements set forth elsewhere in this chapter, each individual or agency shall comply with the following additional requirements:

~~(1) Each agency or branch office shall designate a minimum of one appropriately licensed individual to act as manager, directing the activities of the Class "C" or Class "CC" employees.~~

~~(2) An applicant for a Class "MA" license must have 2 years of lawfully gained, verifiable, full-time experience, or training in:~~

~~(a) Private investigative work or related fields of work that provided equivalent experience or training;~~

~~(b) Work as a Class "CC" licensed intern;~~

~~(c) Any combination of paragraphs (a) and (b);~~

~~(d) Experience described in paragraph (a) for 1 year and experience described in paragraph (c) for 1 year;~~

~~(e) No more than 1 year using:~~

~~1. College coursework related to criminal justice, criminology, or law enforcement administration; or~~

~~2. Successfully completed law enforcement related training received from any federal, state, county, or municipal agency; or~~

~~(f) Experience described in paragraph (a) for 1 year and work in a managerial or supervisory capacity for 1 year.~~

~~However, experience in performing bodyguard services is not creditable toward the requirements of this subsection.~~

~~(3) An applicant for a Class "M" license shall qualify for licensure as a Class "MA" manager as outlined under subsection (2) and as a Class "MB" manager as outlined under s. 493.6303(2).~~

(1)~~(4)~~ An applicant for a Class "C" license shall have 2 years of lawfully gained, verifiable, full-time experience, or training in one, or a combination of more than one, of the following:

(a) Private investigative work or related fields of work that provided equivalent experience or training.

(b) College coursework related to criminal justice, criminology, or law enforcement administration, or successful completion of any law enforcement-related training received from any federal, state, county,

or municipal agency, except that no more than 1 year may be used from this category.

~~(c) Work as a Class "CC" licensed intern.~~

However, experience in performing bodyguard services is not creditable toward the requirements of this subsection.

(2)~~(5)~~ An applicant for a ~~Class "MA," Class "M," or~~ Class "C" license must pass an examination that covers the provisions of this chapter and is administered by the department or by a provider approved by the department. The applicant must pass the examination before applying for licensure and must submit proof with the license application on a form approved by rule of the department that he or she has passed the examination. The administrator of the examination shall verify the identity of each applicant taking the examination.

(a) The examination requirement in this subsection does not apply to an individual who holds a valid ~~Class "CC,"~~ Class "C," ~~Class "MA," or Class "M"~~ license.

(b) Notwithstanding the exemption provided in paragraph (a), if the license of an applicant for relicensure has been invalid for more than 1 year, the applicant must take and pass the examination.

(c) The department shall establish by rule the content of the examination, the manner and procedure of its administration, and an examination fee that may not exceed $100.

~~(6)(a) A Class "CC" licensee must serve an internship under the direction and control of a designated sponsor, who is a Class "C," Class "MA," or Class "M" licensee.~~

~~(b) Before submission of an application to the department, the applicant for a Class "CC" license must have completed a minimum of 40 hours of professional training pertaining to general investigative techniques and this chapter, which course is offered by a state university or by a school, community college, college, or university under the purview of the Department of Education, and the applicant must pass an examination. The certificate evidencing satisfactory completion of the 40 hours of professional training must be submitted with the application for a Class "CC" license. The training specified in this paragraph may be provided by face to face presentation, online technology, or a home study course in accordance with rules and procedures of the Department of Education. The administrator of the examination must verify the identity of each applicant taking the examination.~~

~~1. Upon an applicant's successful completion of each part of the approved training and passage of any required examination, the school, community college, college, or university shall issue a certificate of completion to the applicant. The certificates must be on a form established by rule of the department.~~

~~2. The department shall establish by rule the general content of the professional training and the examination criteria.~~

~~3. If the license of an applicant for relicensure is invalid for more than 1 year, the applicant must complete the required training and pass any required examination.~~

~~(c) An individual licensed on or before August 31, 2008, is not required to complete additional training hours in order to renew an active license beyond the total required hours, and the timeframe for completion in effect at the time he or she was licensed applies.~~

(3)~~(7)~~ In addition to any other requirement, an applicant for a Class "G" license shall satisfy the firearms training set forth in s. 493.6115.

Section 250. Subsections (1) through (6) of section 493.6301, Florida Statutes, are amended to read:

493.6301 Classes of licenses.—

~~(1) Any person, firm, company, partnership, or corporation which engages in business as a security agency shall have a Class "B" license. A Class "B" license is valid for only one location.~~

~~(2) Each branch office of a Class "B" agency shall have a Class "BB" license. Where a person, firm, company, partnership, or corporation holds both a Class "A" and Class "B" license, each branch office shall have a Class "AB" license.~~

~~(3) Any individual who performs the services of a manager for a:~~

~~(a) Class "B" security agency or Class "BB" branch office shall have a Class "MB" license. A Class "M" licensee, or a Class "D" licensee who has been so licensed for a minimum of 2 years, may be designated as the manager, in which case the Class "MB" license is not required.~~

~~(b) Class "A" and Class "B" agency or a Class "AB" branch office shall have a Class "M" license.~~

~~(4) A Class "D" licensee shall own or be an employee of a Class "B" security agency or branch office. This does not include those individuals who are exempt under s. 493.6102(4) but who possess a Class "D" license solely for the purpose of holding a Class "G" license.~~

(1)~~(5)~~ Any individual who performs the services of a security officer shall have a Class "D" license. However, a Class "C" licensee ~~or a Class "CC" licensee~~ may perform bodyguard services without a Class "D" license.

(2)~~(6)~~ Only ~~Class "M," Class "MB," or~~ Class "D" licensees are permitted to bear a firearm, and any such licensee who bears a firearm shall also have a Class "G" license.

Section 251. Section 493.6302, Florida Statutes, is amended to read:

493.6302 Fees.—

(1) The department shall establish by rule license fees, not to exceed the following:

~~(a) Class "B" license—security agency: $450.~~

~~(b) Class "BB" or Class "AB" license—branch office: $125.~~

~~(c) Class "MB" license—security agency manager: $75.~~

(a)~~(d)~~ Class "D" license—security officer: $45.

(b)~~(e)~~ Class "DS" license—security officer school or training facility: $60.

(c)~~(f)~~ Class "DI" license—security officer school or training facility instructor: $60.

(2) The department may establish by rule a fee for the replacement or revision of a license, which fee shall not exceed $30.

(3) The fees set forth in this section must be paid by check or money order or, at the discretion of the department, by electronic funds transfer at the time the application is approved, except that the applicant for a Class "D~~,~~" *or* Class "G~~,~~" ~~Class "M," or Class "MB"~~ license must pay the license fee at the time the application is made. If a license is revoked or denied or if the application is withdrawn, the license fee is nonrefundable.

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "D~~,~~" *or* Class "DI~~,~~" ~~or Class "MB"~~ license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 252. Subsections (1), (2), and (3) of section 493.6303, Florida Statutes, are amended to read:

493.6303 License requirements.—In addition to the license requirements set forth elsewhere in this chapter, each individual or agency must comply with the following additional requirements:

~~(1) Each agency or branch office shall designate a minimum of one appropriately licensed individual to act as manager, directing the activities of the Class "D" employees.~~

~~(2) An applicant for a Class "MB" license shall have 2 years of lawfully gained, verifiable, full time experience, or training in:~~

~~(a) Security work or related fields of work that provided equivalent experience or training;~~

~~(b) Experience described in paragraph (a) for 1 year and experience described in paragraph (c) for 1 year;~~

~~(c) No more than 1 year using:~~

~~1. Either college coursework related to criminal justice, criminology, or law enforcement administration; or~~

~~2. Successfully completed law enforcement related training received from any federal, state, county, or municipal agency; or~~

~~(d) Experience described in paragraph (a) for 1 year and work in a managerial or supervisory capacity for 1 year.~~

~~(3) An applicant for a Class "M" license shall qualify for licensure as a Class "MA" manager as outlined under s. 493.6203(2) and as a Class "MB" manager as outlined under subsection (2).~~

Section 253. Subsection (1) of section 493.6304, Florida Statutes, is amended to read:

493.6304 Security officer school or training facility.—

(1) Any school, training facility, or instructor who offers the training specified in *s. 493.6303(1)* ~~s. 493.6303(4)~~ for Class "D" applicants shall, before licensure of such school, training facility, or instructor, file with the department an application accompanied by an application fee in an amount to be determined by rule, not to exceed $60. The fee is not refundable.

Section 254. Subsection (2) of section 493.631, Florida Statutes, is amended to read:

493.631 Temporary detention by a licensed security officer or licensed security agency manager at critical infrastructure facilities.—

(2) As used in this section, the terms "security officer" and "security agency manager" mean a security officer or security agency manager who possess a valid Class "D" ~~or Class "MB"~~ license pursuant to s. 493.6301 and a valid Class "G" license pursuant to s. 493.6115.

Section 255. Subsections (1), (2), (3), (5), and (6) of section 493.6401, Florida Statutes, are amended to read:

493.6401 Classes of licenses.—

~~(1) Any person, firm, company, partnership, or corporation which engages in business as a recovery agency shall have a Class "R" license. A Class "R" license is valid for only one location.~~

~~(2) Each branch office of a Class "R" agency shall have a Class "RR" license.~~

~~(3) Any individual who performs the services of a manager for a Class "R" recovery agency or a Class "RR" branch office must have a Class "MR" license. A Class "E" licensee may be designated as the manager, in which case the Class "MR" license is not required.~~

~~(5) Any individual who performs repossession as an intern under the direction and control of a designated, sponsoring Class "E" licensee or a designated, sponsoring Class "MR" licensee shall have a Class "EE" license.~~

~~(6) Class "E" or Class "EE" licensees shall own or be an employee of a Class "R" agency or branch office.~~

Section 256. Section 493.6402, Florida Statutes, is amended to read:

493.6402 Fees.—

(1) The department shall establish by rule license fees not to exceed the following:

~~(a) Class "R" license—recovery agency: $450.~~

~~(b) Class "RR" license—branch office: $125.~~

~~(c) Class "MR" license—recovery agency manager: $75.~~

(a)~~(d)~~ Class "E" license—recovery agent: $75.

~~(e) Class "EE" license—recovery agent intern: $60.~~

(b)~~(f)~~ Class "RS" license—recovery agent school or training facility: $60.

(c)~~(g)~~ Class "RI" license—recovery agent school or training facility instructor: $60.

(2) The department may establish by rule a fee for the replacement or revision of a license, which fee shall not exceed $30.

(3) The fees set forth in this section must be paid by check or money order, or, at the discretion of the department, by electronic funds transfer at the time the application is approved, except that the applicant for a Class "E~~,~~" ~~Class "EE," or Class "MR"~~ license must pay the license fee at the time the application is made. If a license is revoked or denied, or if an application is withdrawn, the license fee is nonrefundable.

(4) The initial license fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class "E~~,~~" ~~Class "EE," Class "MR,"~~ or Class "RI" license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, or another acceptable form of identification as specified by the Department of Veterans' Affairs with his or her application in order to obtain a waiver.

Section 257. Section 493.6403, Florida Statutes, is amended to read:

493.6403 License requirements.—

(1) In addition to the license requirements set forth in this chapter, ~~each individual or agency shall comply with the following additional requirements:~~

~~(a) Each agency or branch office must designate a minimum of one appropriately licensed individual to act as manager, directing the activities of the Class "E" or Class "EE" employees. A Class "E" licensee may be designated to act as manager of a Class "R" agency or branch office in which case the Class "MR" license is not required.~~

~~(b) An applicant for Class "MR" license shall have at least 1 year of lawfully gained, verifiable, full time experience as a Class "E" licensee performing repossessions of motor vehicles, mobile homes, motorboats, aircraft, personal watercraft, all terrain vehicles, farm equipment, or industrial equipment.~~

~~(c)~~ an applicant for a Class "E" license shall have at least 1 year of lawfully gained, verifiable, full-time experience in ~~one, or a combination of more than one, of the following:~~

~~1.~~ repossession of motor vehicles as defined in s. 320.01(1), mobile homes as defined in s. 320.01(2), motorboats as defined in s. 327.02, aircraft as defined in s. 330.27(1), personal watercraft as defined in s. 327.02, all-terrain vehicles as defined in s. 316.2074, farm equipment as defined under s. 686.402, or industrial equipment as defined in *s. 493.6101(19)* ~~s. 493.6101(22)~~.

~~2. Work as a Class "EE" licensed intern.~~

(2) An applicant for a Class "E" ~~or a Class "EE"~~ license must submit proof of successful completion of 40 hours of professional training at a school or training facility licensed by the department. The department shall by rule establish the general content for the training.

Section 258. Subsection (1) of section 493.6406, Florida Statutes, is amended to read:

493.6406 Recovery agent school or training facility.—

(1) Any school, training facility, or instructor who offers the training outlined in s. 493.6403(2) for Class "E" ~~or Class "EE"~~ applicants shall, before licensure of such school, training facility, or instructor, file with the department an application accompanied by an application fee in an amount to be determined by rule, not to exceed $60. The fee shall not be refundable. This training may be offered as face-to-face training, Internet-based training, or correspondence training.

Section 259. Subsection (3) of section 514.0315, Florida Statutes, is amended to read:

514.0315 Required safety features for public swimming pools and spas.—

(3) The determination and selection of a feature under subsection (2) for a public swimming pool or spa constructed before January 1, 1993, is at the sole discretion of the owner or operator of the public swimming pool or spa. A licensed contractor described in *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~ must install the feature.

Section 260. Section 514.075, Florida Statutes, is amended to read:

514.075 Public pool service technician; certification.—The department may require that a public pool, as defined in s. 514.011, be serviced by a person certified as a pool service technician. To be certified, an individual must demonstrate knowledge of public pools which includes, but is not limited to: pool cleaning; general pool maintenance; source of the water supply; bacteriological, chemical, and physical quality of water; and water purification, testing, treatment, and disinfection procedures. The department may, by rule, establish the requirement for the certification course and course approval. The department shall deem certified any individual who is certified by a course of national recognition or any person licensed under *s. 489.105(2)(j), (k), or (l)* ~~s. 489.105(3)(j), (k), or (l)~~. This requirement does not apply to a person, or the direct employee of a person, permitted as a public pool operator under s. 514.031.

Section 261. Paragraph (d) of subsection (1) of section 553.791, Florida Statutes, is amended to read:

553.791 Alternative plans review and inspection.—

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

(d) "Building code inspection services" means those services described in *s. 468.603(4) and (7)* ~~s. 468.603(5) and (8)~~ involving the review of building plans as well as those services involving the review of site plans and site work engineering plans or their functional equivalent, to determine compliance with applicable codes and those inspections required by law, conducted either in person or virtually, of each phase of construction for which permitting by a local enforcement agency is required to determine compliance with applicable codes.

Section 262. Section 553.998, Florida Statutes, is amended to read:

553.998 Compliance.—All ratings must be determined using tools and procedures developed by the systems recognized under this part and must be certified by the rater as accurate and correct and in compliance with procedures of the system under which the rater is certified. The local enforcement agency shall accept duct and air infiltration tests conducted in accordance with the Florida Building Code, 5th Edition (2014) Energy Conservation, by individuals as defined in s. 553.993(5) or (7) or individuals licensed as set forth in *s. 489.105(2)(f), (g), or (i)* ~~s. 489.105(3)(f), (g), or (i)~~. The local enforcement agency may accept inspections in whole or in part by individuals as defined in s. 553.993(5) or (7).

Section 263. Subsection (2) of section 569.34, Florida Statutes, is amended to read:

569.34 Operating without a retail nicotine products dealer permit; penalty.—

(2) A retail tobacco products dealer, as defined in *s. 569.002* ~~s. 569.002(4)~~, is not required to have a separate or additional retail nicotine products dealer permit to deal, at retail, in nicotine products within *this* ~~the~~ state, or allow a nicotine products vending machine to be located on its premises in *this* ~~the~~ state. Any retail tobacco products dealer that deals, at retail, in nicotine products or allows a nicotine products vending machine to be located on its premises in *this* ~~the~~ state, is subject to, and must be in compliance with, this part.

Section 264. Paragraph (a) of subsection (2) of section 627.192, Florida Statutes, is amended to read:

627.192 Workers' compensation insurance; employee leasing arrangements.—

(2) For purposes of the Florida Insurance Code:

(a) "Employee leasing" shall have the same meaning as *provided in s. 468.520(3)* ~~set forth in s. 468.520(4)~~.

Section 265. Subsection (6) of section 633.216, Florida Statutes, is amended to read:

633.216 Inspection of buildings and equipment; orders; firesafety inspection training requirements; certification; disciplinary action.—The State Fire Marshal and her or his agents or persons authorized to enforce laws and rules of the State Fire Marshal shall, at any reasonable hour, when the State Fire Marshal has reasonable cause to believe that a violation of this chapter or s. 509.215, or a rule adopted thereunder, or a minimum firesafety code adopted by the State Fire Marshal or a local authority, may exist, inspect any and all buildings and structures which are subject to the requirements of this chapter or s. 509.215 and rules adopted thereunder. The authority to inspect shall extend to all equipment, vehicles, and chemicals which are located on or within the premises of any such building or structure.

~~(6) The division and the Florida Building Code Administrators and Inspectors Board, established pursuant to s. 468.605, shall enter into a reciprocity agreement to facilitate joint recognition of continuing education recertification hours for certificateholders licensed under s. 468.609 and firesafety inspectors certified under subsection (2).~~

Section 266. Subsection (8) of section 713.01, Florida Statutes, is amended to read:

713.01 Definitions.—As used in this part, the term:

(8) "Contractor" means a person other than a materialman or laborer who enters into a contract with the owner of real property for improving it or who takes over from a contractor as so defined the entire remaining work under such contract. The term "contractor" includes an architect, landscape architect, or engineer who improves real property pursuant to a design-build contract authorized by s. 489.103(16). The term also includes a licensed general contractor or building contractor, as those terms are defined in *s. 489.105(2)(a) and (b)* ~~s. 489.105(3)(a) and (b)~~, respectively, who provides construction management services, which include scheduling and coordinating preconstruction and construction phases for the construction project, or who provides program management services, which include schedule control, cost control, and coordinating the provision or procurement of planning, design, and construction for the construction project.

Section 267. Subsection (4) of section 1006.12, Florida Statutes, is amended to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement any combination of the options in subsections (1)-(4) to best meet the needs of the school district and charter schools.

(4) SCHOOL SECURITY GUARD.—A school district or charter school governing board may contract with a security agency as defined in *s. 493.6101(15)* ~~s. 493.6101(18)~~ to employ as a school security guard an individual who holds a Class "D" and Class "G" license pursuant to chapter 493, provided the following training and contractual conditions are met:

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

1. Demonstrate completion of 144 hours of required training pursuant to s. 30.15(1)(k)2.

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

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

4. Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis and provide documentation to the sheriff's office, school district, or charter school governing board, as applicable.

(b) The contract between a security agency and a school district or a charter school governing board regarding requirements applicable to school security guards serving in the capacity of a safe-school officer for purposes of satisfying the requirements of this section shall define the entity or entities responsible for training and the responsibilities for maintaining records relating to training, inspection, and firearm qualification.

(c) School security guards serving in the capacity of a safe-school officer pursuant to this subsection are in support of school-sanctioned activities for purposes of s. 790.115, and must aid in the prevention or abatement of active assailant incidents on school premises.

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

Section 268. Subsections (5) and (6) of section 259.1053, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and subsection (4) of that section is amended, to read:

259.1053 Babcock Ranch Preserve; Babcock Ranch Advisory Group.—

~~(4) BABCOCK RANCH ADVISORY GROUP.—~~

~~(a) The purpose of the Babcock Ranch Advisory Group is to assist the department by providing guidance and advice concerning the management and stewardship of the Babcock Ranch Preserve.~~

~~(b) The Babcock Ranch Advisory Group shall be comprised of nine members appointed to 5-year terms. Based on recommendations from the Governor and Cabinet, the commission, and the governing boards of Charlotte County and Lee County, the commissioner shall appoint members as follows:~~

~~1. One member with experience in sustainable management of forest lands for commodity purposes.~~

~~2. One member with experience in financial management, budget and program analysis, and small business operations.~~

~~3. One member with experience in management of game and nongame wildlife and fish populations, including hunting, fishing, and other recreational activities.~~

~~4. One member with experience in domesticated livestock management, production, and marketing, including range management and livestock business management.~~

~~5. One member with experience in agriculture operations or forestry management.~~

~~6. One member with experience in hunting, fishing, nongame species management, or wildlife habitat management, restoration, and conservation.~~

~~7. One member with experience in public outreach and education.~~

~~8. One member who is a resident of Lee County, to be designated by the Board of County Commissioners of Lee County.~~

~~9. One member who is a resident of Charlotte County, to be designated by the Board of County Commissioners of Charlotte County.~~

~~Vacancies will be filled in the same manner in which the original appointment was made. A member appointed to fill a vacancy shall serve for the remainder of that term.~~

~~(c) Members of the Babcock Ranch Advisory Group shall:~~

~~1. Elect a chair and vice chair from among the group members.~~

~~2. Meet regularly as determined by the chair.~~

~~3. Serve without compensation but shall receive reimbursement for travel and per diem expenses as provided in s. 112.061.~~

Section 269. Subsection (2) of section 399.035, Florida Statutes, is amended to read:

399.035 Elevator accessibility requirements for the physically handicapped.—

(2) Any building that is more than three stories high or in which the vertical distance between the bottom terminal landing and the top terminal landing exceeds 25 feet must be constructed to contain at least one passenger elevator that is operational and will accommodate an ambulance stretcher *size specified in the edition of the Florida Building Code that was in effect at the time of receipt of an application for construction permit for the elevator* ~~76 inches long and 24 inches wide in the horizontal position~~.

Section 270. Subsection (1) of section 373.219, Florida Statutes, is amended to read:

373.219 Permits required.—

(1) The ~~governing board or~~ the department may require such permits for consumptive use of water and may impose such reasonable conditions as are necessary to assure that such use is consistent with the overall objectives of the district or department and is not harmful to the water resources of the area. However, *a* ~~no~~ permit *is not* ~~shall be~~ required for*:*

(a) Domestic consumption of water by individual users.

(b) Landscape irrigation water use by a property owner of a residential single-family home.

Section 271. Paragraph (a) of subsection (3) of section 455.02, Florida Statutes, is amended, and subsections (1) and (2) of that section are republished, to read:

455.02 Licensure of members of the Armed Forces in good standing and their spouses or surviving spouses with administrative ~~boards or~~ programs.—

(1) Any member of the United States Armed Forces now or hereafter on active duty who, at the time of becoming such a member, was in good standing with any of the ~~boards or~~ programs listed in s. 20.165 and was entitled to practice or engage in his or her profession or occupation in the state shall be kept in good standing by the applicable ~~board or~~ program, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the United States Armed Forces on active duty and for a

period of 2 years after discharge from active duty. A member, during active duty and for a period of 2 years after discharge from active duty, engaged in his or her licensed profession or occupation in the private sector for profit in this state must complete all license renewal provisions except remitting the license renewal fee, which shall be waived by the department.

(2) A spouse of a member of the United States Armed Forces who is married to a member during a period of active duty, or a surviving spouse of a member who at the time of death was serving on active duty, who is in good standing with any of the ~~boards or~~ programs listed in s. 20.165 shall be kept in good standing by the applicable ~~board or~~ program as described in subsection (1) and shall be exempt from licensure renewal provisions, but only in cases of his or her absence from the state because of his or her spouse's duties with the United States Armed Forces. The department or the appropriate ~~board or~~ program shall waive any license renewal fee for such spouse when he or she is present in this state because of such member's active duty and for a surviving spouse of a member who at the time of death was serving on active duty and died within the 2 years preceding the date of renewal.

(3)(a) The department shall issue a professional license to an applicant who is or was an active duty member of the Armed Forces of the United States, or who is a spouse or surviving spouse of such member, upon application to the department in a format prescribed by the department. An application must include proof that:

1. The applicant is or was an active duty member of the Armed Forces of the United States or is married to a member of the Armed Forces of the United States and was married to the member during any period of active duty or was married to such a member who at the time of the member's death was serving on active duty. An applicant who was an active duty member of the Armed Forces of the United States must have received an honorable discharge upon separation or discharge from the Armed Forces of the United States.

2. The applicant holds a valid license for the profession issued by another state, the District of Columbia, any possession or territory of the United States, or any foreign jurisdiction.

3. The applicant, where required by the specific practice act, has complied with insurance or bonding requirements.

4.a. A complete set of the applicant's fingerprints is submitted to the Department of Law Enforcement for a statewide criminal history check *for those professions that require fingerprints for initial licensure*.

b. The Department of Law Enforcement shall forward the fingerprints submitted pursuant to sub-subparagraph a. to the Federal Bureau of Investigation for a national criminal history check. The department shall~~, and the board may,~~ review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing shall be borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor *must* ~~shall~~ collect the required processing fees and remit the fees to the Department of Law Enforcement.

Section 272. Paragraph (a) of subsection (3) of section 455.213, Florida Statutes, is amended to read:

455.213 General licensing provisions.—

(3)(a) Notwithstanding any other law, the *department* ~~applicable board~~ shall use the process in this subsection for review of an applicant's criminal record to determine his or her eligibility for licensure as:

1. A barber under chapter 476;

~~2. A cosmetologist or cosmetology specialist under chapter 477;~~

2.~~3.~~ Any of the following construction professions under chapter 489:

a. Air-conditioning contractor;

b. Electrical contractor;

c. Mechanical contractor;

d. Plumbing contractor;

e. Pollutant storage systems contractor;

f. Roofing contractor;

g. Sheet metal contractor;

h. Solar contractor;

i. Swimming pool and spa contractor;

j. Underground utility and excavation contractor; or

k. Other specialty contractors; or

3.~~4.~~ Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program.

Section 273. Subsection (1) of section 468.386, Florida Statutes, is amended to read:

468.386 Fees; local licensing requirements.—

(1)*(a)* The *department* ~~board~~ by rule may establish application, examination, licensure, renewal, and other reasonable and necessary fees, based upon the department's estimate of the costs ~~to the board~~ in administering this act.

(b) Effective July 1, 2026, all fees established by the department in administering this act shall be reduced by 50 percent.

Section 274. Subsection (1), paragraph (c) of subsection (2), subsections (4) and (5), paragraphs (b) and (e) of subsection (6), paragraphs (a) and (c) of subsection (7), and subsections (8) and (10) of section 468.609, Florida Statutes, are amended to read:

468.609 Administration of this part; standards for certification; additional categories of certification.—

(1) Except as provided in this part, any person who desires to be certified shall apply to the *department* ~~board~~, in writing upon forms approved and furnished by the *department* ~~board~~, to take the certification examination.

(2) A person may take the examination for certification as a building code inspector or plans examiner pursuant to this part if the person:

(c) Meets eligibility requirements according to one of the following criteria:

1. Demonstrates 4 years' combined experience in the field of construction or a related field, building code inspection, or plans review corresponding to the certification category sought;

2. Demonstrates a combination of postsecondary education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

3. Demonstrates a combination of technical education in the field of construction or a related field and experience which totals 3 years, with at least 1 year of such total being experience in construction, building code inspection, or plans review;

4. Currently holds a standard certificate issued by the *department* ~~board~~ or a firesafety inspector license issued under chapter 633, with a minimum of 3 years' verifiable full-time experience in firesafety inspection or firesafety plan review, and has satisfactorily completed a building code inspector or plans examiner training program that provides at least 100 hours but not more than 200 hours of cross-training in the certification category sought. The *department* ~~board~~ shall establish by rule criteria for the development and implementation of the training programs. The *department* ~~board~~ must accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

5. Demonstrates a combination of the completion of an approved training program in the field of building code inspection or plan review and a minimum of 2 years' experience in the field of building code inspection, plan review, fire code inspections and fire plans review of new buildings as a firesafety inspector certified under s. 633.216, or construction. The approved training portion of this requirement must include proof of satisfactory completion of a training program that provides at least 200 hours but not more than 300 hours of cross-training that is approved by the *department* ~~board~~ in the chosen category of building code inspection or plan review in the certification category sought with at least 20 hours but not more than 30 hours of instruction in state laws, rules, and ethics relating to professional standards of practice, duties, and responsibilities of a certificateholder. The *department* ~~board~~ shall coordinate with the Building Officials Association of Florida, Inc., to establish by rule the development and implementation of the training program. However, the *department* ~~board~~ must accept all classroom training offered by an approved provider if the content substantially meets the intent of the classroom component of the training program;

6. Currently holds a standard certificate issued by the *department* ~~board~~ or a firesafety inspector license issued under chapter 633 and:

a. Has at least 4 years' verifiable full-time experience as an inspector or plans examiner in a standard certification category currently held or has a minimum of 4 years' verifiable full-time experience as a firesafety inspector licensed under chapter 633.

b. Has satisfactorily completed a building code inspector or plans examiner classroom training course or program that provides at least 200 but not more than 300 hours in the certification category sought, except for residential training programs, which must provide at least 500 but not more than 800 hours of training as prescribed by the *department* ~~board~~. The *department* ~~board~~ shall establish by rule criteria for the development and implementation of classroom training courses and programs in each certification category; or

7.a. Has completed a 4-year internship certification program as a building code inspector or plans examiner, including an internship program for residential inspectors, while also employed full time by a municipality, county, or other governmental jurisdiction, under the direct supervision of a certified building official. A person may also complete the internship certification program, including an internship program for residential inspectors, while employed full time by a private provider or a private provider's firm that performs the services of a building code inspector or plans examiner, while under the direct supervision of a certified building official. Proof of graduation with a related vocational degree or college degree ~~or of verifiable work experience~~ may be exchanged for the internship experience requirement year-for-year, but may reduce the requirement to no less than 1 year. *Proof of verifiable work experience as an inspector or plans examiner of any other type may be exchanged for the internship experience requirement year-for-year, but may reduce the requirement to no less than 1 year.*

b. Has passed an examination administered by the International Code Council in the certification category sought. Such examination must be passed before beginning the internship certification program.

c. Has passed the principles and practice examination before completing the internship certification program.

d. Has passed a *department-approved* ~~board-approved~~ 40-hour code training course in the certification category sought before completing the internship certification program.

e. Has obtained a favorable recommendation from the supervising building official after completion of the internship certification program.

(4) No person may engage in the duties of a building code administrator, plans examiner, or building code inspector pursuant to this part after October 1, 1993, unless such person possesses one of the following types of certificates, currently valid, issued by the *department* ~~board~~ attesting to the person's qualifications to hold such position:

(a) A standard certificate.

(b) A limited certificate.

(c) A provisional certificate.

(5)(a) To obtain a standard certificate, an individual must pass an examination approved by the *department* ~~board~~ which demonstrates that the applicant has fundamental knowledge of the state laws and codes relating to the construction of buildings for which the applicant has building code administration, plans examination, or building code inspection responsibilities. It is the intent of the Legislature that the examination approved for certification pursuant to this part be substantially equivalent to the examinations administered by the International Code Council.

(b) A standard certificate shall be issued to each applicant who successfully completes the examination, which certificate authorizes the individual named thereon to practice throughout the state as a building code administrator, plans examiner, or building code inspector within such class and level as is specified by the *department* ~~board~~.

(c) The *department* ~~board~~ may accept proof that the applicant has passed an examination which is substantially equivalent to the *department-approved* ~~board-approved~~ examination set forth in this section.

(6)

(b) By October 1, 1993, individuals who were employed on July 1, 1993, as building code administrators, plans examiners, or building code inspectors, who are not eligible for a standard certificate, but who wish to continue in such employment, shall submit to the *department* ~~board~~ the appropriate application and certification fees and shall receive a limited certificate qualifying them to engage in building code administration, plans examination, or building code inspection in the class, at the performance level, and within the governmental jurisdiction in which such person is employed.

(e) By March 1, 2003, or 1 year after the Florida Building Code is implemented, whichever is later, individuals who were employed by an educational board, the Department of Education, or the State University System as building code administrators, plans examiners, or inspectors, who do not wish to apply for a standard certificate but who wish to continue in such employment, shall submit to the *department* ~~board~~ the appropriate application and certification fees and shall receive a limited certificate qualifying such individuals to engage in building code administration, plans examination, or inspection in the class, at the performance level, and within the governmental jurisdiction in which such person is employed.

(7)(a) The *department* ~~board~~ shall provide for the issuance of provisional certificates valid for 2 years, as specified by *department* ~~board~~ rule, to any building code inspector or plans examiner who meets the eligibility requirements described in subsection (2) and any newly employed or promoted building code administrator who meets the eligibility requirements described in subsection (3). The provisional license may be renewed by the *department* ~~board~~ for just cause; however, a provisional license is not valid for longer than 3 years.

(c) The *department* ~~board~~ shall provide for appropriate levels of provisional certificates and may issue these certificates with such special conditions or requirements as the *department* ~~board~~ deems necessary to protect the public safety and health. The *department* ~~board~~ may not place a special condition or requirement on a provisional certificate with respect to the requirement of employment by a municipality, county, or other local governmental agency.

(8) Any individual applying to the *department* ~~board~~ may be issued a certificate valid for multiple building code inspection classes, as deemed appropriate by the *department* ~~board~~.

(10)(a) The *department* ~~board~~ may by rule create categories of certification in addition to those defined in *s. 468.603(4) and (7)* ~~s. 468.603(5) and (8)~~. Such certification categories *may* ~~shall~~ not be mandatory and *may* ~~shall~~ not act to diminish the scope of any certificate created by statute.

(b) The *department* ~~board~~ shall by rule establish:

1. Reciprocity of certification with any other state that requires an examination administered by the International Code Council.

2. That an applicant for certification as a building code inspector or plans examiner may apply for a provisional certificate valid for the duration of the internship period.

3. That partial completion of an internship program is transferable among jurisdictions, private providers, and firms of private providers on a form prescribed by the *department* ~~board~~.

4. That an applicant may apply for a standard certificate on a form prescribed by the *department* ~~board~~ upon successful completion of an internship certification program.

5. That an applicant may apply for a standard certificate at least 30 days but no more than 60 days before completing the internship certification program.

6. That a building code inspector or plans examiner who has standard certification may seek an additional certification in another category by completing an additional nonconcurrent 1-year internship program in the certification category sought and passing an examination administered by the International Code Council and a *department-approved* ~~board-approved~~ 40-hour code training course.

Section 275. Section 471.015, Florida Statutes, is amended to read:

471.015 Licensure.—

(1) The *department* ~~management corporation~~ shall issue a license to any applicant who the *department* ~~board~~ certifies is qualified to practice engineering and who has passed the fundamentals examination and the principles and practice examination.

(2)(a) The *department* ~~board~~ shall certify for licensure any applicant who has submitted proof satisfactory to the *department* ~~board~~ that he or she is at least 18 years of age and who:

1. Satisfies the requirements of s. 471.013(1)(a)1. and has a record of at least 4 years of active engineering experience of a character indicating competence to be in responsible charge of engineering; or

2. Satisfies the requirements of s. 471.013(1)(a)2. and has a record of at least 6 years of active engineering experience of a character indicating competence to be in responsible charge of engineering.

(b) The *department* ~~board~~ may refuse to certify any applicant who has violated s. 471.031.

(3) The *department* ~~board~~ shall certify as qualified for a license by endorsement an applicant who:

(a) Qualifies to take the fundamentals examination and the principles and practice examination as set forth in s. 471.013, has passed a United States national, regional, state, or territorial licensing examination that is substantially equivalent to the fundamentals examination and principles and practice examination required by s. 471.013, and has satisfied the experience requirements set forth in paragraph (2)(a) and s. 471.013; ~~or~~

(b) Holds a valid license to practice engineering issued by another state or territory of the United States, *or a foreign jurisdiction* if the criteria for issuance of the license were substantially the same as the licensure criteria that existed in this state at the time the license was issued*; or*

(c) Holds a valid license to practice engineering issued by a foreign jurisdiction approved by the board and holds an active Council Record with the National Council of Examiners for Engineering and Surveying.

(4) The *department may* ~~management corporation shall~~ not issue a license by endorsement to any applicant who is under investigation in another state for any act that would constitute a violation of this chapter or of chapter 455 until such time as the investigation is complete and disciplinary proceedings have been terminated.

(5)(a) The *department* ~~board~~ shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination when such applicant has held a valid professional engineer's license in another state for 10 years.

(b) The *department* ~~board~~ shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination and the principles and practices examination when such applicant has held a valid professional engineer's license in another state for 15 years.

(6) The *department* ~~board~~ may require a personal appearance by any applicant for licensure under this chapter. Any applicant of whom a personal appearance is required must be given adequate notice of the time and place of the appearance and provided with a statement of the purpose of and reasons requiring the appearance. If an applicant is required to appear, the time period within which a licensure application must be granted or denied is tolled until such time as the applicant appears. However, if the applicant fails to appear before the *department* ~~board~~ at either of the next two regularly scheduled *department* ~~board~~ meetings, the application for licensure may be denied.

(7) The *department* ~~board~~ shall, by rule, establish qualifications for certification of licensees as special inspectors of threshold buildings, as defined in ss. 553.71 and 553.79, and shall compile a list of persons who are certified. A special inspector is not required to meet standards for certification other than those established by the *department* ~~board~~, and the fee owner of a threshold building may not be prohibited from selecting any person certified by the *department* ~~board~~ to be a special inspector. The *department* ~~board~~ shall develop minimum qualifications for the qualified representative of the special inspector who is authorized to perform inspections of threshold buildings on behalf of the special inspector under s. 553.79.

Section 276. Effective January 1, 2026, section 473.308, Florida Statutes, is amended to read:

473.308 Licensure.—

(1) A person desiring to be licensed as a Florida certified public accountant in this state shall apply to the department for licensure, and the department shall license any applicant who the *department* ~~board~~ certifies is qualified to practice public accounting.

(2) The *department* ~~board~~ shall certify for licensure any applicant who successfully passes the licensure examination and satisfies the requirements of subsections (4), (5), and (6), and shall certify for licensure any firm that satisfies the requirements of ss. 473.309 and 473.3101. The *department* ~~board~~ may refuse to certify any applicant or firm that has violated any of the provisions of s. 473.322.

(3) A person desiring to be licensed as a Florida certified public accountant or a firm desiring to engage in the practice of public accounting must create and maintain an online account with the department and provide an e-mail address to function as the primary means of contact for all communication from the department. Certified public accountants and firms are responsible for maintaining accurate contact information on file with the department and must submit any change in an e-mail address or street address within 30 days after the change. All changes must be submitted through the department's online system.

(4)*(a)* An applicant for licensure must*:*

1. Complete ~~have~~ at least 150 semester hours of college education, including a baccalaureate or higher degree conferred by an accredited college or university, with a concentration in accounting and business *as prescribed by the department;* ~~in the total educational program to the extent specified by the board.~~

2. Hold a master's degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the department;

3. Hold a baccalaureate degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the department; or

4. Hold a baccalaureate degree in any major course of study conferred by an accredited college or university and have completed coursework required for a concentration in accounting and business as prescribed by the department.

(b) The department shall prescribe the coursework required for a concentration in accounting and business. The department may deem

that an applicant has satisfied requirements for such coursework if the applicant receives a baccalaureate or higher degree in accounting or finance conferred by an accredited college or university in a state or territory of the United States. An applicant receiving a baccalaureate or higher degree with a major course of study other than accounting or finance must complete the coursework required for a concentration in accounting and business as prescribed by the department.

(5)(a) An applicant for licensure *who completes the education requirements under subparagraph (4)(a)1. or subparagraph (4)(a)2.* ~~after December 31, 2008,~~ must show ~~that he or she has had~~ 1 year of work experience. *An applicant who completes the education requirements under subparagraph (4)(a)3. or subparagraph (4)(a)4. must show 2 years of work experience. (b) The work experience under paragraph (a)* ~~This experience~~ shall include providing any type of service or advice involving the use of accounting, attest, compilation, management advisory, financial advisory, tax, or consulting skills, all of which must be verified by a certified public accountant who is licensed by a state or territory of the United States. This experience is acceptable if it was gained through employment in government, industry, academia, or public practice; constituted a substantial part of the applicant's duties; and was verified by a certified public accountant licensed by a state or territory of the United States.

(c) The *department* ~~board~~ shall adopt rules specifying standards and providing for the review and approval of the work experience required by this *subsection* ~~section~~.

(d)~~(b)~~ However, an applicant who completed the requirements of subsection (4) on or before December 31, 2008, and who passes the licensure examination on or before June 30, 2010, is exempt from the requirements of this subsection.

(6)*(a)* An applicant for licensure *must* ~~shall~~ show that *she or he* ~~the applicant~~ has good moral character. *For purposes of this paragraph, the term*

~~(7)(a)~~ "good moral character" means a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation.

(b) The *department* ~~board~~ may refuse to certify an applicant for failure to satisfy this requirement if:

1. The *department* ~~board~~ finds a reasonable relationship between the lack of good moral character of the applicant and the professional responsibilities of a certified public accountant; and

2. The finding by the *department* ~~board~~ of lack of good moral character is supported by competent substantial evidence.

(c) When an applicant is found to be unqualified for a license because of a lack of good moral character, the *department* ~~board~~ shall furnish to the applicant a statement containing the findings of the *department* ~~board~~, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.

(7)~~(8)~~ The *department* ~~board~~ shall certify as qualified for a license by endorsement an applicant who~~:~~

(a) Is not licensed and has not been licensed in any state or territory and who has met the requirements of this section for education, work experience, and good moral character and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; or

~~(b)1.~~ holds *an active* ~~a valid~~ license *as a certified public accountant* ~~to practice public accounting~~ issued by another state or *a* territory of the United States, if the *applicant has maintained good moral character and, at the time of licensure by such other state or territory, the applicant was required to show evidence of having obtained at least a baccalaureate degree from an accredited college or university and having passed the Uniform CPA Examination* ~~criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued;~~

~~2. Holds a valid license to practice public accounting issued by another state or territory of the United States but the criteria for issuance of such license did not meet the requirements of subparagraph 1.; has met the requirements of this section for education, work experience, and good moral character; and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; or~~

~~3. Holds a valid license to practice public accounting issued by another state or territory of the United States for at least 10 years before the date of application; has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; and has met the requirements of this section for good moral character~~.

~~(9) If the applicant has at least 5 years of experience in the practice of public accountancy in the United States or in the practice of public accountancy or its equivalent in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined has licensure standards that are substantially equivalent to those in the United States, or has at least 5 years of work experience that meets the requirements of subsection (5), the board must waive the requirements of subsection (4) which are in excess of a baccalaureate degree. All experience that is used as a basis for waiving the requirements of subsection (4) must be while licensed as a certified public accountant by another state or territory of the United States or while licensed in the practice of public accountancy or its equivalent in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined has licensure standards that are substantially equivalent to those in the United States. The board shall have the authority to establish the standards for experience that meet this requirement.~~

(8)~~(10)~~ The *department* ~~board~~ may refuse to certify for licensure any applicant who is under investigation in another state for any act that would constitute a violation of this act or chapter 455, until such time as the investigation is complete and disciplinary proceedings *are* ~~have been~~ terminated.

Section 277. Section 473.3085, Florida Statutes, is created to read:

473.3085 Licensure of international applicants.—

(1) An international applicant who seeks licensure as a certified public accountant in this state must meet the requirements for education, work experience, and good moral character under s. 473.308.

(2) An applicant must apply to the department for licensure.

(3) An international applicant must create and maintain an online account with the department and provide an e-mail address to function as the primary means of contact for all communication from the department. An applicant must submit any change in e-mail address within 30 days after the change. All changes must be submitted through the department's online system.

(4) The department shall certify for licensure any applicant who satisfies the requirements of subsections (1) and (2), except the department may refuse to certify an applicant who has violated s. 473.322.

(5) The department shall adopt rules to implement this section.

Section 278. Effective January 1, 2026, subsections (1), (3), and (4) of section 473.3141, Florida Statutes, are amended to read:

473.3141 Certified public accountants licensed in other states.—

(1) ~~Except as otherwise provided in this chapter,~~ An individual who *holds an active license in good standing as a certified public accountant in another state or a territory of the United States and who* does not have an office in this state has the privileges of Florida certified public accountants and may provide public accounting services in this state without obtaining a license under this chapter or notifying or registering with the *department* ~~board~~ or paying a fee if, *at the time of licensure by such other state or territory,* the individual *was required to show evidence of having obtained at least a baccalaureate degree and having passed the Uniform CPA Examination*~~:~~

~~(a) Holds a valid license as a certified public accountant from a state that the board or its designee has determined by rule to have adopted standards that are substantially equivalent to the certificate requirements in s. 5 of the Uniform Accountancy Act in the issuance of licenses; or~~

~~(b) Holds a valid license as a certified public accountant from a state that has not been approved by the board as having adopted standards in substantial equivalence with s. 5 of the Uniform Accountancy Act, but obtains verification from the board, or its designee, as determined by rule, that the individual's certified public accountant qualifications are substantially equivalent to the certificate requirements in s. 5 of the Uniform Accountancy Act.~~

The *department* ~~board~~ shall define by rule what constitutes an office.

(3) An individual certified public accountant from another state *or a territory of the United States* who practices pursuant to this section, and the firm that employs that individual, shall both consent, as a condition of the privilege of practicing in this state:

(a) To the ~~personal and subject matter~~ jurisdiction and disciplinary authority of the *department* ~~board~~;

(b) To comply with this chapter and the applicable *department* ~~board~~ rules;

(c) That if the *individual's* license as a certified public accountant from *another* ~~the~~ state *or a territory of the United States becomes invalid* ~~of the individual's principal place of business is no longer valid~~, the individual *must* ~~will~~ cease offering or rendering public accounting services in this state, individually and on behalf of a firm; and

(d) To the appointment of the *department* ~~state board~~ that issued the individual's license as the agent upon whom process may be served in any action or proceeding by the ~~board or~~ department against the individual or firm.

(4) An individual who qualifies to practice under this section may perform the services identified in *s. 473.302(7)(a)* ~~s. 473.302(8)(a)~~ only through a firm that has obtained a license issued under s. 473.3101 or is authorized by s. 473.3101 to provide such services.

Section 279. Subsections (2), (8), and (9) of section 476.184, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

476.184 Barbershop licensure; requirements; fee; inspection; license display.—

(2) The *department* ~~board~~ shall adopt rules governing the licensure and operation of a barbershop and its facilities, personnel, safety and sanitary requirements, and the license application and granting process.

(8) Renewal of license registration for barbershops shall be accomplished pursuant to rules adopted by the *department* ~~board~~. The *department* ~~board~~ is further authorized to adopt rules governing delinquent renewal of licenses and may impose penalty fees for delinquent renewal.

(9) The *department* ~~board~~ is authorized to adopt rules governing the operation and periodic inspection of barbershops licensed under this chapter.

(11)(a) The department shall adopt rules governing the licensure, operation, and inspection of mobile barbershops, including their facilities, personnel, and safety and sanitary requirements.

(b) Each mobile barbershop must comply with all licensure and operating requirements specified in this chapter, chapter 455, or rules of the department that apply to barbershops at fixed locations, except to the extent that such requirements conflict with this subsection or rules adopted pursuant to this subsection.

(c) A mobile barbershop must maintain a permanent business address, located in the inspection area of the local department office, at which records of appointments, itineraries, license numbers of employees, and vehicle identification numbers of the licenseholder's mobile barbershop shall be kept and made available for verification purposes by department personnel, and at which correspondence from the department can be received.

(d) To facilitate periodic inspections of a mobile barbershop, before the beginning of each month each mobile barbershop licenseholder must file with the department a written monthly itinerary listing the locations where and the dates and hours when the mobile barbershop will be operating.

(e) The licenseholder must comply with all local laws and ordinances regulating business establishments, with all applicable requirements of the Americans with Disabilities Act relating to accommodations for persons with disabilities, and with all applicable requirements of the Occupational Safety and Health Administration.

Section 280. Section 476.188, Florida Statutes, is amended to read:

476.188 Barber services to be performed in *a licensed* ~~registered~~ barbershop; exception.—

(1) Barber services shall be performed only by licensed barbers in *licensed* ~~registered~~ barbershops, except as otherwise provided in this section.

(2) Pursuant to rules established by the *department* ~~board~~, barber services may be performed by a licensed barber in a location other than a *licensed* ~~registered~~ barbershop, including, but not limited to, a nursing home, hospital, or residence, when a client for reasons of ill health is unable to go to a *licensed* ~~registered~~ barbershop. Arrangements for the performance of barber services in a location other than a *licensed* ~~registered~~ barbershop *may* ~~shall~~ be made only through a *licensed* ~~registered~~ barbershop. However, a barber may shampoo, cut, or arrange hair in a location other than a *licensed* ~~registered~~ barbershop without such arrangements.

(3) Any person who holds a valid barber's license in any state or who is authorized to practice barbering in any country, territory, or jurisdiction of the United States may perform barber services in a location other than a *licensed* ~~registered~~ barbershop when such services are performed in connection with the motion picture, fashion photography, theatrical, or television industry; a manufacturer trade show demonstration; or an educational seminar.

(4) Pursuant to rules adopted by the department, the practice of barbering may be performed in a location other than a licensed barbershop when performed in connection with a special event and by a person who holds the proper license.

Section 281. Subsections (1) through (7) of section 481.213, Florida Statutes, are amended to read:

481.213 Licensure and registration.—

(1) The department shall license or register any applicant who ~~the board certifies~~ is *certified and* qualified for licensure or registration and who has paid the initial licensure or registration fee. Licensure as an architect under this section shall be deemed to include all the rights and privileges of registration as an interior designer under this section.

(2) The *department* ~~board~~ shall certify for licensure ~~or registration~~ by examination any applicant who passes the prescribed licensure or registration examination and satisfies the requirements of ss. 481.209 and 481.211, for architects, or the requirements of s. 481.209, for interior designers.

(3) The *department* ~~board~~ shall certify as qualified for a license by endorsement as an architect or registration as a registered interior designer an applicant who:

(a) Qualifies to take the prescribed licensure or registration examination, and has passed the prescribed licensure or registration examination or a substantially equivalent examination in another jurisdiction, as set forth in s. 481.209 for architects or registered interior designers, as applicable, and has satisfied the internship requirements set forth in s. 481.211 for architects;

(b) Holds a valid license to practice architecture or a license, registration, or certification to practice interior design issued by another jurisdiction of the United States, if the criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued; or

(c) Has passed the prescribed licensure examination and Holds a valid certificate issued by the National Council of Architectural Registration Boards, and holds a valid license to practice architecture issued by another state*, another* ~~or~~ jurisdiction of the United States*, or a foreign jurisdiction approved by the department*.

An architect who is licensed in another state*, another jurisdiction of the United States, or a foreign jurisdiction approved by the department* who seeks qualification for *licensure* ~~license~~ by endorsement under this subsection must complete a 2-hour class approved by the *department* ~~board~~ on wind mitigation techniques.

(4) The *department* ~~board~~ may refuse to certify any applicant who has violated any of the provisions of *s. 481.223, s. 481.225,* ~~s. 481.223, s. 481.225,~~ or s. 481.2251, as applicable.

(5) The *department* ~~board~~ may refuse to certify any applicant who is under investigation in any jurisdiction for any act which would constitute a violation of this part or of chapter 455 until such time as the investigation is complete and disciplinary proceedings have been terminated.

(6) The *department* ~~board~~ shall adopt rules to implement the provisions of this part relating to the examination, internship, and licensure of applicants.

(7) For persons whose licensure requires satisfaction of the requirements of ss. 481.209 and 481.211, the *department* ~~board~~ shall, by rule, establish qualifications for certification of such persons as special inspectors of threshold buildings, as defined in ss. 553.71 and 553.79, and shall compile a list of persons who are certified. A special inspector is not required to meet standards for certification other than those established by the *department* ~~board~~, and the fee owner of a threshold building may not be prohibited from selecting any person certified by the *department* ~~board~~ to be a special inspector. The *department* ~~board~~ shall develop minimum qualifications for the qualified representative of the special inspector who is authorized under s. 553.79 to perform inspections of threshold buildings on behalf of the special inspector.

Section 282. Paragraph (b) of subsection (6), paragraph (l) of subsection (8), paragraphs (a) and (d) of subsection (9), and subsection (15) of section 499.012, Florida Statutes, are amended, to read:

499.012 Permit application requirements.—

(6) A permit issued by the department is nontransferable. Each permit is valid only for the person or governmental unit to which it is issued and is not subject to sale, assignment, or other transfer, voluntarily or involuntarily; nor is a permit valid for any establishment other than the establishment for which it was originally issued.

(b)1. An application for a new permit is required when a majority of the ownership or controlling interest of a permitted establishment is transferred or assigned or when a lessee agrees to undertake or provide services to the extent that legal liability for operation of the establishment will rest with the lessee. The application for the new permit must be made *within 30 days after* ~~before~~ the date of the sale, transfer, assignment, or lease.

2. A permittee that is authorized to distribute prescription drugs may transfer such drugs to the new owner or lessee under subparagraph 1. only after the new owner or lessee has been approved for a permit to distribute prescription drugs.

The department may revoke the permit of any person that fails to comply with the requirements of this subsection.

(8) An application for a permit or to renew a permit for a prescription drug wholesale distributor or an out-of-state prescription drug wholesale distributor submitted to the department must include:

(l) ~~The name of each of the applicant's designated representatives as required by subsection (15), together with~~ The personal information statement and fingerprints required pursuant to subsection (9) for each such person.

(9)(a) Each person required by subsection (8) ~~or subsection (15)~~ to provide a personal information statement and fingerprints shall provide the following information to the department on forms prescribed by the department:

1. The person's places of residence for the past 7 years.

2. The person's date and place of birth.

3. The person's occupations, positions of employment, and offices held during the past 7 years.

4. The principal business and address of any business, corporation, or other organization in which each such office of the person was held or in which each such occupation or position of employment was carried on.

5. Whether the person has been, during the past 7 years, the subject of any proceeding for the revocation of any license and, if so, the nature of the proceeding and the disposition of the proceeding.

6. Whether, during the past 7 years, the person has been enjoined, temporarily or permanently, by a court of competent jurisdiction from violating any federal or state law regulating the possession, control, or distribution of prescription drugs, together with details concerning any such event.

7. A description of any involvement by the person with any business, including any investments, other than the ownership of stock in a publicly traded company or mutual fund, during the past 4 years, which manufactured, administered, prescribed, distributed, or stored pharmaceutical products and any lawsuits in which such businesses were named as a party.

8. A description of any felony criminal offense of which the person, as an adult, was found guilty, regardless of whether adjudication of guilt was withheld or whether the person pled guilty or nolo contendere. A criminal offense committed in another jurisdiction which would have been a felony in this state must be reported. If the person indicates that a criminal conviction is under appeal and submits a copy of the notice of appeal of that criminal offense, the applicant must, within 15 days after the disposition of the appeal, submit to the department a copy of the final written order of disposition.

9. A photograph of the person taken in the previous 180 days.

10. A set of fingerprints for the person on a form and under procedures specified by the department, together with payment of an amount equal to the costs incurred by the department for the criminal record check of the person.

11. The name, address, occupation, and date and place of birth for each member of the person's immediate family who is 18 years of age or older. As used in this subparagraph, the term "member of the person's immediate family" includes the person's spouse, children, parents, siblings, the spouses of the person's children, and the spouses of the person's siblings.

12. Any other relevant information that the department requires.

(d) For purposes of applying for renewal of a permit under subsection (8) ~~or certification under subsection (15)~~, a person may submit the following in lieu of satisfying the requirements of paragraphs (a), (b), and (c):

1. A photograph of the individual taken within 180 days; and

2. A copy of the personal information statement form most recently submitted to the department and a certification under oath, on a form specified by the department, that the individual has reviewed the previously submitted personal information statement form and that the information contained therein remains unchanged.

~~(15)(a) Each establishment that is issued an initial or renewal permit as a prescription drug wholesale distributor or an out-of-state prescription drug wholesale distributor must designate in writing to the department at least one natural person to serve as the designated representative of the wholesale distributor. Such person must have an active certification as a designated representative from the department.~~

~~(b) To be certified as a designated representative, a natural person must:~~

~~1. Submit an application on a form furnished by the department and pay the appropriate fees.~~

~~2. Be at least 18 years of age.~~

~~3. Have at least 2 years of verifiable full-time:~~

~~a. Work experience in a pharmacy licensed in this state or another state, where the person's responsibilities included, but were not limited to, recordkeeping for prescription drugs;~~

~~b. Managerial experience with a prescription drug wholesale distributor licensed in this state or in another state;~~

~~c. Managerial experience with the United States Armed Forces, where the person's responsibilities included, but were not limited to, recordkeeping, warehousing, distributing, or other logistics services pertaining to prescription drugs;~~

~~d. Managerial experience with a state or federal organization responsible for regulating or permitting establishments involved in the distribution of prescription drugs, whether in an administrative or a sworn law enforcement capacity; or~~

~~e. Work experience as a drug inspector or investigator with a state or federal organization, whether in an administrative or a sworn law enforcement capacity, where the person's responsibilities related primarily to compliance with state or federal requirements pertaining to the distribution of prescription drugs.~~

~~4. Receive a passing score of at least 75 percent on an examination given by the department regarding federal laws governing distribution of prescription drugs and this part and the rules adopted by the department governing the wholesale distribution of prescription drugs. This requirement shall be effective 1 year after the results of the initial examination are mailed to the persons that took the examination. The department shall offer such examinations at least four times each calendar year.~~

~~5. Provide the department with a personal information statement and fingerprints pursuant to subsection (9).~~

~~(c) The department may deny an application for certification as a designated representative or may suspend or revoke a certification of a designated representative pursuant to s. 499.067.~~

~~(d) A designated representative:~~

~~1. Must be actively involved in and aware of the actual daily operation of the wholesale distributor.~~

~~2. Must be employed full time in a managerial position by the wholesale distributor.~~

~~3. Must be physically present at the establishment during normal business hours, except for time periods when absent due to illness, family illness or death, scheduled vacation, or other authorized absence.~~

~~4. May serve as a designated representative for only one wholesale distributor at any one time.~~

~~(e) A wholesale distributor must notify the department when a designated representative leaves the employ of the wholesale distributor. Such notice must be provided to the department within 10 business days after the last day of designated representative's employment with the wholesale distributor.~~

~~(f) A wholesale distributor may not operate under a prescription drug wholesale distributor permit or an out-of-state prescription drug wholesale distributor permit for more than 10 business days after the designated representative leaves the employ of the wholesale distributor, unless the wholesale distributor employs another designated representative and notifies the department within 10 business days of the identity of the new designated representative.~~

Section 283. Subsection (9) of section 499.0121, Florida Statutes, is amended to read:

499.0121 Storage and handling of prescription drugs; recordkeeping.—The department shall adopt rules to implement this section as necessary to protect the public health, safety, and welfare. Such rules shall include, but not be limited to, requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records.

(9) RESPONSIBLE PERSONS.—Wholesale distributors must establish and maintain lists of officers, directors, managers~~, designated representatives~~, and other persons in charge of wholesale drug distribution, storage, and handling, including a description of their duties and a summary of their qualifications.

Section 284. Subsection (9) of section 499.041, Florida Statutes, is amended to read:

499.041 Schedule of fees for drug, device, and cosmetic applications and permits, product registrations, and free-sale certificates.—

~~(9) The department shall assess each person applying for certification as a designated representative a fee of $150, plus the cost of processing the criminal history record check.~~

Section 285. Subsection (1) of section 509.261, Florida Statutes, is amended to read:

509.261 Revocation or suspension of licenses; fines; procedure.—

(1) Any public lodging establishment or public food service establishment that has operated or is operating in violation of this chapter or the rules of the division, *operating in violation of s. 581.217(7), relating to the retail sale of products containing hemp extract intended for human ingestion or inhalation,* operating without a license, or operating with a suspended or revoked license may be subject by the division to:

(a) Fines not to exceed $1,000 per offense;

(b) Mandatory completion, at personal expense, of a remedial educational program administered by a food safety training program provider approved by the division, as provided in s. 509.049; and

(c) The suspension, revocation, or refusal of a license issued pursuant to this chapter.

Section 286. Section 569.002, Florida Statutes, is reordered, to read:

569.002 Definitions.—As used in this part, the term:

(1) "Any person under the age of 21" does not include any person under the age of 21 who:

(a) Is in the military reserve or on active duty in the Armed Forces of the United States; or

(b) Is acting in his or her scope of lawful employment with an entity licensed under chapter 210 or this part.

(2)~~(1)~~ "Dealer" is synonymous with the term "retail tobacco products dealer."

(3)~~(2)~~ "Division" means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

~~(3) "Nicotine product" has the same meaning as in s. 569.31.~~

(4) "Nicotine dispensing device" has the same meaning as in s. 569.31.

(5) "Nicotine product" has the same meaning as in s. 569.31.

(6)~~(5)~~ "Permit" is synonymous with the term "retail tobacco products dealer permit."

(7)~~(6)~~ "Retail tobacco products dealer" means the holder of a retail tobacco products dealer permit.

(8)~~(7)~~ "Retail tobacco products dealer permit" means a permit issued by the division pursuant to s. 569.003.

(9)~~(8)~~ "Tobacco products" includes loose tobacco leaves, and products made from tobacco leaves, in whole or in part, and cigarette wrappers, which can be used for smoking, sniffing, or chewing.

~~(9) "Any person under the age of 21" does not include any person under the age of 21 who:~~

~~(a) Is in the military reserve or on active duty in the Armed Forces of the United States; or~~

~~(b) Is acting in his or her scope of lawful employment with an entity licensed under the provisions of chapter 210 or this part.~~

Section 287. Section 569.006, Florida Statutes, is amended to read:

569.006 Retail tobacco products dealers; administrative penalties.—The division may suspend or revoke the permit of the dealer upon sufficient cause appearing of the violation of ~~any of the provisions of~~ this chapter, *or any violation of the laws of this state or any state or territory of the United States* ~~including part II of this chapter~~ if the dealer deals, at retail, in nicotine products within *this* ~~the~~ state or allows a nicotine products vending machine to be located on its premises within *this* ~~the~~ state, by a dealer or by a dealer's agent or employee. The division may also assess and accept administrative fines of up to $1,000 against a dealer for each violation. The division shall deposit all fines collected into the General Revenue Fund as collected. An order imposing an administrative fine becomes effective 15 days after the date of the order. The division may suspend the imposition of a penalty against a dealer, conditioned upon the dealer's compliance with terms the division considers appropriate.

Section 288. Section 569.35, Florida Statutes, is amended to read:

569.35 Retail nicotine product dealers; administrative penalties.—The division may suspend or revoke the permit of a dealer, including the retail tobacco products dealer permit of a retail tobacco products dealer as defined in *s. 569.002* ~~s. 569.002(4)~~, upon sufficient cause appearing of the violation of ~~any of the provisions of~~ this part *or any violation of the laws of this state or any state or territory of the United States*, by a dealer, or by a dealer's agent or employee. The division may also assess and accept an administrative fine of up to $1,000 against a dealer for each violation. The division shall deposit all fines collected into the General Revenue Fund as collected. An order imposing an administrative fine becomes effective 15 days after the date of the order. The division may suspend the imposition of a penalty against a dealer, conditioned upon the dealer's compliance with terms the division considers appropriate.

Section 289. Paragraphs (e), (f), and (g) of subsection (3) of section 581.217, Florida Statutes, are redesignated as paragraphs (f), (g), and (h), respectively, a new paragraph (e) is added to that subsection, and paragraphs (e) and (f) are added to subsection (11) of that section, to read:

581.217 State hemp program.—

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

(e) "Division" means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(11) ENFORCEMENT.—

(e) The division may assist any agent of the department in enforcing subsection (7) and the rules adopted by the department relating to the retail sale of products containing hemp extract intended for human ingestion or inhalation.

(f) The division is authorized to enter any public or private premises during regular business hours in the performance of its duties relating to the retail sale of products containing hemp extract intended for human ingestion or inhalation.

Section 290. Paragraph (a) of subsection (3) and paragraph (c) of subsection (10) of section 20.60, Florida Statutes, are amended, and paragraph (a) of subsection (5) of that section is reenacted, to read:

20.60 Department of Commerce; creation; powers and duties.—

(3)(a) The following divisions and offices of the Department of Commerce are established:

1. The Division of Economic Development.

2. The Division of Community Development.

3. The Division of Workforce Services.

4. The Division of Finance and Administration.

5. The Division of Information Technology.

6. The Office of the Secretary.

7. *The Office of Rural Prosperity.*

8. The Office of Economic Accountability and Transparency, which shall:

a. Oversee the department's critical objectives as determined by the secretary and make sure that the department's key objectives are clearly communicated to the public.

b. Organize department resources, expertise, data, and research to focus on and solve the complex economic challenges facing the state.

c. Provide leadership for the department's priority issues that require integration of policy, management, and critical objectives from multiple programs and organizations internal and external to the department; and organize and manage external communication on such priority issues.

d. Promote and facilitate key department initiatives to address priority economic issues and explore data and identify opportunities for innovative approaches to address such economic issues.

e. Promote strategic planning for the department.

(5) The divisions within the department have specific responsibilities to achieve the duties, responsibilities, and goals of the department. Specifically:

(a) The Division of Economic Development shall:

1. Analyze and evaluate business prospects identified by the Governor and the secretary.

2. Administer certain tax refund, tax credit, and grant programs created in law. Notwithstanding any other provision of law, the department may expend interest earned from the investment of program funds deposited in the Grants and Donations Trust Fund to contract for the administration of those programs, or portions of the programs, assigned to the department by law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

3. Develop measurement protocols for the state incentive programs and for the contracted entities which will be used to determine their performance and competitive value to the state. Performance measures, benchmarks, and sanctions must be developed in consultation with the legislative appropriations committees and the appropriate substantive committees, and are subject to the review and approval process provided in s. 216.177. The approved performance measures, standards, and sanctions shall be included and made a part of the strategic plan for contracts entered into for delivery of programs authorized by this section.

4. Develop a 5-year statewide strategic plan. The strategic plan must include, but need not be limited to:

a. Strategies for the promotion of business formation, expansion, recruitment, and retention through aggressive marketing, attraction of venture capital and finance development, domestic trade, international development, and export assistance, which lead to more and better jobs and higher wages for all geographic regions, disadvantaged communities, and populations of the state, including rural areas, minority businesses, and urban core areas.

b. The development of realistic policies and programs to further the economic diversity of the state, its regions, and their associated industrial clusters.

c. Specific provisions for the stimulation of economic development and job creation in rural areas and midsize cities and counties of the state, including strategies for rural marketing and the development of infrastructure in rural areas.

d. Provisions for the promotion of the successful long-term economic development of the state with increased emphasis in market research and information.

e. Plans for the generation of foreign investment in the state which create jobs paying above-average wages and which result in reverse investment in the state, including programs that establish viable overseas markets, assist in meeting the financing requirements of export-ready firms, broaden opportunities for international joint venture relationships, use the resources of academic and other institutions, coordinate trade assistance and facilitation services, and facilitate availability of and access to education and training programs that assure requisite skills and competencies necessary to compete successfully in the global marketplace.

f. The identification of business sectors that are of current or future importance to the state's economy and to the state's global business image, and development of specific strategies to promote the development of such sectors.

g. Strategies for talent development necessary in the state to encourage economic development growth, taking into account factors such as the state's talent supply chain, education and training opportunities, and available workforce.

h. Strategies and plans to support this state's defense, space, and aerospace industries and the emerging complementary business activities and industries that support the development and growth of defense, space, and aerospace in this state.

5. Update the strategic plan every 5 years.

6. Involve CareerSource Florida, Inc.; direct-support organizations of the department; local governments; the general public; local and regional economic development organizations; other local, state, and federal economic, international, and workforce development entities; the business community; and educational institutions to assist with the strategic plan.

7. Coordinate with the Florida Tourism Industry Marketing Corporation in the development of the 4-year marketing plan pursuant to s. 288.1226(13).

8. Administer and manage relationships, as appropriate, with the entities and programs created pursuant to the Florida Capital Formation Act, ss. 288.9621-288.96255.

(10) The department shall, by November 1 of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the condition of the business climate and economic development in the state.

(c) The report must incorporate annual reports of other programs, including:

1. A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.

2. ~~The Rural Economic Development Initiative established under s. 288.0656.~~

~~3.~~ A detailed report of the performance of the Florida Development Finance Corporation and a summary of the corporation's report required under s. 288.9610.

3.~~4.~~ Information provided by Space Florida under s. 331.3051 and an analysis of the activities and accomplishments of Space Florida.

Section 291. Subsection (5) is added to section 163.3168, Florida Statutes, to read:

163.3168 Planning innovations and technical assistance.—

(5) When selecting applications for funding for technical assistance, the state land planning agency shall give preference to local governments located in a rural area of opportunity as defined in s. 288.0656. The state land planning agency shall consult with the Office of Rural Prosperity when awarding funding pursuant to this section.

Section 292. Paragraph (h) of subsection (1) of section 215.971, Florida Statutes, is amended to read:

215.971 Agreements funded with federal or state assistance.—

(1) An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, must include all of the following:

(h)*1.* If the agency agreement provides federal or state financial assistance to a county or municipality that is a rural community or rural area of opportunity as those terms are defined in s. 288.0656(2), a provision allowing the agency to provide for the payment of invoices to the county, municipality, or rural area of opportunity as that term is defined in s. 288.0656(2), for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement. *This provision is not intended to require reimbursement to the county, municipality, or rural area of opportunity for invoices paid, but to allow the agency to provide for the payment of invoices due. The agency shall expedite such payment requests in order to facilitate the timely payment of invoices received by the county, municipality, or rural area of opportunity.* This provision is included to alleviate the financial hardships that certain rural counties and municipalities encounter when administering agreements, and must be exercised by the agency when a county or municipality demonstrates financial hardship, to the extent that federal or state law, rule, or other regulation allows such payments. This paragraph may not be construed to alter or limit any other provisions of federal or state law, rule, or other regulation.

2. By August 1, 2026, and each year thereafter, each state agency shall report to the Office of Rural Prosperity summarizing the implementation of this paragraph for the preceding fiscal year. The Office of Rural Prosperity shall summarize the information received pursuant to this paragraph in its annual report as required in s. 288.013.

Section 293. Section 218.67, Florida Statutes, is amended to read:

218.67 Distribution for fiscally constrained counties.—

(1) Each county ~~that is entirely within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or each county~~ for which the value of a mill will raise no more than *$10* ~~$5~~ million in revenue, based on the taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1, shall be considered a fiscally constrained county.

(2) Each fiscally constrained county government that participates in the local government half-cent sales tax shall be eligible to receive an additional distribution ~~from the Local Government Half-cent Sales Tax Clearing Trust Fund,~~ as provided in *s. 212.20(6)(d)6.* ~~s. 202.18(2)(c)1.~~, in addition to its regular monthly distribution provided under this part and any emergency or supplemental distribution under s. 218.65.

(3) The amount to be distributed to each fiscally constrained county shall be determined by the Department of Revenue at the beginning of

the fiscal year, using the prior fiscal year's *sales and use tax collections from the most recent fiscal year that reports 12 months of collections* ~~July 1 taxable value certified pursuant to s. 1011.62(4)(a)1.a., tax data~~, population as defined in s. 218.21, and *the most current calendar year per capita personal income published by the Bureau of Economic Analysis of the United States Department of Commerce* ~~millage rate levied for the prior fiscal year~~. The amount distributed shall be allocated based upon the following factors:

(a) The *contribution-to-revenue* ~~relative revenue-raising capacity~~ factor *for each participating county* shall *equal 100 multiplied by a quotient, the numerator of which is the county's population and the denominator of which is the state sales and use tax collections attributable to the county* ~~be the ability of the eligible county to generate ad valorem revenues from 1 mill of taxation on a per capita basis. A county that raises no more than $25 per capita from 1 mill shall be assigned a value of 1; a county that raises more than $25 but no more than $30 per capita from 1 mill shall be assigned a value of 0.75; and a county that raises more than $30 but no more than $50 per capita from 1 mill shall be assigned a value of 0.5. No value shall be assigned to counties that raise more than $50 per capita from 1 mill of ad valorem taxation~~.

(b) The *personal-income* ~~local effort~~ factor shall *equal a quotient, the numerator of which is the median per capita personal income of participating counties and the denominator of which is the county's per capita personal income* ~~be a measure of the relative level of local effort of the eligible county as indicated by the millage rate levied for the prior fiscal year. The local effort factor shall be the most recently adopted county-wide operating millage rate for each eligible county multiplied by 0.1~~.

(c) Each eligible county's proportional allocation of the total amount available to be distributed to all of the eligible counties shall be in the same proportion as the sum of the county's two factors is to the sum of the two factors for all eligible counties. *The proportional rate computation must be carried to the fifth decimal place, and the amount to distribute to each county must be rounded to the next whole dollar amount.* The counties that are eligible to receive an allocation under this subsection and the amount available to be distributed to such counties *do* ~~shall~~ not include counties participating in the phaseout period under subsection (4) or the amounts they remain eligible to receive during the phaseout.

(4) For those counties that no longer qualify under the requirements of subsection (1) after the effective date of this act, there shall be a 2-year phaseout period. Beginning on July 1 of the year following the year in which the value of a mill for that county exceeds *$10* ~~$5~~ million in revenue, the county shall receive two-thirds of the amount received in the prior year, and beginning on July 1 of the second year following the year in which the value of a mill for that county exceeds *$10* ~~$5~~ million in revenue, the county shall receive one-third of the amount received in the last year that the county qualified as a fiscally constrained county. Following the 2-year phaseout period, the county *is* ~~shall~~ no longer ~~be~~ eligible to receive any distributions under this section unless the county can be considered a fiscally constrained county as provided in subsection (1).

(5)*(a)* The revenues received under this section *must be allocated* ~~may be used~~ by a county *to be used* for *the following purposes:*

1. Fifty percent for public safety, including salary expenditures for law enforcement officers or correctional officers, as those terms are defined in s. 943.10(1) and (2), respectively, firefighters as defined in s. 633.102, or emergency medical technicians or paramedics as those terms are defined in s. 401.23.

2. Thirty percent for infrastructure needs.

3. Twenty percent for any public purpose.

(b) The revenues received under this section ~~any public purpose, except that such revenues~~ may not be used to pay debt service on bonds, notes, certificates of participation, or any other forms of indebtedness.

Section 294. Subsection (6) is added to section 288.0001, Florida Statutes, to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(6)(a) The Office of Economic and Demographic Research and OPPAGA shall prepare a report on the impact of the Florida Statutes on rural communities. Specifically, the report must include the following:

1. A review of definitions in the Florida Statutes of terms such as "rural community," "rural area of opportunity," and other similar terms used to define rural areas of this state, including population-based references, to assess the adequacy of the current statutory framework in defining these areas. The analysis must include, but need not be limited to:

a. Evaluation of whether current provisions properly distinguish these communities or areas from more urban and suburban parts of this state;

b. Consideration of updates to the definitions and references to classify additional rural areas, such as growing communities, unincorporated areas, or rural communities by design; and

c. Study of appropriate metrics to be used to describe rural communities or areas, such as population, geographic, demographic, or other metrics, or combinations thereof.

2. A survey of local governments meeting the statutory definition of "rural community" or "rural area of opportunity" to assess the benefits to the local government of being identified as such and any perceived unmet needs in the implementation of current statutory provisions designed to support rural communities or areas.

3. An analysis of state grant programs and recurring appropriations that explicitly benefit rural communities or areas, including, but not limited to, program purpose, funding amounts, participation rates, and consistency with peer-reviewed studies on effective economic programs for these areas.

(b) Upon request, the Office of Economic and Demographic Research and OPPAGA must be provided with all data necessary to complete the report, including any confidential data, by any entity with information related to this review. The offices may collaborate on all data collection and analysis.

(c) The Office of Economic and Demographic Research and OPPAGA shall submit a report to the President of the Senate and the Speaker of the House of Representatives by December 31, 2025. The report must provide recommendations to address any findings, including any changes in statutory definitions or references to rural communities or areas, opportunities to enhance state support to rural communities or areas, outcome measures or other criteria that may be used to examine the effectiveness of state grant programs for rural communities or areas, and adjustments to program design, including changes to increase participation in state grant programs for rural communities or areas.

(d) This subsection expires July 1, 2026.

Section 295. Present paragraphs (d) and (e) of subsection (7) of section 288.001, Florida Statutes, are redesignated as paragraphs (e) and (f), respectively, and a new paragraph (d) is added to that subsection, to read:

288.001 The Florida Small Business Development Center Network.—

(7) ADDITIONAL STATE FUNDS; USES; PAY-PER-PERFORMANCE INCENTIVES; STATEWIDE SERVICE; SERVICE ENHANCEMENTS; BEST PRACTICES; ELIGIBILITY.—

(d) Notwithstanding paragraphs (a), (b), and (c), the network shall use funds directly appropriated for the specific purpose of expanding service in rural communities, as defined in s. 288.0656, in addition to any funds allocated by the network from other sources. The network shall use the funds to develop an activity plan focused on network consultants and resources in rural communities. In collaboration with regional economic development organizations as defined in s. 288.018, the plan

must provide for either full- or part-time consultants to be available for at least 20 hours per week in rural areas or be permanently stationed in rural areas. This may include establishing a circuit in specific rural locations to ensure the consultants' availability on a regular basis. By using the funds to create a regular presence in rural areas, the network can strengthen community collaboration, raise awareness of available resources to provide opportunities for new business development or existing business growth, and make professional experience, education, and business information available in these essential communities. The network may dedicate funds to facilitate local or regional events that focus on small business topics, provide consulting services, and leverage partner organizations, such as the regional economic development organizations, local workforce development boards as described in s. 445.07, and Florida College System institutions.

Section 296. Section 288.007, Florida Statutes, is amended to read:

288.007 Inventory of communities seeking to recruit businesses.—By September 30 of each year, a county or municipality that has a population of at least 25,000 or its local economic development organization*, and each local government within a rural area of opportunity as defined in s. 288.0656 or its local economic development organization, shall* ~~must~~ submit to the department a brief overview of the strengths, services, and economic development incentives that its community offers. The local government or its local economic development organization also *shall* ~~must~~ identify any industries that it is encouraging to locate or relocate to its area. *Unless otherwise required pursuant to this section,* a county or municipality having a population of 25,000 or *less* ~~fewer~~ or its local economic development organization seeking to recruit businesses may submit information as required in this section and may participate in any activity or initiative resulting from the collection, analysis, and reporting of the information to the department pursuant to this section.

Section 297. Section 288.013, Florida Statutes, is created to read:

288.013 Office of Rural Prosperity.—

(1) The Legislature finds that the unique characteristics and nature of the rural communities in this state are integral to making this state an attractive place to visit, work, and live. Further, the Legislature finds that building a prosperous rural economy and vibrant rural communities is in the best interest of this state. Rural prosperity is integral to supporting this state's infrastructure, housing, and agricultural and food-processing needs, as well as promoting the health and advancement of the overall economy of this state. It is of importance to the state that its rural areas are able to grow, whether locally or in regional partnerships. To better serve rural communities, and in recognition of rural Florida's unique challenges and opportunities, the Office of Rural Prosperity is established to ensure these efforts are coordinated, focused, and effective.

(2) The Office of Rural Prosperity is created within the Department of Commerce for the purpose of supporting rural communities by helping rural stakeholders navigate available programs and resources and representing rural interests across state government.

(3) The Governor shall appoint a director to lead the office, subject to confirmation by the Senate. The director shall report to the secretary of the department and shall serve at the pleasure of the secretary.

(4) The office shall do all of the following:

(a) Serve as the state's point of contact for rural local governments.

(b) Administer the Rural Economic Development Initiative (REDI) pursuant to s. 288.0656.

(c) Provide training and technical assistance to rural local governments on a broad range of community and economic development activities. The training and technical assistance may be offered using communications technology or in person and must be recorded and posted to the office's website. The training and technical assistance must include, at a minimum, the following topics:

1. How to access state and federal resources, including training on the online rural resource directory required under paragraph (d).

2. Best practices relating to comprehensive planning, economic development, and land development in rural communities.

3. Strategies to address management and administrative capacity challenges unique to rural local governments.

4. Requirements of, and updates on recent changes to, the Community Planning Act under s. 163.3161.

5. Updates on other recent state and federal laws affecting rural local governments.

(d) Create and maintain an online rural resource directory to serve as an interactive tool to navigate the various state and federal resources, tools, and services available to rural local governments. The office shall regularly maintain the resource directory and, to the greatest extent possible, include up-to-date information on state and federal programs, resources, tools, and services that address the needs of rural communities in all areas of governance. Each state agency shall routinely provide information and updates to the office for maintenance of the resource directory. The resource directory must allow users to search by indicators, such as agency name, resource type, or topic, and include a notification function to allow users to receive alerts when new or modified resources are available. To the greatest extent possible, the resource directory must include information on financial match requirements for the state and federal programs listed in the directory.

(5)(a) By October 1, 2025, the office shall establish and staff seven regional rural community liaison centers across this state for the purpose of providing specialized in-person state support to local governments in rural areas of opportunity as defined in s. 288.0656. The department shall by rule divide this state into seven regions and assign a regional rural community liaison center to each region. Each liaison center shall support the local governments within its geographic territory and shall be staffed with at least two full-time department personnel. At a minimum, liaison centers shall have the following powers, duties, and functions:

1. Work with local governments to plan and achieve goals for local or regional growth, economic development, and rural prosperity.

2. Facilitate local government access to state and federal resources, such as grants, loans, and other aid or resources.

3. Advise local governments on available waivers of program requirements, including financial match waivers or reductions, for projects using state or federal funds through the Rural Economic Development Initiative under s. 288.0656.

4. Coordinate local government technical assistance needs with the department and other state or federal agencies.

5. Promote model ordinances, policies, and strategies related to economic development.

6. Assist local governments with regulatory and reporting compliance.

(b) To the greatest extent possible, the regional rural community liaison centers shall coordinate with local and regional governmental entities, regional economic development organizations as defined in s. 288.018, and other appropriate entities to establish a network to foster community-driven solutions that promote viable and sustainable rural communities.

(c) The regional rural community liaison centers shall regularly engage with the Rural Economic Development Initiative established in s. 288.0656, and at least one staff member from each liaison center shall attend, either in person or by means of electronic communication, the monthly meetings required by s. 288.0656(6)(c).

(6) By December 1, 2025, and each year thereafter, the director of the office shall submit to the Administration Commission in the Executive Office of the Governor a written report describing the office's operations and accomplishments for the preceding year, inclusive of the Rural Economic Development Initiative report required by s. 288.0656(8). In consultation with the Department of Agriculture and Consumer Services, the office shall also include in the annual report recommendations for policies, programs, and funding to further support the needs of rural

communities in this state. The office shall submit the annual report to the President of the Senate and the Speaker of the House of Representatives by December 1 of each year and publish the annual report on the office's website. The director shall present, in person at the next scheduled Administration Commission meeting, detailed information from the annual report required by this subsection.

(7)(a) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall review the effectiveness of the office by December 15, 2026, and each year thereafter until 2028. Beginning in 2029, OPPAGA shall review and evaluate the office every 3 years and shall submit a report based on its findings. Each report must recommend policy and statutory modifications for consideration by the Legislature. OPPAGA shall submit each report to the President of the Senate and the Speaker of the House of Representatives pursuant to the schedule.

(b) OPPAGA shall review strategies implemented by other states on rural community preservation, enhancement, and revitalization and report on their effectiveness and potential for implementation in this state. OPPAGA shall include its findings in its report to the President of the Senate and the Speaker of the House of Representatives by December 15, 2027, and every 3 years thereafter.

(c)1. OPPAGA shall review each state-funded or state-administered grant and loan program available to local governments to:

a. Identify any specified local government financial match requirements and whether any portion of a match may be waived or is required to be waived, pursuant to law, and programs where a financial match waiver may be appropriate for rural local government applicants, if not contemplated by law.

b. Identify grant and loan application evaluation criteria, including scoring procedures, for programs that may be perceived to be overly burdensome for rural local government applicants, and whether special accommodations or preferences for rural local governments may be appropriate.

2. OPPAGA shall produce a report based on its review and submit the report to the President of the Senate and the Speaker of the House of Representatives by December 15, 2026.

3. This paragraph expires June 30, 2027.

Section 298. Section 288.014, Florida Statutes, is created to read:

288.014 Renaissance Grants Program.—

(1) The Legislature finds that it has traditionally provided programs to assist rural communities with economic development and enhance their ability to attract businesses and that, by providing that extra component of economic viability, rural communities are able to attract new businesses and grow existing ones. However, the Legislature finds that a subset of rural communities has decreased in population over the past decade, contributing to a decline in local business activity and economic development. The Legislature further finds that the state must transform its assistance to these specific rural communities to help them achieve a necessary precursor of economic viability. The Legislature further finds that the approach intended by the creation of renaissance grants is to focus on reversing the economic deterioration in rural communities by retaining and attracting residents by giving them a reason to stay, which is the impetus of natural economic growth, business opportunities, and increased quality of life.

(2) The Office of Rural Prosperity within the department shall administer the Renaissance Grants Program to provide block grants to eligible counties. By October 1, 2025, the Office of Economic and Demographic Research shall certify to the Office of Rural Prosperity which counties are growth-impeded. For the purposes of this section, "growth-impeded" means a county that, as of the most recent population estimate, has had a declining population over the last 10 years. After an initial certification, the Office of Economic and Demographic Research shall annually certify whether the county remains growth-impeded, until the county has 3 consecutive years of population growth. Upon such certification of population growth, the county is eligible to participate in the program for 1 additional year in order for the county to prepare for the end of block grant funding.

(3)(a) Each participating county shall enter into an agreement with the Office of Rural Prosperity to receive the block grant. Each county has broad authority to design its specific plan to achieve population growth within the broad parameters identified in this section. The Office of Rural Prosperity may not determine the manner in which the county implements the block grant. However, regional rural community liaison center staff shall provide assistance in developing the county's plan, upon request.

(b) Each participating county shall report annually to the Office of Rural Prosperity on activities undertaken, intergovernmental agreements entered into, and other information as required by the office.

(c) Subject to appropriation, each participating county may receive funding from funds appropriated to the program. Counties participating in the program shall make all attempts to limit expenses for administrative costs, consistent with the need for prudent management and accountability in the use of public funds. Each county may contribute other funds for block grant purposes, including local, state, or federal grant funds, or seek out in-kind or financial contributions from private or public sources to assist in fulfilling the activities undertaken.

(4)(a) A participating county shall hire and retain a renaissance coordinator and may use block grant funds for this purpose. The renaissance coordinator is responsible for:

1. Ensuring that block grant funds are used as provided in this section;

2. Coordinating with other local governments, school boards, Florida College System institutions, or other entities; and

3. Reporting as necessary to the state, including information necessary pursuant to subsection (7).

(b) The Office of Rural Prosperity regional rural community liaison center staff shall provide assistance, upon request, and training to the renaissance coordinator to ensure successful implementation of the block grant.

(5) A participating county shall design a plan to make targeted investments in the community to achieve population growth and increase the economic vitality of the community. The plan must include the following key features for use of the state support:

(a) Technology centers with extended hours located within schools or on school premises, administered by the local school board, for such schools which provide extended hours and support for access by students.

(b) Facilities that colocate adult day care with child care facilities. The site-sharing facilities must be managed to also provide opportunities for direct interaction between generations and increase the health and well-being of both younger and older participants, reduce social isolation, and create cost and time efficiencies for working family members. The regional rural community liaison center staff of the Office of Rural Prosperity shall assist the county, upon request, with bringing to the Rural Economic Development Initiative or directly to the appropriate state agency recommendations necessary to streamline any required state permits, licenses, regulations, or other requirements.

(c) Technology labs managed in agreement with the nearest Florida College System institution or a career center as established under s. 1001.44. Repurposing vacant industrial sites or existing office space must be given priority in the selection of lab locations. Each local technology lab must be staffed and open for extended hours with the capacity to provide:

1. Access to trainers and equipment necessary for users to earn various certificates or online degrees in technology;

2. Hands-on assistance with applying for appropriate remote work opportunities; and

3. Studio space with equipment for graduates and other qualifying residents to perform remote work that is based on the use of technology. Collaboration with community partners, including the local workforce development board as described in s. 445.007, to provide training opportunities, in-kind support such as transportation to and from the lab,

financing of equipment for in-home use, or basic maintenance of such equipment is required.

(6) In addition to the hiring of a renaissance coordinator, a participating county shall develop intergovernmental agreements for shared responsibilities with its municipalities, school board, and Florida College System institution or career center and enter into necessary contracts with providers and community partners in order to implement the plan.

(7)(a) Every 2 years, the Auditor General shall conduct an operational audit as defined in s. 11.45 of each county's grant activities, beginning in 2026.

(b) On December 31, 2026, and every year thereafter, the Office of Economic and Demographic Research shall submit an annual report of renaissance block grant recipients by county to the President of the Senate and the Speaker of the House of Representatives. The report must provide key economic indicators that measure progress in altering longer-term trends in the county. The Office of Rural Prosperity shall provide the Office of Economic and Demographic Research with information as requested to complete the report.

(8) Notwithstanding s. 216.301, funds appropriated for the purposes of this section are not subject to reversion.

(9) This section expires June 30, 2040.

Section 299. Section 288.0175, Florida Statutes, is created to read:

288.0175 Public Infrastructure Smart Technology Grant Program.—

(1) The Public Infrastructure Smart Technology Grant Program is established within the Office of Rural Prosperity within the department to fund and support the development of public infrastructure smart technology projects in communities located in rural areas of opportunity, subject to legislative appropriation.

(2) As used in this section, the term:

(a) "Public infrastructure smart technology" means systems and applications that use connectivity, data analytics, and automation to improve public infrastructure by increasing efficiency, enhancing public services, and promoting sustainable development.

(b) "Rural area of opportunity" has the same meaning as in s. 288.0656.

(c) "Smart technology lead organization" means a not-for-profit corporation organized under s. 501(c)(3) of the Internal Revenue Code which has been in existence for at least 3 years and specializes in smart region planning.

(3)(a) The Office of Rural Prosperity shall contract with one or more smart technology lead organizations to administer the grant program for the purpose of deploying public infrastructure smart technology in rural communities. In accordance with the terms required by the office, the smart technology lead organization shall provide grants to counties and municipalities located within a rural area of opportunity for public infrastructure smart technology projects.

(b) The office's contract with a smart technology lead organization must specify the contract deliverables, including financial reports and other reports due the office, timeframes for achieving contractual obligations, and any other requirements the office determines are necessary. The contract must require the smart technology lead organization to do the following:

1. Collaborate with counties and municipalities located in rural areas of opportunity to identify opportunities for local governments to institute cost-effective smart technology solutions for improving public services and infrastructure.

2. Provide technical assistance to counties and municipalities located in rural areas of opportunity in developing plans for public infrastructure smart technology projects.

3. Assist counties and municipalities located in rural areas of opportunity in connecting with other communities, companies, and other entities to leverage the impact of each public infrastructure smart technology project.

(4) The office shall include in its annual report required by s. 288.013(6) a description of the projects funded under this section.

Section 300. Subsections (1), (2), and (4) of section 288.018, Florida Statutes, are amended to read:

288.018 Regional Rural Development Grants Program.—

(1)(a) For the purposes of this section, the term "regional economic development organization" means an economic development organization located in or contracted to serve a rural area of opportunity, as defined in *s. 288.0656* ~~s. 288.0656(2)(d)~~.

(b) *Subject to appropriation,* the *Office of Rural Prosperity* ~~department~~ shall establish a grant program to provide funding to regional economic development organizations for the purpose of building the professional capacity of those organizations. Building the professional capacity of a regional economic development organization includes hiring professional staff to develop, deliver, and provide needed economic development professional services, including technical assistance, education and leadership development, marketing, and project recruitment. Grants may also be used by a regional economic development organization to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses.

(c) A regional economic development organization may apply annually to the *office* ~~department~~ for a grant. The *office* ~~department~~ is authorized to approve, on an annual basis, grants to such regional economic development organizations. *Subject to appropriation,* the *office may award* ~~maximum amount~~ an organization ~~may receive in any year will be $50,000, or~~ $250,000 for any three regional economic development organizations that serve an entire region of a rural area of opportunity designated pursuant to s. 288.0656(7) if they are recognized by the *office* ~~department~~ as serving such a region.

(2) In approving the participants, the *office* ~~department~~ shall require the following:

(a) Documentation of official commitments of support from each of the units of local government represented by the regional organization.

(b) Demonstration that the organization is in existence and actively involved in economic development activities serving the region.

(c) Demonstration of the manner in which the organization is or will coordinate its efforts with those of other local and state organizations.

(4) *Except as otherwise provided in the General Appropriations Act,* the *office* ~~department~~ may expend up to $750,000 each fiscal year from funds appropriated ~~to the Rural Community Development Revolving Loan Fund~~ for the purposes outlined in this section.

Section 301. Section 288.019, Florida Statutes, is amended to read:

288.019 Rural considerations in grant review and evaluation processes*; financial match waiver or reduction*.—

(1) Notwithstanding any other law, and to the fullest extent possible, *each agency and organization* ~~the member agencies and organizations~~ of the Rural Economic Development Initiative (REDI) as defined in *s. 288.0656* ~~s. 288.0656(6)(a)~~ shall review*:*

(a) All grant and loan application evaluation criteria *and scoring procedures* to ensure the fullest access for rural *communities* ~~counties~~ as defined in *s. 288.0656* ~~s. 288.0656(2)~~ to resources available throughout the state*; and*

(b) The financial match requirements for projects in rural communities.

(2)~~(1)~~ Each REDI agency and organization shall *consider the impact on and ability of rural communities to meet and be competitive under*

such criteria, scoring, and requirements. Upon review, each REDI agency and organization shall ~~review all evaluation and scoring procedures and~~ develop *a proposal for* modifications to those procedures which minimize the *financial and resource impact to a rural community, including waiver or reduction of any required financial match requirements* ~~impact of a project within a rural area~~.

(a)~~(2)~~ Evaluation criteria and scoring procedures must provide for an appropriate ranking*, when ranking is a component of the program,* based on the proportionate impact that projects have on a rural area when compared with similar project impacts on an urban area. *Additionally,*

~~(3)~~ evaluation criteria and scoring procedures must recognize the disparity of available fiscal resources for an equal level of financial support from an urban county *or municipality* and a rural county *or municipality*.

~~(a)~~ The evaluation criteria should weight contribution in proportion to the amount of funding available at the local level.

(b) *Match requirements must be waived or reduced for rural communities. When appropriate, an* in-kind match *must* ~~should~~ be allowed and applied as *a* financial match when a *rural community* ~~county~~ is experiencing *economic* ~~financial~~ distress *as defined in s. 288.0656* ~~through elevated unemployment at a rate in excess of the state's average by 5 percentage points or because of the loss of its ad valorem base~~. *Donations of land, though usually not recognized as an in-kind match, may be treated as such. As appropriate, each agency and organization that applies for or receives federal funding must request federal approval to waive or reduce the financial match requirements, if any, for projects in rural communities.*

(3)~~(4) For existing programs,~~ The *proposal* ~~modified evaluation criteria and scoring procedure~~ must be *submitted* ~~delivered~~ to the *Office of Rural Prosperity* ~~department~~ for distribution to the REDI agencies and organizations. The REDI agencies and organizations shall review and make comments *and recommendations that*~~. Future rules, programs, evaluation criteria, and scoring processes must be brought before a REDI meeting for review, discussion, and recommendation to~~ allow rural *communities* ~~counties~~ fuller access to the state's resources.

(4) Each REDI agency and organization shall ensure that related administrative rules or policies are modified, as necessary, to reflect the finalized proposal and that information about the authorized wavier or reduction is included in the online rural resource directory of the Office of Rural Prosperity required in s. 288.013(4)(d).

(5) The rural liaison from the related regional district shall assist the rural community to make requests of waiver or reduction of match.

Section 302. Subsection (3) is added to section 288.021, Florida Statutes, to read:

288.021 Economic development liaison.—

(3) When practicable, the staff member appointed as the economic development liaison shall also serve as the agency representative for the Rural Economic Development Initiative pursuant to s. 288.0656.

Section 303. Section 288.065, Florida Statutes, is amended to read:

288.065 Rural Community Development Revolving Loan Fund.—

(1) The Rural Community Development Revolving Loan Fund Program is established within the *Office of Rural Prosperity* ~~department~~ to facilitate the use of existing federal, state, and local financial resources by providing local governments with financial assistance to further promote the economic viability of rural communities. These funds may be used to finance initiatives directed toward maintaining or developing the economic base of rural communities, especially initiatives addressing employment opportunities for residents of these communities.

(2)(a) The program shall provide for long-term loans, loan guarantees, and loan loss reserves to units of local governments, or economic development organizations substantially underwritten by a unit of local government.~~,~~

(b) For purposes of this section, the term "unit of local government" means:

1. A county ~~within counties~~ with *a population* ~~populations~~ of 75,000 or *less.* ~~fewer, or within any~~

2. A county with a population of 125,000 or *less* ~~fewer~~ which is contiguous to a county with a population of 75,000 or *less.* ~~fewer~~

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. A county or municipality within a rural area of opportunity.

For purposes of this paragraph, population is determined in accordance with the most recent official estimates pursuant to s. 186.901 and must include those residing in incorporated and unincorporated areas of a county~~, based on the most recent official population estimate as determined under s. 186.901, including those residing in incorporated areas and those residing in unincorporated areas of the county, or to units of local government, or economic development organizations substantially underwritten by a unit of local government, within a rural area of opportunity~~.

(c)~~(b)~~ Requests for loans *must* ~~shall~~ be made by application to the *office* ~~department~~. Loans *must* ~~shall~~ be made pursuant to agreements specifying the terms and conditions agreed to between the applicant and the *office* ~~department~~. The loans *are* ~~shall be~~ the legal obligations of the applicant.

(d)~~(c)~~ All repayments of principal and interest shall be returned to the loan fund and made available for loans to other applicants. However, in a rural area of opportunity designated *under s. 288.0656* ~~by the Governor~~, and upon approval by the *office* ~~department~~, repayments of principal and interest may be retained by the applicant if such repayments are dedicated and matched to fund regionally based economic development organizations representing the rural area of opportunity.

(3) The *office* ~~department~~ shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The *office has* ~~department shall have~~ final approval authority for any loan under this section.

(4) Notwithstanding ~~the provisions of~~ s. 216.301, funds appropriated for this *loan fund may* ~~purpose shall~~ not be subject to reversion.

(5) The office shall include in its annual report required under s. 288.013 detailed information about the fund, including loans made during the previous fiscal year, loans active, loans terminated or repaid, and the amount of funds not obligated as of 14 days before the date the report is due.

Section 304. Subsections (1), (2), and (3) of section 288.0655, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

288.0655 Rural Infrastructure Fund.—

(1) There is created within the *Office of Rural Prosperity* ~~department~~ the Rural Infrastructure Fund to facilitate the planning, preparing, and financing of infrastructure projects in rural communities which will encourage job creation, capital investment, and the strengthening and diversification of rural economies by promoting tourism, trade, and economic development. *Subject to appropriation, grants under this program may be awarded to a unit of local government within a rural community or rural area of opportunity as defined in s. 288.0656; or to a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government for an infrastructure project located within an unincorporated area that has a population of 15,000 or less, has been in existence for 100 years or more, is contiguous to a rural community, and has been adversely affected by a natural disaster or presents a unique economic development opportunity of regional impact.*

(2)(a) Funds appropriated by the Legislature shall be distributed by the *office* ~~department~~ through grant programs that maximize the use of federal, local, and private resources, including, but not limited to, those

available under the Small Cities Community Development Block Grant Program.

(b) To facilitate access of rural communities and rural areas of opportunity as defined by the Rural Economic Development Initiative to infrastructure funding programs of the Federal Government, such as those offered by the United States Department of Agriculture and the United States Department of Commerce, and state programs, including those offered by Rural Economic Development Initiative agencies, and to facilitate local government or private infrastructure funding efforts, the *office* ~~department~~ may award grants for up to 75 percent of the total infrastructure project cost, or up to 100 percent of the total infrastructure project cost for a project located in a rural community as defined in s. 288.0656(2) which is also located in a fiscally constrained county as defined in s. 218.67(1) or a rural area of opportunity as defined in s. 288.0656(2). Eligible uses of funds may include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth and reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities. Eligible uses of funds include improvements to public infrastructure for industrial or commercial sites and upgrades to or development of public tourism infrastructure. Authorized infrastructure may include the following public or public-private partnership facilities: storm water systems; telecommunications facilities; roads or other remedies to transportation impediments; nature-based tourism facilities; or other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community. Authorized infrastructure may also include publicly or privately owned self-powered nature-based tourism facilities, publicly owned telecommunications facilities, and additions to the distribution facilities of the existing natural gas utility as defined in s. 366.04(3)(c), the existing electric utility as defined in s. 366.02, or the existing water or wastewater utility as defined in s. 367.021(12), or any other existing water or wastewater facility, which owns a gas or electric distribution system or a water or wastewater system in this state when:

1. A contribution-in-aid of construction is required to serve public or public-private partnership facilities under the tariffs of any natural gas, electric, water, or wastewater utility as defined herein; and

2. Such utilities as defined herein are willing and able to provide such service.

(c) The *office* ~~department~~ may award grants of up to $300,000 for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation *or site readiness* activities. *Site readiness expenses may include clearing title, surveys, permitting, environmental studies, and regulatory compliance costs.* Grants awarded under this paragraph may be used in conjunction with grants awarded under paragraph (b). In evaluating applications under this paragraph, the *office* ~~department~~ shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(d) The *office* ~~department~~ shall participate in a memorandum of agreement with the United States Department of Agriculture under which state funds available through the Rural Infrastructure Fund may be advanced, in excess of the prescribed state share, for a project that has received from the United States Department of Agriculture a preliminary determination of eligibility for federal financial support. State funds in excess of the prescribed state share which are advanced pursuant to this paragraph and the memorandum of agreement shall be reimbursed when funds are awarded under an application for federal funding.

(e) To enable local governments to access the resources available pursuant to s. 403.973(17), the *office* ~~department~~ may award grants for surveys, feasibility studies, and other activities related to the identification and preclearance review of land which is suitable for preclearance review. Authorized grants under this paragraph may not exceed $75,000 each, except in the case of a project in a rural area of opportunity, in which case the grant may not exceed $300,000. Any funds awarded under this paragraph must be matched at a level of 50 percent with local funds, except that any funds awarded for a project in a rural area of opportunity do not require a match of local funds. ~~If an application for funding is for a catalyst site, as defined in s. 288.0656, the requirement for local match may be waived pursuant to the process in s. 288.06561.~~ In evaluating applications under this paragraph, the *office* ~~department~~ shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(3) The *office* ~~department~~, in consultation with the *Department of Transportation* ~~Florida Tourism Industry Marketing Corporation~~, the Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission, as appropriate, shall review and certify applications pursuant to s. 288.061. The review must include an evaluation of the economic benefit and long-term viability. The *office has* ~~department shall have~~ final approval for any grant under this section.

(6) The office shall include in its annual report required under s. 288.013 detailed information about the fund, including grants made for the year, grants active, grants terminated or complete, and the amount of funds not obligated as of 14 days before the date the report is due.

Section 305. Subsection (1), paragraphs (a), (b), and (e) of subsection (2), subsections (3) and (6), paragraphs (b) and (c) of subsection (7), and subsection (8) of section 288.0656, Florida Statutes, are amended to read:

288.0656 Rural Economic Development Initiative.—

(1)(a) Recognizing that rural communities and regions continue to face extraordinary challenges in their efforts to significantly improve their economies, specifically in terms of personal income, job creation, average wages, and strong tax bases, it is the intent of the Legislature to encourage and facilitate the location and expansion of major economic development projects of significant scale in such rural communities. *The Legislature finds that rural communities are the essential conduits for the economy's distribution, manufacturing, and food supply.*

(b) The Rural Economic Development Initiative, known as "REDI," is created within the *Office of Rural Prosperity* ~~department~~, and *all* ~~the participation of~~ state and regional agencies *listed in paragraph (6)(a) shall participate* in this initiative ~~is authorized~~.

(2) As used in this section, the term:

~~(a) "Catalyst project" means a business locating or expanding in a rural area of opportunity to serve as an economic generator of regional significance for the growth of a regional target industry cluster. The project must provide capital investment on a scale significant enough to affect the entire region and result in the development of high-wage and high-skill jobs.~~

~~(b) "Catalyst site" means a parcel or parcels of land within a rural area of opportunity that has been prioritized as a geographic site for economic development through partnerships with state, regional, and local organizations. The site must be reviewed by REDI and approved by the department for the purposes of locating a catalyst project.~~

(c)~~(c)~~ "Rural community" means:

1. A county with a population of 75,000 or *less* ~~fewer~~.

2. A county with a population of 125,000 or *less* ~~fewer~~ which is contiguous to a county with a population of 75,000 or *less* ~~fewer~~.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or *less* ~~fewer~~ and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in *paragraph (a)* ~~paragraph (c)~~ and verified by the *office* ~~department~~.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

(3) REDI shall be responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's ~~economically distressed~~ rural communities, working with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to

find ways to balance environmental and growth management issues with local needs.

(6)(a) By August 1 of each year, the head of each of the following agencies and organizations shall designate a deputy secretary or higher-level staff person from within the agency or organization to serve as the REDI representative for the agency or organization:

1. The Department of Transportation.
2. The Department of Environmental Protection.
3. The Department of Agriculture and Consumer Services.
4. The Department of State.
5. The Department of Health.
6. The Department of Children and Families.
7. The Department of Corrections.
8. The Department of Education.
9. The Department of Juvenile Justice.
10. The Fish and Wildlife Conservation Commission.
11. Each water management district.
12. CareerSource Florida, Inc.
13. VISIT Florida.
14. The Florida Regional Planning Council Association.
15. The Agency for Health Care Administration.
16. The Institute of Food and Agricultural Sciences (IFAS).

(b) An alternate for each designee *must* ~~shall~~ also be chosen, *who must also be a deputy secretary or higher-level staff person,* and the names of the designees and alternates *must* ~~shall~~ be *reported* ~~sent~~ to the *director of the Office of Rural Prosperity. At least one rural liaison from each regional rural community liaison center must participate in the REDI meetings* ~~Secretary of Commerce~~.

(c) REDI shall meet at least each month, but may meet more often as necessary. Each REDI representative, or his or her designee, shall be physically present or available by means of electronic communication for each meeting.

(d)~~(b)~~ Each REDI representative must have comprehensive knowledge of his or her agency's functions, both regulatory and service in nature, and of the state's economic goals, policies, and programs. This person shall be the primary point of contact for his or her agency with REDI on issues and projects relating to ~~economically distressed~~ rural communities and with regard to expediting project review, shall ensure a prompt effective response to problems arising with regard to rural issues, and shall work closely with the other REDI representatives in the identification of opportunities for preferential awards of program funds*, contractual or other agreement provisions which meet the requirements of s. 215.971,* and allowances and waiver of program requirements when necessary to encourage and facilitate ~~long-term private~~ capital investment and job creation.

(e)~~(c)~~ The REDI representatives shall work with REDI in the review and evaluation of statutes and rules for adverse impact on rural communities and the development of alternative proposals to mitigate that impact.

(f)~~(d)~~ Each REDI representative shall be responsible for ensuring that each district office or facility of his or her agency is informed *quarterly* about the Rural Economic Development Initiative and for providing assistance throughout the agency in the implementation of REDI activities.

(7)

(b) Designation as a rural area of opportunity under this subsection shall be contingent upon the execution of a memorandum of agreement among the *office* ~~department~~; the governing body of the county; and the governing bodies of any municipalities to be included within a rural area of opportunity. Such agreement shall specify the terms and conditions of the designation, including, but not limited to, the duties and responsibilities of the county and any participating municipalities to take actions designed to facilitate the retention and expansion of existing businesses in the area, as well as the recruitment of new businesses to the area.

~~(c) Each rural area of opportunity may designate catalyst projects, provided that each catalyst project is specifically recommended by REDI and confirmed as a catalyst project by the department. All state agencies and departments shall use all available tools and resources to the extent permissible by law to promote the creation and development of each catalyst project and the development of catalyst sites.~~

(8) REDI shall submit a report to the *Office of Rural Prosperity* ~~department~~ on all REDI activities for the previous fiscal year as a supplement to the *office's* ~~department's~~ annual report required under *s. 288.013* ~~s. 20.60~~. This supplementary report must include:

(a) A status report on *every project* ~~all projects~~ currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section *in detail by award, allowance, or match type*, the dollar amount of such awards, and the names of the recipients.

(b) A description of all waivers of program requirements granted*, including a list by program of each waiver that was granted. If waivers were requested but were not granted, a list of ungranted waivers, including reasons why the waivers were not granted, must be included*.

(c) *Detailed* information as to the economic impact of the projects coordinated by REDI.

(d) Recommendations based on the review and evaluation of statutes and rules having an adverse impact on rural communities and proposals to mitigate such adverse impacts.

(e) Legislative recommendations for statutory waivers or reductions of specified economic development program requirements, including financial match waivers or reductions, for applicants within rural areas of opportunity.

(f) Outcomes of proposals submitted pursuant to s. 288.019.

Section 306. *Section 288.06561, Florida Statutes, is repealed.*

Section 307. Subsections (2), (3), and (4) of section 288.0657, Florida Statutes, are amended to read:

288.0657 Florida rural economic development strategy grants.—

(2) The *Office of Rural Prosperity shall provide* ~~department may accept and administer moneys appropriated to the department for providing~~ grants to assist rural communities to develop and implement strategic economic development plans. *Grants may be provided to assist with costs associated with marketing a site to business and site selectors for an economic development project that is part of an economic development plan, either as part of funding to develop and implement a plan or related to an already adopted plan.*

(3) A rural community, an economic development organization in a rural area, or a regional organization representing at least one rural community or such economic development organizations may apply for such grants. *The rural liaison for the rural community shall assist those applying for such grants.*

(4) The *office* ~~department~~ shall establish criteria for reviewing grant applications. These criteria *must* ~~shall~~ include, but are not limited to, the degree of participation and commitment by the local community and the application's consistency with local comprehensive plans or the application's proposal to ensure such consistency. *Grants for marketing may include funding for advertising campaign materials and costs associated with meetings, trade missions, and professional development affiliated with site preparation and marketing.* The *office* ~~department~~ shall review each application for a grant. ~~The department may approve~~

~~grants only to the extent that funds are appropriated for such grants by the Legislature.~~

Section 308. Paragraph (a) of subsection (13) of section 288.1226, Florida Statutes, is amended to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(13) FOUR-YEAR MARKETING PLAN.—

(a) The corporation shall, in collaboration with the department, develop a 4-year marketing plan. At a minimum, the marketing plan must discuss the following:

1. Continuation of overall tourism growth in this state.

2. Expansion to new or under-represented tourist markets.

3. Maintenance of traditional and loyal tourist markets.

4. Coordination of efforts with county destination marketing organizations, other local government marketing groups, privately owned attractions and destinations, and other private sector partners to create a seamless, four-season advertising campaign for the state and its regions.

5. Development of innovative techniques or promotions to build repeat visitation by targeted segments of the tourist population.

6. Consideration of innovative sources of state funding for tourism marketing.

7. Promotion of nature-based tourism, including, but not limited to, promotion of the Florida Greenways and Trails System as described under s. 260.014 and the Florida Shared-Use Nonmotorized Trail Network as described under s. 339.81.

8. Coordination of efforts with the Office of Greenways and Trails of the Department of Environmental Protection and the department to promote and assist local communities, including, but not limited to, communities designated as trail towns by the Office of Greenways and Trails, to maximize use of nearby trails as economic assets, including specific promotion of trail-based tourism.

9. Promotion of heritage tourism.

10. Development of a component to address emergency response to natural and manmade disasters from a marketing standpoint.

11. Provision of appropriate marketing assistance resources to small, rural, and agritourism businesses located in this state. Such resources may include, but are not limited to, marketing plans, marketing assistance, promotional support, media development, technical expertise, marketing advice, technology training, and social marketing support.

Section 309. *Section 288.12266, Florida Statutes, is repealed.*

Section 310. Paragraph (f) of subsection (2) and paragraphs (a), (b), and (c) of subsection (4) of section 288.9961, Florida Statutes, are amended, and subsections (6) and (7) are added to that section, to read:

288.9961 Promotion of broadband adoption; Florida Office of Broadband.—

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

(f) "Underserved" means a geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 100 megabits per second downstream and at least *20* ~~10~~ megabits per second upstream.

(4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of Broadband is created within the Division of Community Development in the department for the purpose of developing, marketing, and promoting broadband Internet services in this state. The office, in the performance of its duties, shall do all of the following:

(a) Create a strategic plan that has goals and strategies for increasing and improving the availability of, access to, and use of broadband Internet service in this state. In development of the plan, the department shall incorporate applicable federal broadband activities, including any efforts or initiatives of the Federal Communications Commission, to improve broadband Internet service in this state. The plan must identify available federal funding sources for the expansion or improvement of broadband. The strategic plan must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by June 30, 2022. The strategic plan must be updated biennially thereafter. The plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout this state. *The office shall consult with each regional rural community liaison center within the Office of Rural Prosperity on the development and update of the plan.*

(b) Build and facilitate local technology planning teams or partnerships with members representing cross-sections of the community, which may include, but are not limited to, representatives from the following organizations and industries: libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture. The local technology planning teams or partnerships shall work with rural communities to help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet services in the community. The teams or partnerships must be proactive in *rural communities as defined in s. 288.0656* ~~fiscally constrained counties~~ in identifying and providing assistance*, in coordination with the regional rural community liaison centers within the Office of Rural Prosperity,* with applying for federal grants for broadband Internet service.

(c) Provide technical and planning assistance to rural communities *in coordination with the regional rural community liaison centers within the Office of Rural Prosperity.*

(6) The office shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a quarterly report detailing the implementation of broadband activities in rural, unserved, and underserved communities. Such information must be listed by county and include the amount of state and federal funds allocated and expended in the county by program; the progress toward deploying broadband in the county; any technical assistance provided; the activities of the local technology planning teams and partnerships; and the fulfillment of any other duties of the office required by this part.

(7) By December 31 each year, the office shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives an annual report on the office's operations and accomplishments for that calendar year and the status of broadband Internet service access and use in this state. The report must also incorporate the quarterly reports on rural, unserved, and underserved communities required by subsection (6).

Section 311. *Section 290.06561, Florida Statutes, is repealed.*

Section 312. Subsection (37) is added to section 334.044, Florida Statutes, to read:

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

(37) To provide technical assistance and support from the appropriate district of the department to counties that are not located in a metropolitan planning organization created pursuant to s. 339.175.

Section 313. Section 339.0801, Florida Statutes, is amended to read:

339.0801 Allocation of increased revenues derived from amendments to s. 319.32(5)(a) ~~by ch. 2012-128~~.—

(1) Funds that result from increased revenues to the State Transportation Trust Fund derived from the amendments to s. 319.32(5)(a)

made by *s. 11, chapter 2012-128, Laws of Florida,* ~~this act~~ must be used annually, first as set forth in *paragraph (a)* ~~subsection (1)~~ and then as set forth in *paragraphs (b), (c), and (d)* ~~subsections (2)-(4)~~, notwithstanding any other provision of law:

(a)1.~~(1)(a)~~ Beginning in the 2013-2014 fiscal year and annually for 30 years thereafter, $10 million shall be for the purpose of funding any seaport project identified in the adopted work program of the Department of Transportation, to be known as the Seaport Investment Program.

2.~~(b)~~ The revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on revenue bonds, or other forms of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. Alternatively, revenue bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation under the State Bond Act and shall be secured by such revenues as are provided in this subsection.

3.~~(c)~~ Revenue bonds or other indebtedness issued hereunder are not a general obligation of the state and are secured solely by a first lien on the revenues distributed under this subsection.

4.~~(d)~~ The state covenants with holders of the revenue bonds or other instruments of indebtedness issued pursuant to this subsection that it will not repeal this subsection; nor take any other action, including but not limited to amending this subsection, that will materially and adversely affect the rights of such holders so long as revenue bonds or other indebtedness authorized by this subsection are outstanding.

5.~~(e)~~ The proceeds of any revenue bonds or other indebtedness, after payment of costs of issuance and establishment of any required reserves, shall be invested in projects approved by the Department of Transportation and included in the department's adopted work program, by amendment if necessary. As required under s. 11(f), Art. VII of the State Constitution, the Legislature approves projects included in the department's adopted work program, including any projects added to the work program by amendment under s. 339.135(7).

6.~~(f)~~ Any revenues that are not used for the payment of bonds as authorized by this subsection may be used for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with ss. 311.07 and 320.20(3) and (4).

(b)~~(2)~~ Beginning in the 2013-2014 fiscal year and annually thereafter, $10 million shall be transferred to the Transportation Disadvantaged Trust Fund, to be used as specified in s. 427.0159.

(c)~~(3)~~ Beginning in the 2013-2014 fiscal year and annually thereafter, $10 million shall be allocated to the Small County Outreach Program to be used as specified in s. 339.2818. These funds are in addition to the funds provided for the program pursuant to s. 201.15(4)(a) 2.

(d)~~(4)~~ After the distributions required pursuant to *paragraphs (a), (b), and (c)* ~~subsections (1)-(3)~~, the remaining funds shall be used annually for transportation projects within this state for existing or planned strategic transportation projects which connect major markets within this state or between this state and other states, which focus on job creation, and which increase this state's viability in the national and global markets.

(2) The remaining funds that result from increased revenue to the State Transportation Trust Fund derived pursuant to s. 319.32(5)(a) must be used annually, notwithstanding any other law, beginning in the 2025-2026 fiscal year and annually thereafter, for the Small County Road Assistance Program as prescribed in s. 339.2816.

(3)~~(5)~~ Pursuant to s. 339.135(7), the department shall amend the work program to add the projects provided for in this section.

Section 314. Subsection (3) and paragraph (a) of subsection (4) of section 339.2816, Florida Statutes, are amended, and paragraph (c) of subsection (4) of that section is reenacted, to read:

339.2816 Small County Road Assistance Program.—

(3) *Subject to appropriation,* beginning with fiscal year ~~1999-2000 until fiscal year 2009-2010, and beginning again with fiscal year~~ 2012-2013, ~~up to~~ $25 million annually from the State Transportation Trust Fund *must* ~~may~~ be used for the purposes of funding the Small County Road Assistance Program as described in this section. *In addition, beginning with fiscal year 2025-2026, the department must use the additional revenues allocated by s. 339.0801 for the Small County Road Assistance Program.*

(4)(a) Small counties shall be eligible to compete for funds that have been designated for the Small County Road Assistance Program for resurfacing or reconstruction projects on county roads that were part of the county road system on June 10, 1995. Capacity improvements on county roads *are* ~~shall~~ not ~~be~~ eligible for funding under the program *unless a safety issue exists or the department finds it necessary to widen existing lanes as part of a resurfacing or reconstruction project*.

(c) The following criteria must be used to prioritize road projects for funding under the program:

1. The primary criterion is the physical condition of the road as measured by the department.

2. As secondary criteria the department may consider:

a. Whether a road is used as an evacuation route.

b. Whether a road has high levels of agricultural travel.

c. Whether a road is considered a major arterial route.

d. Whether a road is considered a feeder road.

e. Whether a road is located in a fiscally constrained county, as defined in s. 218.67(1).

f. Other criteria related to the impact of a project on the public road system or on the state or local economy as determined by the department.

Section 315. Subsection (3) of section 339.2817, Florida Statutes, is amended, and a new subsection (6) is added to that section, to read:

339.2817 County Incentive Grant Program.—

(3) The department must consider, but is not limited to, the following criteria for evaluation of projects for County Incentive Grant Program assistance:

(a) The extent to which the project will encourage, enhance, or create economic benefits;

(b) The likelihood that assistance would enable the project to proceed at an earlier date than the project could otherwise proceed;

(c) The extent to which assistance would foster innovative public-private partnerships and attract private debt or equity investment;

(d) The extent to which the project uses new technologies, including intelligent transportation systems, which enhance the efficiency of the project;

(e) The extent to which the project enhances connectivity between rural agricultural areas and market distribution centers;

(f)~~(e)~~ The extent to which the project helps to maintain or protect the environment; and

(g)~~(f)~~ The extent to which the project includes transportation benefits for improving intermodalism and safety.

(6) Beginning in the 2025-2026 fiscal year, the department shall give priority to a county located either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15) which, notwithstanding subsection (4), requests 100 percent of the project costs for an eligible project that meets the criteria established in paragraph (3)(e).

Requests under this subsection are subject to appropriation and limited to $15 million annually. This subsection expires July 1, 2031.

Section 316. Subsections (1), (2), (3), (6), (7), and (8) of section 339.2818, Florida Statutes, are amended to read:

339.2818 Small County Outreach Program.—

(1) There is created within the department ~~of Transportation~~ the Small County Outreach Program. The purpose of this program is to assist small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road-related drainage improvements, resurfacing or reconstructing county roads, or constructing capacity or safety improvements to county roads.

(2) For the purposes of this section, the term "small county" means any county that has a population of 200,000 or less as determined by the most recent official *population census determination* ~~estimate~~ pursuant to s. 186.901.

~~(3) Funds allocated under this program, pursuant to s. 4, ch. 2000-257, Laws of Florida, are in addition to any funds provided pursuant to s. 339.2816, for the Small County Road Assistance Program.~~

(5)~~(6)~~ Funds paid into the State Transportation Trust Fund pursuant to *ss. 201.15, 320.072, and 339.0801* ~~s. 201.15~~ for the purposes of the Small County Outreach Program *may be* ~~are hereby~~ annually appropriated for expenditure to support the Small County Outreach Program.

(6)~~(7)~~ Subject to a specific appropriation in addition to funds annually appropriated for projects under this section, a municipality within a rural area of opportunity or a rural area of opportunity community designated under s. 288.0656(7)(a) may compete for the additional project funding using the criteria listed in subsection *(3)* ~~(4)~~ at up to 100 percent of project costs, excluding capacity improvement projects.

~~(8) Subject to a specific appropriation in addition to funds appropriated for projects under this section, a local government either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15), the Peace River Basin, or the Suwannee River Basin may compete for additional funding using the criteria listed in paragraph (4)(c) at up to 100 percent of project costs on state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.~~

Section 317. Section 339.68, Florida Statutes, is amended to read:

(Substantial rewording of section.

See s. 339.68, F.S., for present text.)

339.68 Florida Arterial Road Modernization Program.—

(1) The Legislature finds that increasing demands continue to be placed on rural arterial roads in this state by a fast-growing economy, continued population growth, and increased tourism. Investment in the rural arterial roads of this state is needed to maintain the safety, mobility, reliability, and resiliency of the transportation system in order to support the movement of people, goods, and commodities; to enhance economic prosperity and competitiveness; and to enrich the quality of life of the rural communities and the environment of this state.

(2) The Florida Arterial Road Modernization Program is created within the department to make capacity and safety improvements to two-lane arterial roads or connect existing arterial roads located in rural communities. For purposes of this section, the term "rural community" has the same meaning as provided in s. 288.0656.

(3) Subject to annual appropriation, beginning in the 2025-2026 fiscal year, the department shall allocate from the State Transportation Trust Fund a minimum of $50 million in each fiscal year for purposes of funding the program. This funding is in addition to any other funding provided to the program by any other law.

(4) The department shall use the following criteria to prioritize projects for funding under the program:

(a) Whether the road has documented safety concerns or requires additional safety and design improvements. This may be evidenced by the number of fatalities or crashes per vehicle mile traveled.

(b) Whether the road has or is projected to have a significant amount of truck tractor traffic as determined by the department. For purposes of this paragraph, the term "truck tractor" has the same meaning as in s. 320.01(11).

(c) Whether the road is used to transport agricultural products and commodities from the farm to the market or other sale or distribution point.

(d) Whether the road is used to transport goods to or from warehouses, distribution centers, or intermodal logistics centers as defined in s. 311.101(2).

(e) Whether the road is used as an evacuation route.

(f) Whether the physical condition of the road meets department standards.

(g) Whether the road currently has, or is projected to have within the next 5 years, a level of service of D, E, or F.

(h) Any other criteria related to the impact of a project on the public road system or on the state or local economy as determined by the department.

(5) By January 1, 2027, and every 2 years thereafter, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report regarding the use and condition of arterial roads located in rural communities, which report must include the following:

(a) A map of roads located in rural communities which are designated as arterial roads.

(b) A needs assessment that must include, but is not limited to, consideration of infrastructure improvements to improve capacity on arterial roads in rural communities.

(c) A synopsis of the department's project prioritization process.

(d) An estimate of the local and state economic impact of improving capacity on arterial roads in rural communities.

(e) A listing of the arterial roads and the associated improvements to be included in the program and a schedule or timeline for the inclusion of such projects in the work program.

Section 318. *(1) The Department of Transportation shall allocate funds to implement the Small County Road Assistance Program as created by s. 339.2816, Florida Statutes, and amend the current tentative work program for the 2025-2026 through 2031-2032 fiscal years to include additional projects. In addition, before adoption of the work program, the department shall submit a budget amendment pursuant to s. 339.135(7), Florida Statutes, requesting budget authority necessary to implement the additional projects.*

(2) The department shall allocate sufficient funds to implement the Florida Arterial Road Modernization Program, develop a plan to expend the revenues as specified in s. 339.68, Florida Statutes, and, before its adoption, amend the current tentative work program for the 2025-2026 through 2031-2032 fiscal years to include the program's projects. In addition, before adoption of the work program, the department shall submit a budget amendment pursuant to s. 339.135(7), Florida Statutes, requesting budget authority necessary to implement the program as specified in s. 339.68, Florida Statutes.

(3) Notwithstanding any other law, the increase in revenue to the State Transportation Trust Fund derived from the amendments to ss. 201.15 and 319.32, Florida Statutes, deposited into the trust fund pursuant to ss. 201.15 and 339.0801, Florida Statutes, shall be used by the department to fund the programs as specified in this section.

Section 319. Subsection (3) of section 420.9073, Florida Statutes, is amended to read:

420.9073 Local housing distributions.—

(3) Calculation of guaranteed amounts:

(a) The guaranteed amount under subsection (1) shall be calculated for each state fiscal year by multiplying *$1 million* ~~$350,000~~ by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(c) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15. *Awards under this subsection are subject to legislative appropriation.*

(b) The guaranteed amount under subsection (2) shall be calculated for each state fiscal year by multiplying *$1 million* ~~$350,000~~ by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(d) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

Section 320. Paragraph (n) of subsection (5) of section 420.9075, Florida Statutes, is amended, paragraph (o) is added to that subsection, and paragraph (b) of subsection (13) of that section is reenacted, to read:

420.9075 Local housing assistance plans; partnerships.—

(5) The following criteria apply to awards made to eligible sponsors or eligible persons for the purpose of providing eligible housing:

(n) Funds from the local housing distribution not used to meet the criteria established in paragraph (a)*,* ~~or~~ paragraph (c)*, or paragraph (o),* or not used for the administration of a local housing assistance plan must be used for housing production and finance activities, including, but not limited to, financing preconstruction activities or the purchase of existing units, providing rental housing, and providing home ownership training to prospective home buyers and owners of homes assisted through the local housing assistance plan.

1. Notwithstanding the provisions of paragraphs (a) and (c), program income as defined in s. 420.9071(26) may also be used to fund activities described in this paragraph.

2. When preconstruction due-diligence activities conducted as part of a preservation strategy show that preservation of the units is not feasible and will not result in the production of an eligible unit, such costs shall be deemed a program expense rather than an administrative expense if such program expenses do not exceed 3 percent of the annual local housing distribution.

3. If both an award under the local housing assistance plan and federal low-income housing tax credits are used to assist a project and there is a conflict between the criteria prescribed in this subsection and the requirements of s. 42 of the Internal Revenue Code of 1986, as amended, the county or eligible municipality may resolve the conflict by giving precedence to the requirements of s. 42 of the Internal Revenue Code of 1986, as amended, in lieu of following the criteria prescribed in this subsection with the exception of paragraphs (a) and (g) of this subsection.

4. Each county and each eligible municipality may award funds as a grant for construction, rehabilitation, or repair as part of disaster recovery or emergency repairs or to remedy accessibility or health and safety deficiencies. Any other grants must be approved as part of the local housing assistance plan.

(o) Notwithstanding paragraphs (a) and (c), up to 25 percent of the funds made available in each county and eligible municipality from the local housing distribution may be used to preserve multifamily affordable rental housing funded through United States Department of Agriculture loans. These funds are subject to legislative appropriation and may be used to rehabilitate housing, extend affordability periods, or acquire or transfer properties in partnership with private organizations. This paragraph expires on June 30, 2031.

(13)

(b) If, as a result of its review of the annual report, the corporation determines that a county or eligible municipality has failed to implement a local housing incentive strategy, or, if applicable, a local housing incentive plan, it shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected county or eligible municipality.

1. The notice must specify a date of termination of the funding if the affected county or eligible municipality does not implement the plan or strategy and provide for a local response. A county or eligible municipality shall respond to the corporation within 30 days after receipt of the notice of termination.

2. The corporation shall consider the local response that extenuating circumstances precluded implementation and grant an extension to the timeframe for implementation. Such an extension shall be made in the form of an extension agreement that provides a timeframe for implementation. The chief elected official of a county or eligible municipality or his or her designee shall have the authority to enter into the agreement on behalf of the local government.

3. If the county or the eligible municipality has not implemented the incentive strategy or entered into an extension agreement by the termination date specified in the notice, the local housing distribution share terminates, and any uncommitted local housing distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer.

4.a. If the affected local government fails to meet the timeframes specified in the agreement, the corporation shall terminate funds. The corporation shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected local government. The notice shall specify the termination date, and any uncommitted funds held by the affected local government shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer.

b. If the corporation terminates funds to a county, but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement maintains compliance with program requirements, the corporation shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in ss. 420.9072 and 420.9073.

c. Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting the ordinance, resolution, and local housing assistance plan in the manner and according to the procedures provided in ss. 420.907-420.9079.

Section 321. Subsection (3) of section 163.3187, Florida Statutes, is amended to read:

163.3187 Process for adoption of small scale comprehensive plan amendment.—

(3) If the small scale development amendment involves a site within a rural area of opportunity as defined under *s. 288.0656* ~~s. 288.0656(2)(d)~~ for the duration of such designation, the acreage limit listed in subsection (1) shall be increased by 100 percent. The local government approving the small scale plan amendment shall certify to the state land planning agency that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7), and the property subject to the plan amendment shall undergo public review to ensure that all concurrency requirements and federal, state, and local environmental permit requirements are met.

Section 322. Section 212.205, Florida Statutes, is amended to read:

212.205 Sales tax distribution reporting.—By March 15 of each year, each person who received a distribution pursuant to *s. 212.20(6)(d) 7.b. and c.* ~~s. 212.20(6)(d)6.b. and c.~~ in the preceding calendar year shall report to the Office of Economic and Demographic Research the following information:

(1) An itemized accounting of all expenditures of the funds distributed in the preceding calendar year, including amounts spent on debt service.

(2) A statement indicating what portion of the distributed funds have been pledged for debt service.

(3) The original principal amount and current debt service schedule of any bonds or other borrowing for which the distributed funds have been pledged for debt service.

Section 323. Section 257.191, Florida Statutes, is amended to read:

257.191 Construction grants.—The Division of Library and Information Services may accept and administer library construction moneys appropriated to it and shall allocate such appropriation to municipal, county, and regional libraries in the form of library construction grants on a matching basis. The local matching portion shall be no less than the grant amount, on a dollar-for-dollar basis, up to the maximum grant amount, unless the matching requirement is waived *pursuant to s. 288.019* ~~by s. 288.06561~~. Initiation of a library construction project 12 months or less prior to the grant award under this section *does* ~~shall~~ not affect the eligibility of an applicant to receive a library construction grant. The division shall adopt rules for the administration of library construction grants. For the purposes of this section, s. 257.21 does not apply.

Section 324. Subsection (2) of section 257.193, Florida Statutes, is amended to read:

257.193 Community Libraries in Caring Program.—

(2) The purpose of the Community Libraries in Caring Program is to assist libraries in rural communities, as defined in s. 288.0656(2) and subject to the provisions of *s. 288.019* ~~s. 288.06561~~, to strengthen their collections and services, improve literacy in their communities, and improve the economic viability of their communities.

Section 325. Subsection (17) of section 265.283, Florida Statutes, is amended to read:

265.283 Definitions.—The following definitions shall apply to ss. 265.281-265.703:

(17) "Underserved arts community assistance program grants" means grants used by qualified organizations under the Rural Economic Development Initiative, pursuant to *s. 288.0656 and subject to the provisions of s. 288.019* ~~ss. 288.0656 and 288.06561~~, for the purpose of economic and organizational development for underserved cultural organizations.

Section 326. Paragraphs (a) and (d) of subsection (3) of section 288.11621, Florida Statutes, are amended to read:

288.11621 Spring training baseball franchises.—

(3) USE OF FUNDS.—

(a) A certified applicant may use funds provided under *s. 212.20(6)(d)7.b.* ~~s. 212.20(6)(d)6.b.~~ only to:

1. Serve the public purpose of acquiring, constructing, reconstructing, or renovating a facility for a spring training franchise.

2. Pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the acquisition, construction, reconstruction, or renovation of such facility, or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

3. Assist in the relocation of a spring training franchise from one unit of local government to another only if the governing board of the current host local government by a majority vote agrees to relocation.

(d)1. All certified applicants must place unexpended state funds received pursuant to *s. 212.20(6)(d)7.b.* ~~s. 212.20(6)(d)6.b.~~ in a trust fund or separate account for use only as authorized in this section.

2. A certified applicant may request that the Department of Revenue suspend further distributions of state funds made available under *s. 212.20(6)(d)7.b.* ~~s. 212.20(6)(d)6.b.~~ for 12 months after expiration of an existing agreement with a spring training franchise to provide the certified applicant with an opportunity to enter into a new agreement with a spring training franchise, at which time the distributions shall resume.

3. The expenditure of state funds distributed to an applicant certified before July 1, 2010, must begin within 48 months after the initial receipt of the state funds. In addition, the construction of, or capital improvements to, a spring training facility must be completed within 24 months after the project's commencement.

Section 327. Paragraph (c) of subsection (2) and paragraphs (a), (c), and (d) of subsection (3) of section 288.11631, Florida Statutes, are amended to read:

288.11631 Retention of Major League Baseball spring training baseball franchises.—

(2) CERTIFICATION PROCESS.—

(c) Each applicant certified on or after July 1, 2013, shall enter into an agreement with the department which:

1. Specifies the amount of the state incentive funding to be distributed. The amount of state incentive funding per certified applicant may not exceed $20 million. However, if a certified applicant's facility is used by more than one spring training franchise, the maximum amount may not exceed $50 million, and the Department of Revenue shall make distributions to the applicant pursuant to *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.c.~~

2. States the criteria that the certified applicant must meet in order to remain certified. These criteria must include a provision stating that the spring training franchise must reimburse the state for any funds received if the franchise does not comply with the terms of the contract. If bonds were issued to construct or renovate a facility for a spring training franchise, the required reimbursement must be equal to the total amount of state distributions expected to be paid from the date the franchise violates the agreement with the applicant through the final maturity of the bonds.

3. States that the certified applicant is subject to decertification if the certified applicant fails to comply with this section or the agreement.

4. States that the department may recover state incentive funds if the certified applicant is decertified.

5. Specifies the information that the certified applicant must report to the department.

6. Includes any provision deemed prudent by the department.

(3) USE OF FUNDS.—

(a) A certified applicant may use funds provided under *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.c.~~ only to:

1. Serve the public purpose of constructing or renovating a facility for a spring training franchise.

2. Pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of such facility, or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

(c) The Department of Revenue may not distribute funds under *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.c.~~ until July 1, 2016. Further, the Department of Revenue may not distribute funds to an applicant certified on or after July 1, 2013, until it receives notice from the department that:

1. The certified applicant has encumbered funds under either subparagraph (a)1. or subparagraph (a)2.; and

2. If applicable, any existing agreement with a spring training franchise for the use of a facility has expired.

(d)1. All certified applicants shall place unexpended state funds received pursuant to *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.c.~~ in a trust fund or separate account for use only as authorized in this section.

2. A certified applicant may request that the department notify the Department of Revenue to suspend further distributions of state funds made available under *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.c.~~ for 12 months after expiration of an existing agreement with a spring training franchise to provide the certified applicant with an opportunity to enter into a new agreement with a spring training franchise, at which time the distributions shall resume.

3. The expenditure of state funds distributed to an applicant certified after July 1, 2013, must begin within 48 months after the initial receipt of the state funds. In addition, the construction or renovation of a spring training facility must be completed within 24 months after the project's commencement.

Section 328. Subsection (1) of section 443.191, Florida Statutes, is amended to read:

443.191 Unemployment Compensation Trust Fund; establishment and control.—

(1) There is established, as a separate trust fund apart from all other public funds of this state, an Unemployment Compensation Trust Fund, which shall be administered by the Department of Commerce exclusively for the purposes of this chapter. The fund must consist of:

(a) All contributions and reimbursements collected under this chapter;

(b) Interest earned on any moneys in the fund;

(c) Any property or securities acquired through the use of moneys belonging to the fund;

(d) All earnings of these properties or securities;

(e) All money credited to this state's account in the federal Unemployment Compensation Trust Fund under 42 U.S.C. s. 1103;

(f) All money collected for penalties imposed pursuant to s. 443.151(6)(a);

(g) Advances on the amount in the federal Unemployment Compensation Trust Fund credited to the state under 42 U.S.C. s. 1321, as requested by the Governor or the Governor's designee; and

(h) All money deposited in this account as a distribution pursuant to *s. 212.20(6)(d)7.e.* ~~s. 212.20(6)(d)6.c.~~

Except as otherwise provided in s. 443.1313(4), all moneys in the fund must be mingled and undivided.

Section 329. Section 571.26, Florida Statutes, is amended to read:

571.26 Florida Agricultural Promotional Campaign Trust Fund.—There is hereby created the Florida Agricultural Promotional Campaign Trust Fund within the Department of Agriculture and Consumer Services to receive all moneys related to the Florida Agricultural Promotional Campaign. Moneys deposited in the trust fund shall be appropriated for the sole purpose of implementing the Florida Agricultural Promotional Campaign, except for money deposited in the trust fund pursuant to *s. 212.20(6)(d)7.h.* ~~s. 212.20(6)(d)6.h.~~, which shall be held separately and used solely for the purposes identified in s. 571.265.

Section 330. Subsection (2) of section 571.265, Florida Statutes, is amended to read:

571.265 Promotion of Florida thoroughbred breeding and of thoroughbred racing at Florida thoroughbred tracks; distribution of funds.—

(2) Funds deposited into the Florida Agricultural Promotional Campaign Trust Fund pursuant to *s. 212.20(6)(d)7.f.* ~~s. 212.20(6)(d)6.f.~~ shall be used by the department to encourage the agricultural activity of breeding thoroughbred racehorses in this state and to enhance thoroughbred racing conducted at thoroughbred tracks in this state as provided in this section. If the funds made available under this section are not fully used in any one fiscal year, any unused amounts shall be carried forward in the trust fund into future fiscal years and made available for distribution as provided in this section.

Section 331. For the purpose of incorporating the amendment made by this act to section 20.60, Florida Statutes, in a reference thereto, subsection (8) of section 288.9935, Florida Statutes, is reenacted to read:

288.9935 Microfinance Guarantee Program.—

(8) The department must, in the department's report required under s. 20.60(10), include an annual report on the program. The report must, at a minimum, provide:

(a) A comprehensive description of the program, including an evaluation of its application and guarantee activities, recommendations for change, and identification of any other state programs that overlap with the program;

(b) An assessment of the current availability of and access to credit for entrepreneurs and small businesses in this state;

(c) A summary of the financial and employment results of the entrepreneurs and small businesses receiving loan guarantees, including the number of full-time equivalent jobs created as a result of the guaranteed loans and the amount of wages paid to employees in the newly created jobs;

(d) Industry data about the borrowers, including the six-digit North American Industry Classification System (NAICS) code;

(e) The name and location of lenders that receive loan guarantees;

(f) The number of loan guarantee applications received;

(g) The number, duration, location, and amount of guarantees made;

(h) The number and amount of guaranteed loans outstanding, if any;

(i) The number and amount of guaranteed loans with payments overdue, if any;

(j) The number and amount of guaranteed loans in default, if any;

(k) The repayment history of the guaranteed loans made; and

(l) An evaluation of the program's ability to meet the financial performance measures and objectives specified in subsection (3).

Section 332. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (c) of subsection (5) of section 125.0104, Florida Statutes, is reenacted to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(c) A county located adjacent to the Gulf of Mexico or the Atlantic Ocean, except a county that receives revenue from taxes levied pursuant to s. 125.0108, which meets the following criteria may use up to 10 percent of the tax revenue received pursuant to this section to reimburse expenses incurred in providing public safety services, including emergency medical services as defined in s. 401.107(3), and law enforcement services, which are needed to address impacts related to increased tourism and visitors to an area. However, if taxes collected pursuant to this section are used to reimburse emergency medical services or public safety services for tourism or special events, the governing board of a county or municipality may not use such taxes to supplant the normal operating expenses of an emergency medical services department, a fire department, a sheriff's office, or a police department. To receive reimbursement, the county must:

1.a. Generate a minimum of $10 million in annual proceeds from any tax, or any combination of taxes, authorized to be levied pursuant to this section;

b. Have at least three municipalities; and

c. Have an estimated population of less than 275,000, according to the most recent population estimate prepared pursuant to s. 186.901, excluding the inmate population; or

2. Be a fiscally constrained county as described in s. 218.67(1).

The board of county commissioners must by majority vote approve reimbursement made pursuant to this paragraph upon receipt of a recommendation from the tourist development council.

Section 333. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (3) of section 193.624, Florida Statutes, is reenacted to read:

193.624 Assessment of renewable energy source devices.—

(3) This section applies to the installation of a renewable energy source device installed on or after January 1, 2013, to new and existing residential real property. This section applies to a renewable energy source device installed on or after January 1, 2018, to all other real property, except when installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.

Section 334. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (2) of section 196.182, Florida Statutes, is reenacted to read:

196.182 Exemption of renewable energy source devices.—

(2) The exemption provided in this section does not apply to a renewable energy source device that is installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.

Section 335. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.12, Florida Statutes, is reenacted to read:

218.12 Appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties.—

(1) Beginning in fiscal year 2008-2009, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of Art. VII of the State Constitution approved in the special election held on January 29, 2008. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision.

Section 336. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.125, Florida Statutes, is reenacted to read:

218.125 Offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties.—

(1) Beginning in the 2010-2011 fiscal year, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of ss. 3(f) and 4(b), Art. VII of the State Constitution which were approved in the general election held in November 2008. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revisions.

Section 337. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.135, Florida Statutes, is reenacted to read:

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

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

Section 338. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.136, Florida Statutes, is reenacted to read:

218.136 Offset for ad valorem revenue loss affecting fiscally constrained counties.—

(1) Beginning in fiscal year 2025-2026, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of s. 6(a), Art. VII of the State Constitution approved in the November 2024 general election. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision of s. 6(a), Art. VII of the State Constitution.

Section 339. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (cc) of subsection (2) of section 252.35, Florida Statutes, is reenacted to read:

252.35 Emergency management powers; Division of Emergency Management.—

(2) The division is responsible for carrying out the provisions of ss. 252.31-252.90. In performing its duties, the division shall:

(cc) Prioritize technical assistance and training to fiscally constrained counties as defined in s. 218.67(1) on aspects of safety measures, preparedness, prevention, response, recovery, and mitigation relating to natural disasters and emergencies.

Section 340. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (4) of section 288.102, Florida Statutes, is reenacted to read:

288.102 Supply Chain Innovation Grant Program.—

(4) A minimum of a one-to-one match of nonstate resources, including local, federal, or private funds, to the state contribution is required. An award may not be made for a project that is receiving or using state funding from another state source or statutory program, including tax credits. The one-to-one match requirement is waived for a public entity located in a fiscally constrained county as defined in s. 218.67(1).

Section 341. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (g) of subsection (16) of section 403.064, Florida Statutes, is reenacted to read:

403.064 Reuse of reclaimed water.—

(16) By November 1, 2021, domestic wastewater utilities that dispose of effluent, reclaimed water, or reuse water by surface water discharge shall submit to the department for review and approval a plan for eliminating nonbeneficial surface water discharge by January 1, 2032, subject to the requirements of this section. The plan must include the average gallons per day of effluent, reclaimed water, or reuse water that will no longer be discharged into surface waters and the date of such elimination, the average gallons per day of surface water discharge which will continue in accordance with the alternatives provided for in subparagraphs (a)2. and 3., and the level of treatment that the effluent, reclaimed water, or reuse water will receive before being discharged into a surface water by each alternative.

(g) This subsection does not apply to any of the following:

1. A domestic wastewater treatment facility that is located in a fiscally constrained county as described in s. 218.67(1).

2. A domestic wastewater treatment facility that is located in a municipality that is entirely within a rural area of opportunity as designated pursuant to s. 288.0656.

3. A domestic wastewater treatment facility that is located in a municipality that has less than $10 million in total revenue, as determined by the municipality's most recent annual financial report submitted to the Department of Financial Services in accordance with s. 218.32.

4. A domestic wastewater treatment facility that is operated by an operator of a mobile home park as defined in s. 723.003 and has a permitted capacity of less than 300,000 gallons per day.

Section 342. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in references thereto, subsections (2) and (3) of section 589.08, Florida Statutes, are reenacted to read:

589.08 Land acquisition restrictions.—

(2) The Florida Forest Service may receive, hold the custody of, and exercise the control of any lands, and set aside into a separate, distinct and inviolable fund, any proceeds derived from the sales of the products of such lands, the use thereof in any manner, or the sale of such lands save the 25 percent of the proceeds to be paid into the State School Fund as provided by law. The Florida Forest Service may use and apply such funds for the acquisition, use, custody, management, development, or improvement of any lands vested in or subject to the control of the Florida Forest Service. After full payment has been made for the purchase of a state forest to the Federal Government or other grantor, 15 percent of the gross receipts from a state forest shall be paid to the fiscally constrained county or counties, as described in s. 218.67(1), in which it is located in proportion to the acreage located in each county for use by the county or counties for school purposes.

(3) The Florida Forest Service shall pay 15 percent of the gross receipts from the Goethe State Forest to each fiscally constrained county, as described in s. 218.67(1), in which a portion of the respective forest is located in proportion to the forest acreage located in such county. The funds must be equally divided between the board of county commissioners and the school board of each fiscally constrained county.

Section 343. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (f) of subsection (1) of section 1011.62, Florida Statutes, is reenacted to read:

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

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

(f) *Small district factor.*—An additional value per full-time equivalent student membership is provided to each school district with a full-time equivalent student membership of fewer than 20,000 full-time equivalent students which is in a fiscally constrained county as described in s. 218.67(1). The amount of the additional value shall be specified in the General Appropriations Act.

Section 344. For the purpose of incorporating the amendment made by this act to sections 218.67 and 339.2818, Florida Statutes, in references thereto, paragraph (c) of subsection (6) of section 403.0741, Florida Statutes, is reenacted to read:

403.0741 Grease waste removal and disposal.—

(6) REGULATION BY LOCAL GOVERNMENTS.—

(c) Fiscally constrained counties as described in s. 218.67(1) and small counties as defined in s. 339.2818(2) may opt out of the requirements of this section.

Section 345. For the purpose of incorporating the amendment made by this act to section 288.0656, Florida Statutes, in a reference thereto, paragraph (e) of subsection (7) of section 163.3177, Florida Statutes, is reenacted to read:

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

(7)

(e) This subsection does not confer the status of rural area of opportunity, or any of the rights or benefits derived from such status, on any land area not otherwise designated as such pursuant to s. 288.0656(7).

Section 346. For the purpose of incorporating the amendment made by this act to section 288.9961, Florida Statutes, in a reference thereto, paragraph (a) of subsection (7) of section 288.9962, Florida Statutes, is reenacted to read:

288.9962 Broadband Opportunity Program.—

(7)(a) In evaluating grant applications and awarding grants, the office must give priority to applications that:

1. Offer broadband Internet service to important community institutions, including, but not limited to, libraries, educational institutions, public safety facilities, and health care facilities;

2. Facilitate the use of telemedicine and electronic health records;

3. Serve economically distressed areas of this state, as measured by indices of unemployment, poverty, or population loss that are significantly greater than the statewide average;

4. Provide for scalability to transmission speeds of at least 100 megabits per second download and 10 megabits per second upload;

5. Include a component to actively promote the adoption of the newly available broadband Internet service in the community;

6. Provide evidence of strong support for the project from citizens, government, businesses, and institutions in the community;

7. Provide access to broadband Internet service to the greatest number of unserved households and businesses;

8. Leverage greater amounts of funding for a project from private sources; or

9. Demonstrate consistency with the strategic plan adopted under s. 288.9961.

Section 347. For the purpose of incorporating the amendment made by this act to section 339.68, Florida Statutes, in references thereto, subsections (5) and (6) of section 339.66, Florida Statutes, are reenacted to read:

339.66 Upgrade of arterial highways with controlled access facilities.—

(5) Any existing applicable requirements relating to department projects shall apply to projects undertaken by the department pursuant to this section. The department shall take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects authorized by this section and ss. 339.67 and 339.68, including, but not limited to, the task force reports prepared pursuant to chapter 2019-43, Laws of Florida.

(6) Any existing applicable requirements relating to turnpike projects apply to projects undertaken by the Turnpike Enterprise pursuant to this section. The Turnpike Enterprise shall take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects authorized by this section and ss. 339.67 and 339.68, including, but not limited to, the task force reports prepared pursuant to chapter 2019-43, Laws of Florida, and with respect to any extension of the Florida Turnpike from its northerly terminus in Wildwood.

Section 348. For the purpose of incorporating the amendment made by this act to section 420.9073, Florida Statutes, in references thereto, subsections (4) and (6) of section 420.9072, Florida Statutes, are reenacted to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(4) Moneys in the Local Government Housing Trust Fund shall be distributed by the corporation to each approved county and eligible municipality within the county as provided in s. 420.9073. Distributions shall be allocated to the participating county and to each eligible municipality within the county according to an interlocal agreement between the county governing authority and the governing body of the eligible municipality or, if there is no interlocal agreement, according to population. The portion for each eligible municipality is computed by multiplying the total moneys earmarked for a county by a fraction, the numerator of which is the population of the eligible municipality and the denominator of which is the total population of the county. The remaining revenues shall be distributed to the governing body of the county.

(6) The moneys that otherwise would be distributed pursuant to s. 420.9073 to a local government that does not meet the program's requirements for receipts of such distributions shall remain in the Local Government Housing Trust Fund to be administered by the corporation.

Section 349. For the purpose of incorporating the amendment made by this act to section 420.9073, Florida Statutes, in a reference thereto, paragraph (b) of subsection (7) of section 420.9076, Florida Statutes, is reenacted to read:

420.9076 Adoption of affordable housing incentive strategies; committees.—

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after issuance of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9073.

Section 350. For the purpose of incorporating the amendment made by this act to section 420.9073, Florida Statutes, in a reference thereto, subsection (2) of section 420.9079, Florida Statutes, is reenacted to read:

420.9079 Local Government Housing Trust Fund.—

(2) The corporation shall administer the fund exclusively for the purpose of implementing the programs described in ss. 420.907-420.9076 and this section. With the exception of monitoring the activities of counties and eligible municipalities to determine local compliance with program requirements, the corporation shall not receive appropriations from the fund for administrative or personnel costs. For the purpose of implementing the compliance monitoring provisions of s. 420.9075(9), the corporation may request a maximum of one-quarter of 1 percent of the annual appropriation per state fiscal year. When such funding is appropriated, the corporation shall deduct the amount appropriated prior to calculating the local housing distribution pursuant to ss. 420.9072 and 420.9073.

Section 351. Subsection (10) of section 553.79, Florida Statutes, is amended, and subsections (26), (27), (28) and (29) are added to that section, to read:

553.79 Permits; applications; issuance; inspections.—

(10) No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in *s. 489.105(2)(a)* ~~s. 489.105(3)(a)~~, or to a licensed building contractor, as defined in *s. 489.105(2)(b)* ~~s. 489.105(3)(b)~~, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management, and control of the construction activities on the project for which the building permit was issued.

(26) A local enforcement agency may not deny the issuance of a certificate of occupancy to an owner of a residential or commercial structure based on noncompliance with a Florida-friendly landscaping ordinance adopted to implement s. 373.185 if the owner was issued a building permit for such structure within 1 year of the declaration of a state of emergency for a natural disaster for the county in which the structure is located.

(27) A local enforcement agency may not deny the issuance of a building permit for the alteration, modification, or repair of a single-family residential structure if such alteration, modification, or repair:

(a) Is completed within 1 year after the declaration of a state of emergency for a natural disaster for the county in which the structure is located;

(b) Is necessitated by damage to the structure caused by the natural disaster;

(c) Has a total cost that does not exceed more than 50 percent of the value of the structure;

(d) Does not affect more than 50 percent of the structure; and

(e) Does not alter the footprint of the structure.

(28) A local enforcement agency may not require a building permit for the construction of playground equipment, fences, or landscape irrigation systems on a parcel containing a single-family residential dwelling. However, a local government may require a building permit for any electrical work performed as part of the construction of playground equipment, fences, or landscape irrigation systems.

(29) A local enforcement agency may not require a building permit to perform any work that is valued at less than $7,500 on a parcel containing a single-family residential dwelling. This does not apply to a larger or major project in which a division of the project is made in amounts less than $7,500. A local government may require a building permit for any electrical, plumbing, or structural work performed on a parcel containing a single-family residential dwelling regardless of the value of the work. For purposes of this subsection structural work does not include the repair or replacement of exterior doors or windows.

Section 352. Subsections (3) through (7) of section 475.17, Florida Statutes, are amended to read:

475.17 Qualifications for practice.—

~~(3)(a) The commission may prescribe a postlicensure education requirement in order for a person to maintain a valid sales associate's license, which shall not exceed 45 classroom hours of 50 minutes each, inclusive of examination, prior to the first renewal following initial licensure. If prescribed, this shall consist of one or more commission-approved courses which total at least 45 classroom hours on one or more subjects which include, but are not limited to, property management, appraisal, real estate finance, the economics of real estate management, marketing, technology, sales and listing of properties, business office management, courses teaching practical real estate application skills, development of business plans, marketing of property, and time management. Required postlicensure education courses must be provided by an accredited college, university, or community college, by a career center, by a registered real estate school, or by a commission approved sponsor.~~

~~(b) Satisfactory completion of the postlicensure education requirement is demonstrated by successfully meeting all standards established for the commission prescribed or commission approved institution or school. However, notice of satisfactory completion shall not be issued if the student has absences in excess of 10 percent of the required classroom hours or has not satisfactorily completed a timed distance learning course examination.~~

~~(c) The license of any sales associate who does not complete the postlicensure education requirement prior to the first renewal following initial licensure shall be considered null and void. Such person wishing to again operate as a real estate sales associate must requalify by satisfactorily completing the sales associate's prelicensure course and passing the state examination for licensure as a sales associate.~~

~~(d) A sales associate who is required to complete any postlicensure education requirement must complete any postlicensure education requirement and hold a current and valid license in order to be eligible for licensure as a broker.~~

~~(4)(a) The commission may prescribe a postlicensure education requirement in order for a person to maintain a valid broker's license, which shall not exceed 60 classroom hours of 50 minutes each, inclusive of examination, prior to the first renewal following initial licensure. If prescribed, this shall consist of one or more commission-approved courses which total at least 60 classroom hours on one or more subjects which include, but are not limited to, advanced appraisal, advanced property management, real estate marketing, business law, advanced real estate investment analyses, advanced legal aspects, general accounting, real estate economics, syndications, commercial brokerage, feasibility analyses, advanced real estate finance, residential brokerage, advanced marketing, technology, advanced business planning, time management, or real estate brokerage office operations. Required postlicensure education courses must be provided by an accredited college, university, or community college, by a career center, by a registered real estate school, or by a commission approved sponsor.~~

~~(b) Satisfactory completion of the postlicensure education requirement is demonstrated by successfully meeting all standards established for the commission prescribed or commission approved institution or school. However, notice of satisfactory completion shall not be issued if the student has absences in excess of 10 percent of the required classroom hours or has not satisfactorily completed a timed distance learning course examination.~~

~~(c) The license of any broker who does not complete the postlicensure education requirement prior to the first renewal following initial licensure shall be considered null and void. If the licensee wishes to operate as a sales associate, she or he may be issued a sales associate's license after providing proof that she or he has satisfactorily completed the 14 hour continuing education course within the 6 months following expiration of her or his broker's license. To operate as a broker, the licensee must requalify by satisfactorily completing the broker's prelicensure course and passing the state examination for licensure as a broker.~~

~~(5)(a) The commission may allow an additional 6 month period after the first renewal following initial licensure for completing the postlicensure education courses for sales associates and brokers who cannot, due to individual physical hardship, as defined by rule, complete the courses within the required time.~~

~~(b) Except as provided in subsection (4), sales associates and brokers are not required to meet the 14-hour continuing education requirement prior to the first renewal following initial licensure.~~

~~(c)1. A distance learning course or courses shall be approved by the commission as an option to classroom hours as satisfactory completion of the postlicensure education course or courses as required by this section. The schools or sponsors authorized by this section have the option of providing classroom courses, distance learning courses, or both. However, satisfactory completion of a distance learning postlicensure education course or courses requires the satisfactory completion of a timed distance learning course examination. Such examination shall not be required to be monitored or given at a centralized location.~~

~~2. The commission shall provide for postlicensure education courses to be made available by correspondence or other suitable means to any person who, by reason of hardship, as defined by rule, cannot attend the place or places where courses are regularly conducted or does not have access to the distance learning courses.~~

(3)~~(6) The postlicensure education requirements of this section, and~~ The education course requirements for one to become initially licensed~~,~~ do not apply to any applicant ~~or licensee~~ who has received a 4-year degree, or higher, in real estate from an accredited institution of higher education.

(4)~~(7)~~ The *department* ~~commission~~ may not approve prelicensure ~~or postlicensure~~ distance learning courses for brokers, broker associates, and sales associates by correspondence methods, except in instances of hardship pursuant to subparagraphs (2)(a)3. and (5)(c)2.

Section 353. Subsection (2) of section 475.175, Florida Statutes, is amended to read:

475.175 Examinations.—

(2) Each accredited college, university, community college, or registered real estate school shall notify the *department* ~~commission~~ of the names of all persons who have satisfactorily completed the educational requirements provided for in s. 475.17(2)~~, (3), and (4)~~ in a manner prescribed by the *department* ~~commission~~. Furthermore, each such educational institution shall provide to each person satisfactorily completing the educational requirements provided for in s. 475.17(2)~~, (3), and (4)~~ a certificate as proof of such satisfactory completion.

Section 354. Subsection (1) of section 475.180, Florida Statutes, is amended to read:

475.180 Nonresident licenses.—

(1) Notwithstanding the prelicensure requirements set forth under ss. 475.17(2) and *(3)* ~~(6)~~ and 475.175, the *department* ~~commission~~ in its discretion may enter into written agreements with similar licensing authorities of other states, territories, or jurisdictions of the United States or foreign national jurisdictions to ensure for Florida licensees nonresident licensure opportunities comparable to those afforded to nonresidents by this section. Whenever the *department* ~~commission~~ determines that another jurisdiction does not offer nonresident licensure to Florida licensees substantially comparable to those afforded to licensees of that jurisdiction by this section, the *department* ~~commission~~ shall require licensees of that jurisdiction who apply for nonresident licensure to meet education, experience, and examination requirements substantially comparable to those required by that jurisdiction with respect to Florida licensees who seek nonresident licensure, not to exceed such requirements as prescribed in ss. 475.17(2) and *(3)* ~~(6)~~ and 475.175.

Section 355. Subsection (1) of section 475.182, Florida Statutes, is amended to read:

475.182 Renewal of license~~; continuing education~~.—

(1)~~(a)~~ The department shall renew a license upon receipt of the renewal application and fee. ~~The renewal application for an active license as broker, broker associate, or sales associate shall include proof satisfactory to the commission that the licensee has, since the issuance or renewal of her or his current license, satisfactorily completed at least 14 classroom hours of 50 minutes each of a continuing education course during each biennium of a license period, as prescribed by the com-~~

~~mission. Approval or denial of a specialty course must be based on the extent to which the course content focuses on real estate issues relevant to the modern practice of real estate by a real estate licensee, including technology used in the real estate industry. The commission may accept as a substitute for such continuing education course, on a classroom-hour for classroom hour basis, any satisfactorily completed education course that the commission finds is adequate to educate licensees within the intent of this section, including an approved distance learning course. However, the commission may not require, for the purpose of satisfactorily completing an approved correspondence or distance learning course, a written examination that is to be taken at a centralized location and is to be monitored.~~

~~(b) The commission may accept as a substitute for 3 classroom hours, one time per renewal cycle, attendance at one legal agenda session of the commission. In order to obtain credit, the licensee must notify the division at least 7 days in advance of his or her intent to attend. A licensee may not earn any continuing education credit for attending a legal agenda session of the commission as a party to a disciplinary action.~~

Section 356. Subsections (1), (2), and (4) of section 475.183, Florida Statutes, are amended to read:

475.183 Inactive status.—

(1) A license which has become voluntarily inactive may be renewed pursuant to s. 475.182 upon application to the department. ~~The commission shall prescribe by rule continuing education requirements, not to exceed 12 classroom hours for each year the license was inactive, as a condition of renewing a voluntarily inactive license. The commission shall substitute for such continuing education requirements, on a classroom hour for classroom hour basis, any satisfactorily completed education course approved in the manner specified in s. 475.182(1).~~ A person whose license is voluntarily inactive and who renews the license may elect to continue her or his voluntarily inactive status.

~~(2)(a) A licensee may reactivate a license that has been involuntarily inactive for 12 months or less by satisfactorily completing at least 14 hours of a commission-prescribed continuing education course. Notwithstanding the provisions of s. 455.271, a licensee may reactivate a license that has been involuntarily inactive for more than 12 months but fewer than 24 months by satisfactorily completing 28 hours of a commission-prescribed education course.~~

~~(b)~~ Any license that has been involuntarily inactive for more than 2 years shall automatically expire. Once a license expires, it becomes null and void without any further action by the ~~commission or~~ department. Ninety days prior to expiration of the license, the department shall give notice to the licensee. The *department* ~~commission~~ shall prescribe by rule a fee not to exceed $100 for the late renewal of an involuntarily inactive license. The department shall collect the current renewal fee for each renewal period in which the license was involuntarily inactive in addition to any applicable late renewal fee.

(4) The *department* ~~commission~~ may reinstate the license of an individual whose license has become void if the *department* ~~commission~~ determines that the individual failed to comply because of illness or economic hardship, as defined by rule. The individual must apply to the *department* ~~commission~~ for reinstatement within 6 months after the date that the license becomes void. Such individual must ~~meet all continuing education requirements prescribed by law,~~ pay appropriate licensing fees, and otherwise be eligible for renewal of licensure under this section.

Section 357. Subsections (1), (2), and (4) of section 481.321, Florida Statutes, are amended to read:

481.321 Seals; display of certificate number.—

(1) The *department* ~~board~~ shall prescribe, by rule, one or more forms of seals for use by a registered landscape architect who holds a valid certificate of registration. Each registered landscape architect shall obtain one seal in a form approved by rule of the *department* ~~board~~ and may, in addition, register her or his seal electronically in accordance with ss. 668.001-668.006. All final plans, specifications, or reports prepared or issued by the registered landscape architect and filed for public record shall be signed by the registered landscape architect, dated, and stamped or sealed electronically with her or his seal. The signature, date, and seal constitute evidence of the authenticity of that to which they are affixed. Final plans, specifications, or reports prepared or issued by a registered landscape architect may be transmitted electronically and may be signed by the registered landscape architect, dated, and sealed electronically with the seal in accordance with ss. 668.001-668.006.

(2) It is unlawful for any person to sign and seal by any means any final plan, specification, or report after her or his certificate of registration is expired, suspended, or revoked. A registered landscape architect whose certificate of registration is suspended or revoked shall, within 30 days after the effective date of the suspension or revocation, surrender her or his seal to the *department* ~~executive director of the board~~ and confirm in writing to the *department* ~~executive director~~ the cancellation of the landscape architect's electronic signature in accordance with ss. 668.001-668.006. When a landscape architect's certificate of registration is suspended for a period of time, her or his seal shall be returned upon expiration of the period of suspension.

(4) Nothing in this part shall prohibit a registered landscape architect from filing plans of work defined under this part. *A state agency or local government may not refuse to accept the seal of a landscape architect for any of the professional services delineated in s. 481.303(4), including, but not limited to, grading and drainage.*

Section 358. Section 624.341, Florida Statutes, is created to read:

624.341 Authority of Department of Law Enforcement to accept fingerprints of, and exchange criminal history records with respect to, certain persons applying to the Office of Insurance Regulation.—

(1) The Legislature finds that criminal activity of insurers poses a particular danger to the residents of this state. Floridians rely, in good faith, on the honest conduct of those who issue and manage insurance policies and other insurance instruments in this state. To safeguard this state's residents, the Legislature finds it necessary to ensure that incorporators, subscribers, officers, employees, contractors, stockholders, directors, owners, members, managers, or volunteers involved in the organization, operation, or management of any insurer that is authorized to sell insurance do not have a criminal background.

(2) The Department of Law Enforcement shall accept and process fingerprints of incorporators, subscribers, officers, employees, contractors, stockholders, directors, owners, members, managers, or volunteers involved in the organization, operation, or management of:

(a) Any insurer or proposed insurer transacting or proposing to transact insurance in this state.

(b) Any entity that is eligible to be examined or investigated under s. 624.316.

(3) Each person required to submit fingerprints to the office must provide a full set of fingerprints to the office or to a vendor, entity, or agency authorized under s. 943.053(13). The office, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing as provided in s. 624.34. Fees for state and federal fingerprint processing must be borne by the person submitting the fingerprints. The state cost for fingerprint processing is as provided in s. 943.053(3)(e).

(4) The Department of Law Enforcement may, to the extent authorized by federal law, exchange any state or federal criminal history records with the office for the purpose of issuance or continuation of a certificate of authority, certification, or license to operate in this state.

(5) Fingerprints must be submitted in accordance with rules adopted by the commission.

(a) Fingerprints may be submitted through a third-party vendor authorized by the Department of Law Enforcement.

(b) The Department of Law Enforcement shall conduct the state criminal history background check, and a federal criminal history

background check shall be conducted through the Federal Bureau of Investigation.

(c) All fingerprints submitted to the Department of Law Enforcement must be submitted and entered into the statewide automated biometric identification system established in s. 943.05(2)(b) and available for use in accordance with s. 943.05(2)(g) and (h).

(d) The costs of fingerprint processing, including the cost of retaining the fingerprints, must be borne by the person subject to the background checks.

(e) The office shall review the results of the state and federal criminal history background checks and determine whether the applicant meets the requirements for the certificate of authority, certification, or license to operate in this state.

(6) State criminal history records obtained through the Department of Law Enforcement, federal criminal history records obtained through the Federal Bureau of Investigation, and local criminal history records obtained through local law enforcement agencies must be used by the office for the purpose of issuance, denial, suspension, or revocation of certificates of authority, certifications, or licenses issued to operate in this state.

Section 359. Section 475.613, Florida Statutes, is amended to read:

475.613 *Authority of the department* ~~Florida Real Estate Appraisal Board~~.—

~~(1) There is created the Florida Real Estate Appraisal Board, which shall consist of nine members appointed by the Governor, subject to confirmation by the Senate. Four members of the board must be real estate appraisers who have been engaged in the general practice of appraising real property in this state for at least 5 years immediately preceding appointment. In appointing real estate appraisers to the board, while not excluding other appraisers, the Governor shall give preference to real estate appraisers who are not primarily engaged in real estate brokerage or mortgage lending activities. One member of the board must represent the appraisal management industry. One member of the board must represent organizations that use appraisals for the purpose of eminent domain proceedings, financial transactions, or mortgage insurance. Three members of the board must represent the general public and may not be connected in any way with the practice of real estate appraisal. The appraiser members shall be as representative of the entire industry as possible, and membership in a nationally recognized or state recognized appraisal organization may not be a prerequisite to membership on the board. To the extent possible, no more than two members of the board shall be primarily affiliated with any one particular national or state appraisal association. Two of the members must be licensed or certified residential real estate appraisers and two of the members must be certified general real estate appraisers at the time of their appointment.~~

~~(a) Members of the board shall be appointed for 4-year terms. Any vacancy occurring in the membership of the board shall be filled by appointment by the Governor for the unexpired term. Upon expiration of her or his term, a member of the board shall continue to hold office until the appointment and qualification of the member's successor. A member may not be appointed for more than two consecutive terms. The Governor may remove any member for cause.~~

~~(b) The headquarters for the board shall be in Orlando.~~

~~(c) The board shall meet at least once each calendar quarter to conduct its business.~~

~~(d) The members of the board shall elect a chairperson at the first meeting each year.~~

~~(e) Each member of the board is entitled to per diem and travel expenses as set by legislative appropriation for each day that the member engages in the business of the board.~~

~~(2)~~ The *department* ~~board~~ shall have, through its rules, full power to regulate the issuance of licenses, certifications, registrations, and permits; to discipline appraisers in any manner permitted under this section; to establish qualifications for licenses, certifications, registrations, and permits consistent with this section; to regulate approved courses; to establish standards for real estate appraisals; and to establish standards for and regulate supervisory appraisers.

~~(3) Notwithstanding s. 112.313, any member of the board who is a licensed or certified real estate appraiser and who holds an active appraiser instructor permit issued by the department, to the extent authorized pursuant to such permit, may offer, conduct, or teach any course prescribed or approved by the board or the department.~~

Section 360. Paragraph (t) of subsection (1) of section 475.25, Florida Statutes, is amended to read:

475.25 Discipline.—

(1) The commission may deny an application for licensure, registration, or permit, or renewal thereof; may place a licensee, registrant, or permittee on probation; may suspend a license, registration, or permit for a period not exceeding 10 years; may revoke a license, registration, or permit; may impose an administrative fine not to exceed $5,000 for each count or separate offense; and may issue a reprimand, and any or all of the foregoing, if it finds that the licensee, registrant, permittee, or applicant:

(t) Has violated any standard of professional practice adopted by rule of the *department* ~~Florida Real Estate Appraisal Board~~, including standards for the development or communication of a real estate appraisal, as approved and adopted by the Appraisal Standards Board of the Appraisal Foundation, as defined in s. 475.611. This paragraph does not apply to a real estate broker or sales associate who, in the ordinary course of business, performs a comparative market analysis, gives a broker price opinion, or gives an opinion of value of real estate. However, in no event may this comparative market analysis, broker price opinion, or opinion of value of real estate be referred to as an appraisal, as defined in s. 475.611.

Section 361. Paragraphs (j), (p), (q), (z), and (aa) of subsection (1) and subsection (2) of section 475.611, Florida Statutes, are amended to read:

475.611 Definitions.—

(1) As used in this part, the term:

~~(j) "Board" means the Florida Real Estate Appraisal Board established under s. 475.613.~~

(p) "Direct supervision" means the degree of supervision required of a supervisory appraiser overseeing the work of a registered trainee appraiser by which the supervisory appraiser has control over and detailed professional knowledge of the work being done. Direct supervision is achieved when a registered trainee appraiser has regular direction, guidance, and support from a supervisory appraiser who has the competencies as determined by rule of the *department* ~~board~~.

(q) "Evaluation" means a valuation permitted by any federal financial institutions regulatory agency appraisal regulations for transactions that do not require an appraisal, as such valuations qualify for an applicable exemption under federal law. The *department* ~~board~~ shall adopt rules, as necessary, to define the term "evaluation" and the applicable exemptions under federal law.

(z) "Supervisory appraiser" means a certified residential appraiser or a certified general appraiser responsible for the direct supervision of one or more registered trainee appraisers and fully responsible for appraisals and appraisal reports prepared by those registered trainee appraisers. The *department* ~~board~~, by rule, shall determine the responsibilities of a supervisory appraiser, the geographic proximity required, the minimum qualifications and standards required of a certified appraiser before she or he may act in the capacity of a supervisory appraiser, and the maximum number of registered trainee appraisers to be supervised by an individual supervisory appraiser.

(aa) "Training" means the process of providing for and making available to a registered trainee appraiser, under direct supervision, a planned, prepared, and coordinated program, or routine of instruction and education, in appraisal professional and technical appraisal skills as determined by rule of the *department* ~~board~~.

(2) Wherever the word "operate" or "operating" appears in this part with respect to a registered trainee appraiser, registered appraisal management company, licensed appraiser, or certified appraiser; in any order, rule, or regulation of the *department* ~~board~~; in any pleading, indictment, or information under this part; in any court action or proceeding; or in any order or judgment of a court, it shall be deemed to mean the commission of one or more acts described in this part as constituting or defining a registered trainee appraiser, registered appraisal management company, licensed appraiser, or certified appraiser, not including, however, any of the exceptions stated therein. A single act is sufficient to bring a person within the meaning of this subsection, and each act, if prohibited herein, constitutes a separate offense.

Section 362. Subsection (7) of section 475.612, Florida Statutes, is amended to read:

475.612 Certification, licensure, or registration required.—

(7) Notwithstanding any other provision of law, an appraiser may perform an evaluation of real property in connection with a real estate-related financial transaction, as defined by rule of the *department* ~~board~~, which is regulated by a federal financial institutions regulatory agency. The appraiser shall comply with the standards for evaluations imposed by the federal financial institutions regulatory agency and other standards as prescribed by the *department* ~~board~~. However, an evaluation may not be referred to or construed as an appraisal.

Section 363. Section 475.614, Florida Statutes, is amended to read:

475.614 Power of *department* ~~board~~ to adopt rules and decide questions of practice; requirements for protection of appraiser's signature.—

(1) The *department* ~~board~~ has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring duties upon it. The ~~board~~ may decide questions of practice arising in the proceedings before it, having regard to this section and the rules then in force.

(2) The *department* ~~board~~ shall adopt rules specifying the means by which an appraiser's signature may be affixed to an appraisal report or other work performed by the appraiser. The rules shall include requirements for protecting the security of an appraiser's signature and prohibiting practices that may discredit the use of an appraiser's signature to authenticate the work performed by the appraiser.

Section 364. Section 475.6145, Florida Statutes, is amended to read:

475.6145 Seal.—The *department* ~~board~~ shall adopt a seal by which it shall authenticate its proceedings, records, and acts. Copies of the proceedings, records, and acts of the ~~board~~, and certificates purporting to relate the facts concerning such proceedings, records, and acts, which are signed by the ~~board~~ chair, the custodian of such records, or any other person authorized to make such certification and which are authenticated by such seal, shall be prima facie evidence of such proceedings, records, and acts in all courts of this state.

Section 365. Section 475.6147, Florida Statutes, is amended to read:

475.6147 Fees.—

(1)(a) The *department* ~~board~~ by rule may establish fees to be paid for application, licensing and renewal, certification and recertification, registration and reregistration, reinstatement, and recordmaking and recordkeeping.

(b) The fee for initial application of an appraiser may not exceed $150, and the combined cost of the application and examination may not exceed $300. The initial certification, registration, or license fee and the certification, registration, or license renewal fee may not exceed $150 for each year of the duration of the certification, registration, or license.

(c) The fee for initial application of an appraisal management company may not exceed $150. The initial registration and registration renewal fee may not exceed $150 for each year of the duration of the registration.

(d) The *department* ~~board~~ may also establish by rule a late renewal penalty.

(e) The *department* ~~board~~ shall establish fees which are adequate to ensure its continued operation. Fees shall be based on estimates made by the department of the revenue required to implement this part and other provisions of law relating to the regulation of real estate appraisers.

(2) Application and certification, registration, and license fees shall be refunded upon a determination by the *department* ~~board~~ that the state is not entitled to the fees or that only a portion of the resources have been expended in the processing of the application or shall be refunded if for any other reason the application is not completely processed. The ~~board~~ shall implement this subsection by rule.

Section 366. Section 475.615, Florida Statutes, is amended to read:

475.615 Qualifications for registration or certification.—

(1) Any person desiring to act as a registered trainee appraiser or as a certified appraiser must make application in writing to the department in such form and detail as the *department* ~~board~~ shall prescribe. Each applicant must be at least 18 years of age and hold a high school diploma or its equivalent.

(2) The *department* ~~board~~ is authorized to waive or modify any education, experience, or examination requirements established in this part in order to conform with any such requirements established by the Appraiser Qualifications Board of the Appraisal Foundation or any successor body recognized by federal law, including any requirements adopted on December 9, 2011. The *department* ~~board~~ shall implement this section by rule.

(3) Appropriate fees, as set forth in the rules of the *department* ~~board~~ pursuant to s. 475.6147, and a set of fingerprints must accompany all applications for registration or certification. The fingerprints shall be forwarded to the Division of Criminal Justice Information Systems within the Department of Law Enforcement for processing to determine whether the applicant has a criminal history record. The fingerprints shall also be forwarded to the Federal Bureau of Investigation to determine whether the applicant has a criminal history record. The information obtained by the processing of the fingerprints by the Department of Law Enforcement and the Federal Bureau of Investigation shall be sent to the department to determine whether the applicant is statutorily qualified for registration or certification.

(4) In the event that the applicant is currently a registered trainee appraiser or a licensed or certified appraiser and is making application to obtain a different status of appraisal credential, should such application be received by the department within 180 days prior to through 180 days after the applicant's scheduled renewal, the charge for the application shall be established by the rules of the *department* ~~board~~ pursuant to s. 475.6147.

(5) At the time of filing an application for registration or certification, the applicant must sign a pledge indicating that upon becoming registered or certified, she or he will comply with the standards of professional practice established by rule of the *department* ~~board~~, including standards for the development or communication of a real estate appraisal, and must indicate in writing that she or he understands the types of misconduct for which disciplinary proceedings may be initiated. The application expires 1 year after the date received by the department.

(6) All applicants must be competent and qualified to make real estate appraisals with safety to those with whom they may undertake a relationship of trust and confidence and the general public. If any applicant has been denied registration, licensure, or certification, or has been disbarred, or the applicant's registration, license, or certificate to practice or conduct any regulated profession, business, or vocation has been revoked or suspended by this or any other state, any nation, or any possession or district of the United States, or any court or lawful agency thereof, because of any conduct or practices which would have war-

ranted a like result under this part, or if the applicant has been guilty of conduct or practices in this state or elsewhere which would have been grounds for disciplining her or his registration, license, or certification under this part had the applicant then been a registered trainee appraiser or a licensed or certified appraiser, the applicant is deemed not to be qualified unless the applicant has met the conditions adopted by the Appraiser Qualifications Board of the Appraisal Foundation on December 9, 2011, as prescribed by rule of the *department* ~~board~~ and it appears to the *department* ~~board~~ that the interest of the public is not likely to be endangered by the granting of registration or certification.

(7) No applicant seeking to become registered or certified under this part may be rejected solely by virtue of membership or lack of membership in any particular appraisal organization.

Section 367. Section 475.617, Florida Statutes, is amended to read:

475.617 Education and experience requirements.—

(1) To be registered as a trainee appraiser, an applicant must present evidence satisfactory to the *department* ~~board~~ that she or he has successfully completed at least 100 hours of approved qualifying education courses in subjects related to real estate appraisal, which must include coverage of the Uniform Standards of Professional Appraisal Practice, or its equivalent, as established by rule of the *department* ~~board~~, from a nationally recognized or state-recognized appraisal organization, career center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. The *department* ~~board~~ may increase the required number of hours to not more than 125 hours. All qualifying education courses may be completed through in-person classroom instruction or distance learning. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved on an hour-for-hour basis.

(2) To be certified as a residential appraiser, an applicant must present satisfactory evidence to the *department* ~~board~~ that she or he has met the minimum education and experience requirements prescribed by rule of the *department* ~~board~~. The *department* ~~board~~ shall prescribe by rule education and experience requirements that meet or exceed the following real property appraiser qualification criteria adopted on December 9, 2011, by the Appraiser Qualifications Board of the Appraisal Foundation:

(a) Has at least 2,500 hours of experience obtained over a 24-month period in real property appraisal as defined by rule.

(b) Has successfully completed at least 200 classroom hours, inclusive of examination, of approved qualifying education courses in subjects related to real estate appraisal, which must include a 15-hour National Uniform Standards of Professional Appraisal Practice course, or its equivalent, as established by rule of the *department* ~~board~~, from a nationally recognized or state-recognized appraisal organization, career center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. All qualifying education courses may be completed through in-person classroom instruction or distance learning. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved by the *department* ~~board~~ and substituted on an hour-for-hour basis.

(3) To be certified as a general appraiser, an applicant must present evidence satisfactory to the *department* ~~board~~ that she or he has met the minimum education and experience requirements prescribed by rule of the *department* ~~board~~. The *department* ~~board~~ shall prescribe education and experience requirements that meet or exceed the following real property appraiser qualification criteria adopted on December 9, 2011, by the Appraiser Qualifications Board of the Appraisal Foundation:

(a) Has at least 3,000 hours of experience obtained over a 30-month period in real property appraisal as defined by rule.

(b) Has successfully completed at least 300 classroom hours, inclusive of examination, of approved qualifying education courses in subjects related to real estate appraisal, which must include a 15-hour National Uniform Standards of Professional Appraisal Practice course, or its equivalent, as established by rule of the *department* ~~board~~, from a nationally recognized or state-recognized appraisal organization, career center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. All qualifying education courses may be completed through in-person classroom instruction or distance learning. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved by the *department* ~~board~~ and substituted on an hour-for-hour basis.

(4) A distance learning course may be approved by the *department* ~~board~~ as an option to classroom hours for satisfactory completion of the academic courses required under this section. The schools authorized by this section have the option of providing classroom courses, distance learning courses, or both.

(a) A distance learning course must use a delivery method that is certified or approved by a *department-authorized* ~~board-authorized~~ independent certifying organization.

(b) A distance learning course intended for use as academic education must include a written, closed-book final examination. As used in this paragraph, the term "written" refers to an exam that might be written on paper or administered electronically on a computer workstation or other device. Oral exams are not acceptable.

(5) Each applicant must furnish, under oath, a detailed statement of the experience for each year of experience she or he claims. Upon request, the applicant shall furnish to the *department* ~~board~~, for its examination, copies of appraisal reports or file memoranda to support the claim for experience. Any appraisal report or file memoranda used to support a claim for experience must be maintained by the applicant for no less than 5 years after the date of certification.

(6) The *department* ~~board~~ may implement the provisions of this section by rule.

Section 368. Section 475.6171, Florida Statutes, is amended to read:

475.6171 Issuance of registration or certification.—The registration or certification of an applicant may be issued upon receipt by the *department* ~~board~~ of the following:

(1) A complete application indicating compliance with qualifications as specified in s. 475.615.

(2) Proof of successful course completion as specified in s. 475.617.

(3) Proof of experience for certification as specified in s. 475.617.

(4) If required, proof of passing a written examination as specified in s. 475.616.

(5) The *department* ~~board~~ shall implement this section by rule.

Section 369. Subsection (1) of section 475.618, Florida Statutes, is amended to read:

475.618 Renewal of registration, license, certification, or instructor permit; continuing education.—

(1)(a) The department shall renew a registration, license, certification, or instructor permit upon receipt of the renewal application and proper fee. Such application shall include proof satisfactory to the *department* ~~board~~ that the individual has satisfactorily completed any continuing education that has been prescribed by the *department* ~~board~~.

(b) A distance learning course or courses shall be approved by the *department* ~~board~~ as an option to classroom hours as satisfactory completion of the course or courses as required by this section. The schools authorized by this section have the option of providing classroom courses, distance learning courses, or both.

(c) The *department* ~~board~~ may authorize independent certification organizations to certify or approve the delivery method of distance learning courses. Certification from such authorized organizations must be provided at the time a distance learning course is submitted to the *department* ~~board~~ by an accredited college, university, community col-

lege, career center, proprietary real estate school, or *department-approved* ~~board-approved~~ sponsor for content approval.

Section 370. Section 475.619, Florida Statutes, is amended to read:

475.619 Inactive status.—

(1) A registration, license, or certification which has become inactive may be renewed upon application to the department. The *department* ~~board~~ shall prescribe by rule continuing education requirements for each year the registration, license, or certification was inactive, as a condition of renewing an inactive registration, license, or certification.

(2) Any registration, license, or certification which has been inactive for more than 4 years shall automatically expire. Once a registration, license, or certification expires, it becomes null and void without any further action by the *department* ~~board~~ or department. Two years prior to the expiration of the registration, license, or certification, the department shall give notice by mail to the registered trainee, licensee, or certificateholder at her or his last known address. The *department* ~~board~~ shall prescribe by rule a fee not to exceed $100 for the late renewal of an inactive registration, license, or certification. The department shall collect the current renewal fee for each renewal period in which the registration, license, or certification was inactive, in addition to any applicable late renewal fee.

(3) The *department* ~~board~~ shall adopt rules relating to inactive registrations, licenses, and certifications and for the renewal of such registrations, licenses, and certifications.

Section 371. Subsections (2) and (3) of section 475.621, Florida Statutes, are amended to read:

475.621 Registry of licensed and certified appraisers; registry of appraisal management companies.—

(2) The department shall collect from such individuals who perform or seek to perform appraisals in federally related transactions an annual fee as set by rule of, and transmitted to, the appraisal subcommittee. The department shall collect from such appraisal management companies that perform or seek to perform appraisal management services in covered transactions an annual fee set by rule of the *department* ~~board~~ and transmitted to the appraisal subcommittee.

(3) Notwithstanding the prohibition against requiring registration of a federally regulated appraisal management company as provided in s. 475.6235(8)(b), the *department* ~~board~~ shall establish a procedure to collect from a federally regulated appraisal management company an annual fee as set by rule of the *department* ~~board~~ and transmitted to the appraisal subcommittee.

Section 372. Section 475.6222, Florida Statutes, is amended to read:

475.6222 Supervision and training of registered trainee appraisers.—The primary or secondary supervisory appraiser of a registered trainee appraiser shall provide direct supervision and training to the registered trainee appraiser. The role and responsibility of the supervisory appraiser is determined by rule of the *department* ~~board~~.

Section 373. Subsections (3) and (4) of section 475.6235, Florida Statutes, are amended to read:

475.6235 Registration of appraisal management companies required; exemptions.—

(3) Appropriate fees, as set forth in the rules of the *department* ~~board~~ pursuant to s. 475.6147, and a complete set of fingerprints for each person listed in paragraph (2)(f) must accompany all applications for registration. The fingerprints shall be forwarded to the Division of Criminal Justice Information Systems within the Department of Law Enforcement for purposes of processing the fingerprints to determine whether the person has a criminal history record. The fingerprints shall also be forwarded to the Federal Bureau of Investigation for purposes of processing the fingerprints to determine whether the person has a criminal history record. The information obtained by the processing of fingerprints by the Department of Law Enforcement and the Federal Bureau of Investigation shall be sent to the department for the purpose of determining whether the appraisal management company is statutorily qualified for registration.

(4) At the time of filing an application for registration of an appraisal management company, each person listed in paragraph (2)(f) must sign a pledge to comply with applicable standards of professional practice established by rule of the *department* ~~board~~, including standards for the development or communication of a real estate appraisal, and must indicate in writing that she or he understands the types of misconduct for which disciplinary proceedings may be initiated. The application expires 1 year after the date received.

Section 374. Section 475.624, Florida Statutes, is amended to read:

475.624 Discipline of appraisers.—The *department* ~~board~~ may deny an application for registration or certification of an appraiser; may investigate the actions of any appraiser registered, licensed, or certified under this part; may reprimand or impose an administrative fine not to exceed $5,000 for each count or separate offense against any such appraiser; and may revoke or suspend, for a period not to exceed 10 years, the registration, license, or certification of any such appraiser, or place any such appraiser on probation, if the *department* ~~board~~ finds that the registered trainee, licensee, or certificateholder:

(1) Has violated any provision of this part or s. 455.227(1); however, any appraiser registered, licensed, or certified under this part is exempt from s. 455.227(1)(i).

(2) Has been guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in this state or any other state, nation, or territory; has violated a duty imposed upon her or him by law or by the terms of a contract, whether written, oral, express, or implied, in an appraisal assignment; has aided, assisted, or conspired with any other person engaged in any such misconduct and in furtherance thereof; or has formed an intent, design, or scheme to engage in such misconduct and committed an overt act in furtherance of such intent, design, or scheme. It is immaterial to the guilt of the registered trainee appraiser or licensed or certified appraiser that the victim or intended victim of the misconduct has sustained no damage or loss; that the damage or loss has been settled and paid after discovery of the misconduct; or that such victim or intended victim was a customer or a person in confidential relation with the registered trainee appraiser or licensed or certified appraiser, or was an identified member of the general public.

(3) Has advertised services in a manner that is fraudulent, false, deceptive, or misleading in form or content.

(4) Has violated any provision of this part or any lawful order or rule issued under this part or chapter 455.

(5) Has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction that directly relates to the activities of a registered trainee appraiser or licensed or certified appraiser or that involves moral turpitude or fraudulent or dishonest conduct. The record of a conviction certified or authenticated in such form as admissible in evidence under the laws of the state shall be admissible as prima facie evidence of such guilt.

(6) Has had a registration, license, or certification as an appraiser revoked, suspended, or otherwise acted against; has been disbarred; has had her or his registration, license, or certificate to practice or conduct any regulated profession, business, or vocation revoked or suspended by this or any other state, any nation, or any possession or district of the United States; or has had an application for such registration, licensure, or certification to practice or conduct any regulated profession, business, or vocation denied by this or any other state, any nation, or any possession or district of the United States.

(7) Has become temporarily incapacitated from acting as an appraiser with safety to those in a fiduciary relationship with her or him because of drunkenness, use of drugs, or temporary mental derangement; however, suspension of a license, certification, or registration in such cases shall only be for the period of such incapacity.

(8) Is confined in any county jail, postadjudication; is confined in any state or federal prison or mental institution; or, through mental disease or deterioration, can no longer safely be entrusted to deal with the public or in a confidential capacity.

(9) Has failed to inform the *department* ~~board~~ in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

(10) Has been found guilty, for a second time, of any misconduct that warrants disciplinary action, or has been found guilty of a course of conduct or practice that shows that she or he is incompetent, negligent, dishonest, or untruthful to an extent that those with whom she or he may sustain a confidential relationship may not safely do so.

(11) Has made or filed a report or record, either written or oral, that the registered trainee appraiser or licensed or certified appraiser knows to be false; has willfully failed to file a report or record required by state or federal law; has willfully impeded or obstructed such filing; or has induced another person to impede or obstruct such filing. However, such reports or records shall include only those that are signed or presented in the capacity of a registered trainee appraiser or licensed or certified appraiser.

(12) Has obtained or attempted to obtain a registration, license, or certification by means of knowingly making a false statement, submitting false information, refusing to provide complete information in response to an application question, or engaging in fraud, misrepresentation, or concealment.

(13) Has paid money or other valuable consideration, except as required by this section, to any member or employee of the *department* ~~board~~ to obtain a registration, license, or certification under this section.

(14) Has violated any standard of professional practice established by rule of the *department* ~~board~~, including standards for the development or communication of a real estate appraisal.

(15) Has failed or refused to exercise reasonable diligence in developing an appraisal or preparing an appraisal report.

(16) Has failed to communicate an appraisal without good cause.

(17) Has accepted an appraisal assignment if the employment itself is contingent upon the appraiser reporting a predetermined result, analysis, or opinion or if the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached upon the consequences resulting from the appraisal assignment.

(18) Has failed to timely notify the department of any change in business location, or has failed to fully disclose all business locations from which she or he operates as a registered trainee appraiser or licensed or certified appraiser.

Section 375. Section 475.6245, Florida Statutes, is amended to read:

475.6245 Discipline of appraisal management companies.—

(1) The *department* ~~board~~ may deny an application for registration or renewal registration of an appraisal management company; may investigate the actions of any appraisal management company registered under this part; may reprimand or impose an administrative fine not to exceed $5,000 for each count or separate offense against any such appraisal management company; and may revoke or suspend, for a period not to exceed 10 years, the registration of any such appraisal management company, or place any such appraisal management company on probation, if the *department* ~~board~~ finds that the appraisal management company or any person listed in s. 475.6235(2)(f):

(a) Has violated any provision of this part or s. 455.227(1); however, any appraisal management company registered under this part is exempt from s. 455.227(1)(i).

(b) Has been guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest conduct, culpable negligence, or breach of trust in any business transaction in this state or any other state, nation, or territory; has violated a duty imposed upon her or him by law or by the terms of a contract, whether written, oral, express, or implied, in an appraisal assignment; has aided, assisted, or conspired with any other person engaged in any such misconduct and in furtherance thereof; or has formed an intent, design, or scheme to engage in such misconduct and committed an overt act in furtherance of such intent, design, or scheme. It is immaterial to the guilt of the appraisal management company that the victim or intended victim of the misconduct has sustained no damage or loss; that the damage or loss has been settled and paid after discovery of the misconduct; or that such victim or intended victim was a customer or a person in confidential relation with the appraisal management company or was an identified member of the general public.

(c) Has advertised services in a manner that is fraudulent, false, deceptive, or misleading in form or content.

(d) Has violated any provision of this part or any lawful order or rule issued under this part or chapter 455.

(e) Has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction that directly relates to the activities of an appraisal management company or that involves moral turpitude or fraudulent or dishonest conduct. The record of a conviction certified or authenticated in such form as admissible in evidence under the laws of the state shall be admissible as prima facie evidence of such guilt.

(f) Has had a registration, license, or certification as an appraiser or a registration as an appraisal management company revoked, suspended, or otherwise acted against; has been disbarred; has had her or his registration, license, or certificate to practice or conduct any regulated profession, business, or vocation revoked or suspended by this or any other state, any nation, or any possession or district of the United States; or has had an application for such registration, licensure, or certification to practice or conduct any regulated profession, business, or vocation denied by this or any other state, any nation, or any possession or district of the United States.

(g) Has become temporarily incapacitated from acting as an appraisal management company with safety to those in a fiduciary relationship with her or him because of drunkenness, use of drugs, or temporary mental derangement; however, suspension of a registration in such cases shall only be for the period of such incapacity.

(h) Is confined in any county jail, postadjudication; is confined in any state or federal prison or mental institution; or, through mental disease or deterioration, can no longer safely be entrusted to deal with the public or in a confidential capacity.

(i) Has failed to inform the *department* ~~board~~ in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.

(j) Has been found guilty, for a second time, of any misconduct that warrants disciplinary action, or has been found guilty of a course of conduct or practice that shows that she or he is incompetent, negligent, dishonest, or untruthful to an extent that those with whom she or he may sustain a confidential relationship may not safely do so.

(k) Has made or filed a report or record, either written or oral, that the appraisal management company knows to be false; has willfully failed to file a report or record required by state or federal law; has willfully impeded or obstructed such filing; or has induced another person to impede or obstruct such filing. However, such reports or records shall include only those that are signed or presented in the capacity of an appraisal management company.

(l) Has obtained or attempted to obtain a registration, license, or certification by means of knowingly making a false statement, submitting false information, refusing to provide complete information in response to an application question, or engaging in fraud, misrepresentation, or concealment.

(m) Has paid money or other valuable consideration, except as required by this section, to any member or employee of the *department* ~~board~~ to obtain a registration, license, or certification under this section.

(n) Has instructed an appraiser to violate any standard of professional practice established by rule of the *department* ~~board~~, including

standards for the development or communication of a real estate appraisal or other provision of the Uniform Standards of Professional Appraisal Practice.

(o) Has engaged in the development of an appraisal or the preparation of an appraisal report, unless the appraisal management company is owned or controlled by certified appraisers.

(p) Has failed to communicate an appraisal without good cause.

(q) Has accepted an appraisal assignment if the employment itself is contingent upon the appraisal management company reporting a predetermined result, analysis, or opinion or if the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached upon the consequences resulting from the appraisal assignment.

(r) Has failed to timely notify the department of any change in principal business location as an appraisal management company.

(s) Has influenced or attempted to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or any other means, including, but not limited to:

1. Withholding or threatening to withhold timely payment for an appraisal, unless such nonpayment is based upon specific quality or other service issues that constitute noncompliance with the appraisal engagement agreement.

2. Withholding or threatening to withhold future business from an appraiser.

3. Promising future business, promotions, or increased compensation for an appraiser, whether the promise is express or implied.

4. Conditioning a request for appraisal services or the payment of an appraisal fee, salary, or bonus upon the opinion, conclusion, or valuation to be reached or upon a preliminary estimate or opinion requested from an appraiser.

5. Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before the appraiser's completion of appraisal services.

6. Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided.

7. Providing to an appraiser, or any person related to the appraiser, stock or other financial or nonfinancial benefits.

8. Allowing the removal of an appraiser from an appraiser panel without prior written notice to the appraiser.

9. Obtaining, using, or paying for a second or subsequent appraisal or ordering an automated valuation model in connection with a mortgage financing transaction unless there is a reasonable basis to believe that the initial appraisal was flawed or tainted and such basis is clearly and appropriately noted in the loan file, or unless such appraisal or automated valuation model is issued pursuant to a bona fide prefunding or postfunding appraisal review or quality control process.

10. Any other act or practice that impairs or attempts to impair an appraiser's independence, objectivity, or impartiality.

(t) Has altered, modified, or otherwise changed a completed appraisal report submitted by an appraiser to an appraisal management company.

(u) Has employed, contracted with, or otherwise retained an appraiser whose registration, license, or certification is suspended or revoked to perform appraisal services or appraisal management services.

(v) Has required or attempted to require an appraiser to sign any indemnification agreement that would require the appraiser to hold harmless the appraisal management company or its owners, agents, employees, or independent contractors from any liability, damage, loss, or claim arising from the services performed by the appraisal management company or its owners, agents, employees, or independent contractors and not the services performed by the appraiser.

(w) Has required or attempted to require a client to sign any indemnification agreement that would require the client to hold harmless the appraisal management company or its owners, agents, or employees from any liability, damage, loss, or claim arising from the services performed by an appraiser.

(2) The *department* ~~board~~ may reprimand an appraisal management company, conditionally or unconditionally suspend or revoke any registration of an appraisal management company issued under this part, or impose administrative fines not to exceed $5,000 for each count or separate offense against any such appraisal management company if the *department* ~~board~~ determines that the appraisal management company is attempting to perform, has performed, or has attempted to perform any of the following acts:

(a) Committing any act in violation of this part.

(b) Violating any rule adopted by the *department* ~~board~~ under this part.

(c) Obtaining a registration of an appraisal management company by fraud, misrepresentation, or deceit.

(3) This section does not prohibit an appraisal management company from requesting an appraiser to:

(a) Provide additional information about the basis of a valuation, including consideration of additional comparable data; or

(b) Correct objective factual errors in an appraisal report.

Section 376. Section 475.625, Florida Statutes, is amended to read:

475.625 Final orders.—The *department* ~~board~~ may publish and distribute, in such manner and form as it may prescribe, any of its final orders or decisions made under this section, after they become final by lapse of time or upon affirmance on appeal, or opinions of appellate courts for the guidance of appraisers, appraiser users, and the public. The *department* ~~board~~ may also publish or withhold from publication the names and addresses of any parties concerned. This section shall not be construed to affect compliance with chapter 119.

Section 377. Paragraphs (c), (d), and (e) of subsection (1) of section 475.626, Florida Statutes, are amended to read:

475.626 Violations and penalties.—

(1) A person may not:

(c) Make any false affidavit or affirmation intended for use as evidence by or before the *department* ~~board~~ or any member thereof, or by any of its authorized representatives, nor may any person give false testimony under oath or affirmation to or before the *department* ~~board~~ or any member thereof in any proceeding authorized by this section.

(d) Fail or refuse to appear at the time and place designated in a subpoena issued with respect to a violation of this section, unless such failure to appear is the result of facts or circumstances that are sufficient to excuse appearance in response to a subpoena from the circuit court; nor may a person who is present before the *department* ~~board or a member thereof~~ or one of its authorized representatives acting under authority of this section refuse to be sworn or to affirm or fail or refuse to answer fully any question propounded by the *department* ~~board, the member~~, or such representative, or by any person by the authority of such officer or appointee.

(e) Obstruct or hinder in any manner the enforcement of this section or the performance of any lawful duty by any person acting under the authority of this section, or interfere with, intimidate, or offer any bribe to any *employee* ~~member~~ of the *department* ~~board or any of its employees~~ or any person who is, or is expected to be, a witness in any investigation or proceeding relating to a violation of this section.

Section 378. Section 475.627, Florida Statutes, is amended to read:

475.627 Appraisal course instructors.—

(1) Where the course or courses to be taught are prescribed by the *department* ~~board~~ or approved precedent to registration, licensure, certification, or renewal as a registered trainee appraiser, licensed appraiser, or certified residential appraiser, before commencing to instruct noncredit college courses in a college, university, or community college, or courses in a career center or proprietary real estate school, a person must certify her or his competency by meeting one of the following requirements:

(a) Hold a valid certification as a residential real estate appraiser in this or any other state.

(b) Pass an appraiser instructor's examination which shall test knowledge of residential appraisal topics.

(2) Where the course or courses to be taught are prescribed by the *department* ~~board~~ or approved precedent to registration, licensure, certification, or renewal as a registered trainee appraiser, licensed appraiser, or certified appraiser, before commencing to instruct noncredit college courses in a college, university, or community college, or courses in a career center or proprietary real estate school, a person must certify her or his competency by meeting one of the following requirements:

(a) Hold a valid certification as a general real estate appraiser in this or any other state.

(b) Pass an appraiser instructor's examination which shall test knowledge of residential and nonresidential appraisal topics.

(3) Possession of a permit to teach prescribed or approved appraisal courses does not entitle the permitholder to teach any courses outside the scope of the permit.

Section 379. Section 475.628, Florida Statutes, is amended to read:

475.628 Professional standards for appraisers registered, licensed, or certified under this part.—

(1) The *department* ~~board~~ shall adopt rules establishing standards of professional practice which meet or exceed nationally recognized standards of appraisal practice, including standards adopted by the Appraisal Standards Board of the Appraisal Foundation. Each appraiser registered, licensed, or certified under this part must comply with the rules. Statements on appraisal standards which may be issued for the purpose of clarification, interpretation, explanation, or elaboration through the Appraisal Foundation are binding on any appraiser registered, licensed, or certified under this part, upon adoption by rule of the *department* ~~board~~.

(2) The *department* ~~board~~ may adopt rules establishing standards of professional practice other than standards adopted by the Appraisal Standards Board of the Appraisal Foundation for nonfederally related transactions. The *department* ~~board~~ shall require that when performing an appraisal or appraisal service for any purpose other than a federally related transaction, an appraiser must comply with the Ethics and Competency Rules of the standards adopted by the Appraisal Standards Board of the Appraisal Foundation, and other requirements as determined by rule of the *department* ~~board~~. An assignment completed using alternate standards does not satisfy the experience requirements under s. 475.617 unless the assignment complies with the standards adopted by the Appraisal Standards Board of the Appraisal Foundation.

Section 380. Section 475.629, Florida Statutes, is amended to read:

475.629 Retention of records.—An appraiser registered, licensed, or certified under this part shall prepare and retain a work file for each appraisal, appraisal review, or appraisal consulting assignment. An appraisal management company registered under this part shall prepare and retain an order file for each appraisal, appraisal review, or appraisal consulting assignment. The work file and the order file shall be retained for 5 years or the period specified in the Uniform Standards of Professional Appraisal Practice, whichever is greater. The work file must contain original or true copies of any contracts engaging the appraiser's or appraisal management company's services, appraisal reports, and supporting data assembled and formulated by the appraiser or company in preparing appraisal reports or engaging in appraisal management services and all other data, information, and documentation required by the standards for the development or communication of a real estate appraisal as approved and adopted by the Appraisal Standards Board of The Appraisal Foundation, as established by rule of the *department* ~~board~~. The order file must contain original or true copies of any contracts engaging the appraiser's services, the appraisal reports, any engagement materials or instructions from the client, and all other documents required by the standards for the development or communication of a real estate appraisal as approved and adopted by the Appraisal Standards Board of The Appraisal Foundation, as established by rule of the *department* ~~board~~. Notwithstanding the foregoing, while general contracts and materials pertaining to impaneling of an appraiser by an appraisal management company shall be retained under this section, such contracts and materials are not required to be maintained within the order file. Except as otherwise specified in the Uniform Standards of Professional Appraisal Practice, the period for retention of the records applicable to each engagement of the services of the appraiser or appraisal management company runs from the date of the submission of the appraisal report to the client. Appraisal management companies shall also retain the company accounts, correspondence, memoranda, papers, books, and other records in accordance with administrative rules adopted by the *department* ~~board~~. These records must be made available by the appraiser or appraisal management company for inspection and copying by the department upon reasonable notice to the appraiser or company. If an appraisal has been the subject of or has served as evidence for litigation, reports and records must be retained for at least 2 years after the trial or the period specified in the Uniform Standards of Professional Appraisal Practice, whichever is greater.

Section 381. Section 475.630, Florida Statutes, is amended to read:

475.630 Temporary practice.—

(1) The *department* ~~board~~ shall recognize, on a temporary basis, the license or certification of an appraiser issued by another state, if:

(a) The property to be appraised is part of a federally related transaction.

(b) The appraiser's business is of a temporary nature.

(c) The appraiser registers with the *department* ~~board~~.

(d) The person requesting recognition of a license or certification as an appraiser issued by another state is a nonresident of Florida.

(2) In order to register with the *department* ~~board~~, the appraiser must:

(a) Pay any required fee as established by rule.

(b) Provide, or cause the state where the applicant may be licensed or certified to furnish, proof of licensure or certification along with the copies of the records of any disciplinary actions taken against the applicant's license or certification in that or other jurisdictions.

(c) Agree in writing to cooperate with any investigation initiated under this part by promptly supplying such documents that any authorized representative of the department may request. If the department sends a notice by certified mail to the last known address of a nonresident appraiser to produce documents or to appear in conjunction with an investigation and the nonresident appraiser fails to comply with that request, the *department* ~~board~~ may impose on that nonresident appraiser any disciplinary action or penalty authorized under this part.

(d) Sign a notarized statement that the applicant has read this section and all applicable rules and agrees to abide by these provisions in all appraisal activities.

Section 382. Section 475.631, Florida Statutes, is amended to read:

475.631 Nonresident licenses and certifications.—

(1) Any resident state-certified appraiser who becomes a nonresident shall, within 60 days, notify the *department* ~~board~~ of the change in residency and comply with nonresident requirements. Failure to notify and comply is a violation of the license law, subject to the penalties in s. 475.624.

(2) All nonresident applicants, certified appraisers, and licensees shall comply with all requirements of *department* ~~board~~ rules and this part.

Section 383. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2025.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to community and economic development; amending s. 163.3755, F.S.; providing for the termination of community redevelopment agencies on a specified date; removing an exception; prohibiting community redevelopment agencies from initiating new projects or issuing new debt on or after a specified date unless certain requirements are met; defining the term "new project"; revising provisions relating to any outstanding bonds of a community redevelopment agency; prohibiting the creation of community redevelopment agencies on or after a specified date; prohibiting the expansion of community redevelopment areas on or after a specified date; providing applicability; authorizing existing agencies before a specified date to continue to operate; amending s. 20.165, F.S.; renaming, removing, and redesignating specified boards, commissions, and councils established within the Department of Business and Professional Regulation; changing the office locations of certain divisions; requiring the department to provide to the Division of Professions a summary of changes to statutory law within a specified time period after adjournment of session; repealing ss. 310.011, 310.032, 310.042, 455.2124, 455.2228, 468.384, 468.399, 468.4315, 468.4337, 468.4338, 468.521, 468.522, 468.523, 468.605, 468.8316, 468.8416, 471.007, 471.008, 471.009, 471.019, 471.0195, 471.038, 472.007, 472.008, 472.009, 472.018, 472.019, 473.303, 473.312, 474.204, 474.206, 475.02, 475.03, 475.04, 475.045, 475.05, 475.10, 476.054, 476.064, 477.015, 481.205, 481.2055, 481.305, 482.243, 489.107, 489.507, 492.103, 493.6116, 499.01211, 559.9221, and 570.81, F.S., relating to Board of Pilot Commissioners; oath of members of the Board of Pilot Commissioners; organization and meetings of the board; proration of continuing education; barbers and cosmetologists and instruction on HIV and AIDS; Florida Board of Auctioneers; expenditure of excess funds; Regulatory Council of Community Association Managers; continuing education; reactivation and continuing education; the Board of Employee Leasing Companies, membership, appointments, and terms; rules of the board; applicability of s. 20.165 and chapter 455; Florida Building Code Administrators and Inspectors Board; continuing education; Board of Professional Engineers; rulemaking authority of the board; board headquarters; reactivation; Florida Building Code training for engineers; Florida Engineers Management Corporation; Board of Professional Surveyors and Mappers; rules of the board; board headquarters; continuing education; continuing education for reactivating a license; Board of Veterinary Medicine; renewal of license; Board of Accountancy; continuing education; Barbers' Board; organization, headquarters, personnel, and meetings of the board; Board of Cosmetology; Board of Architecture and Interior Design; authority of the board to make rules; Florida Real Estate Commission; delegation of powers and duties; legal services; duty of commission to educate members of profession; Florida Real Estate Commission Education and Research Foundation; power of commission to enact bylaws and rules and decide questions of practice; seal; Board of Landscape Architecture; Pest Control Enforcement Advisory Council; Construction Industry Licensing Board; Electrical Contractors' Licensing Board; Board of Professional Geologists; sponsorship of interns; Drug Wholesale Distributor Advisory Council; Motor Vehicle Repair Advisory Council; and Agricultural Economic Development Project Review Committee, respectively; requiring the department to conduct a specified study; amending ss. 212.08, 215.5586, 215.55871, 309.01, 310.0015, 310.002, 310.051, 310.061, 310.071, 310.073, 310.075, 310.081, 310.101, 310.102, 310.111, 310.1115, 310.121, 310.131, 310.142, 310.151, 310.183, 310.185, 319.28, 326.002, 326.006, 376.303, 381.0065, 403.868, 403.9329, 440.02, 448.26, 468.382, 468.385, 468.3852, 468.3855, 468.387, 468.388, 468.389, 468.392, 468.393, 468.395, 468.396, 468.397, 468.398, 468.431, 468.433, 468.4336, 468.435, 468.436, 468.520, 468.522, 468.524, 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529, 468.530, 468.531, 468.532, 468.603, 468.606, 468.607, 468.613, 468.619, 468.621, 468.627, 468.629, 468.631, 468.8312, 468.8315, 468.8415, 468.8417, 468.8419, 469.004, 469.012, 469.013, 471.003, 471.0035, 471.005, 471.011, 471.013, 471.017, 471.021, 471.023, 471.025, 471.031, 471.033, 471.045, 471.055, 472.003, 472.005, 473.302, 473.3035, 473.304, 473.305, 473.306, 473.309, 473.3101, 473.311, 473.3125, 473.313, 473.314, 473.315, 473.316, 473.319, 473.3205, 473.321, 473.322, 473.323, 474.202, 474.2065, 474.207, 474.211, 474.2125, 474.213, 474.214, 474.215, 474.216, 474.2165, 474.217, 474.221, 476.034, 476.074, 476.114, 476.134, 476.144, 476.154, 476.155, 476.192, 476.204, 476.214, 476.234, 477.013, 477.0135, 477.016, 477.018, 477.019, 477.0201, 477.0212, 477.022, 477.025, 477.026, 477.0263, 477.028, 477.029, 481.203, 481.207, 481.209, 481.211, 481.215, 481.217, 481.219, 481.221, 481.222, 481.223, 481.225, 481.2251, 481.303, 481.306, 481.307, 481.309, 481.310, 481.311, 481.313, 481.315, 481.317, 481.319, 481.321, 481.323, 481.325, 489.103, 489.105, 489.108, 489.109, 489.111, 489.113, 489.1131, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119, 489.1195, 489.121, 489.126, 489.127, 489.129, 489.131, 489.132, 489.133, 489.1401, 489.1402, 489.141, 489.142, 489.1425, 489.143, 489.1455, 489.146, 489.509, 489.510, 489.511, 489.513, 489.514, 489.515, 489.516, 489.5161, 489.517, 489.518, 489.5185, 489.519, 489.520, 489.521, 489.522, 489.523, 489.525, 489.533, 489.5335, 489.537, 489.552, 492.102, 492.104, 492.105, 492.1051, 492.106, 492.107, 492.108, 492.1101, 492.111, 492.113, 493.6101, 493.6105, 493.6106, 493.6111, 493.6113, 493.6118, 493.6120, 493.6123, 493.6201, 493.6202, 493.6203, 493.6301, 493.6302, 493.6303, 493.6304, 493.631, 493.6401, 493.6402, 493.6403, 493.6406, 514.0315, 514.075, 533.791, 553.998, 569.34, 627.192, 633.216, 713.01, and 1006.12, F.S.; providing licensing authority to the department rather than licensing boards; removing continuing education requirements; conforming provisions to changes made by the act; amending s. 474.2021, F.S.; revising requirements related to prescriptions by veterinarians practicing telehealth; providing licensing authority to the department rather than licensing boards; amending s. 259.1053, F.S.; removing the Babcock Ranch Advisory Group; amending s. 399.035, F.S.; revising the requirements for accessibility of elevators for the physically handicapped; amending s. 373.219, F.S.; providing an exception to the permit requirement for certain landscape irrigation water users; amending s. 455.02, F.S.; specifying that certain license application requirements apply only to certain professions; amending s. 455.213, F.S.; providing regulation authority to the department to regulate a cosmetologist or cosmetology specialist review an applicant's criminal record; amending s. 468.386, F.S.; requiring the department to reduce fees by a specified percentage on a certain date; amending s. 468.609, F.S.; revising the standards for certification as a building code inspector or plans examiner; amending s. 471.015, F.S.; revising who the department must certify as qualified for a license by endorsement for the practice of engineering; amending s. 473.308, F.S.; revising the education and work experience requirements for a certified public accountant license; directing the department to prescribe specified coursework for licensure; revising requirements for licensure by endorsement; removing provisions relating to licensure of applicants with work experience in foreign countries; providing applicability; creating s. 473.3085, F.S.; requiring an international applicant who seeks licensure as a certified public accountant in this state to meet specified criteria prescribed by the department; requiring such applicants to apply to the department; requiring such applicants to create and maintain an online account with the department; providing that the applicant's e-mail address serves as the primary means of communication from the department; requiring an applicant to submit any change in certain information within a specified timeframe through the department's online system; requiring the department to certify an applicant who meets certain requirements; requiring the department to adopt rules; amending s. 473.3141, F.S.; revising requirements for certified public accountants licensed in another state or a territory of the United States to practice in this state without obtaining a license; amending s. 476.184, F.S.; requiring the department to adopt rules; requiring a mobile barbershop to comply with all licensure and operating requirements that apply to a barbershop at a fixed location; providing an exception; requiring a mobile barbershop to have a permanent business address in a specified location; requiring that certain records be kept at the permanent business address; requiring a mobile barbershop licenseholder to file with the department a written monthly itinerary that provides certain information; requiring that a licenseholder comply with certain laws and ordinances; amending s. 476.188, F.S.; providing that a barbershop

must be licensed with the department, rather than registered; authorizing the practice of barbering to be performed in a location other than a licensed barbershop under certain circumstances; amending s. 481.213, F.S.; revising who the department shall certify as qualified for a license by endorsement in the practice of architecture; amending s. 499.012, F.S.; revising permit application requirements for sale, transfer, assignment, or lease; removing permit application requirements for a prescription drug wholesale distributor to include a designated representative; amending s. 499.0121, F.S.; removing a designated representative as a responsible person who must be listed by a wholesale distributor; amending s. 499.041, F.S.; removing a requirement that the department assess each person applying for certification as a designated representative a fee, plus the cost of processing a criminal history record check; amending s. 509.261, F.S.; prohibiting a lodging establishment or a public food service establishment from selling hemp in violation of the state hemp program; reordering and amending s. 569.002, F.S; making technical changes; amending s. 569.006, F.S.; revising the violations for which retail tobacco products dealers are penalized; amending 569.35, F.S.; revising retail nicotine product dealer administrative penalties; amending s. 581.217, F.S.; defining the term "division"; authorizing the Division of Alcoholic Beverages and Tobacco to assist any agent of the Department of Agriculture and Consumer Services in enforcing the state hemp program; authorizing the division to enter any public or private premises during a specified timeframe in the performance of its duties; reenacting and amending s. 20.60, F.S.; revising the list of divisions and offices within the Department of Commerce to conform to changes made by the act; revising the annual program reports that must be included in the annual report of the Department of Commerce; amending s. 163.3168, F.S.; requiring the state land planning agency to give preference for technical assistance funding to local governments located in a rural area of opportunity; requiring the agency to consult with the Office of Rural Prosperity when awarding certain funding; amending s. 215.971, F.S.; providing construction regarding agreements funded with federal or state assistance; requiring the agency to expedite payment requests from a county, municipality, or rural area of opportunity for a specified purpose; requiring each state agency to report to the Office of Rural Prosperity by a certain date with a summary of certain information; requiring the office to summarize the information it receives for its annual report; amending s. 218.67, F.S.; revising the conditions required for a county to be considered a fiscally constrained county; authorizing eligible counties to receive a distribution of sales and use tax revenue; revising the sources that the Department of Revenue must use to determine the amount distributed to fiscally constrained counties; revising the factors for allocation of the distribution of revenue to fiscally constrained counties; requiring that the computation and amount distributed be calculated based on a specified rounding algorithm; authorizing specified uses for the revenue; conforming a cross-reference; amending s. 288.0001, F.S.; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to prepare a report for a specified purpose; specifying requirements for the report; providing that the Office of Economic and Demographic Research and OPPAGA must be provided with all data necessary to complete the rural communities or areas report upon request; authorizing the Office of Economic and Demographic Research and OPPAGA to collaborate on all data collection and analysis; requiring the Office of Economic and Demographic Research and OPPAGA to submit the report to the Legislature by a specified date; providing additional requirements for the report; providing for expiration; amending s. 288.001, F.S.; requiring the Florida Small Business Development Center Network to use certain funds appropriated for a specified purpose; authorizing the network to dedicate funds to facilitate certain events; amending s. 288.007, F.S.; revising which local governments and economic development organizations seeking to recruit businesses are required to submit a specified report; creating s. 288.013, F.S.; providing legislative findings; creating the Office of Rural Prosperity within the Department of Commerce; requiring the Governor to appoint a director, subject to confirmation by the Senate; providing that the director reports to and serves at the pleasure of the secretary of the department; providing the duties of the office; requiring the office to establish by a specified date a certain number of regional rural community liaison centers across this state for a specified purpose; providing the powers, duties, and functions of the liaison centers; requiring the liaison centers, to the extent possible, to coordinate with certain entities; requiring the liaison centers to engage with the Rural Economic Development Initiative (REDI); requiring at least one staff member of a liaison center to attend the monthly meetings in person or by means of electronic communication; requiring the director of the office to submit an annual report to the Administration Commission in the Executive Office of the Governor; specifying requirements for the annual report; requiring that the annual report also be submitted to the Legislature by a specified date and published on the office's website; requiring the director of the office to attend the next Administration Commission meeting to present detailed information from the annual report; requiring OPPAGA to review the effectiveness of the office by a certain date annually until a specified date; requiring OPPAGA to review the office at specified intervals; requiring such reviews to include certain information to be considered by the Legislature; requiring that such reports be submitted to the Legislature; requiring OPPAGA to review certain strategies from other states; requiring OPPAGA to submit to the Legislature its findings at certain intervals; creating s. 288.014, F.S.; providing legislative findings; requiring the Office of Rural Prosperity to administer the Renaissance Grants Program to provide block grants to eligible communities; requiring the Office of Economic and Demographic Research to certify to the Office of Rural Prosperity certain information by a specified date; defining the term "growth-impeded"; requiring the Office of Economic and Demographic Research to certify annually that a county remains growth-impeded until such county has positive population growth for a specified amount of time; providing that such county, after 3 consecutive years of population growth, is eligible to participate in the program for 1 additional year; requiring a county eligible for the program to enter into an agreement with the Office of Rural Prosperity in order to receive the block grant; giving such counties broad authority to design their specific plans; prohibiting the Office of Rural Prosperity from determining how such counties implement the block grant; requiring regional rural community liaison center staff to provide assistance, upon request; requiring participating counties to report annually to the Office of Rural Prosperity with certain information; providing that a participating county receives a specified amount from funds appropriated to the program; requiring participating counties to make all attempts to limit the amount spent on administrative costs; authorizing participating counties to contribute other funds for block grant purposes; requiring participating counties to hire a renaissance coordinator; providing that funds from the block grant may be used to hire the renaissance coordinator; providing the responsibilities of the renaissance coordinator; requiring the regional rural community liaison center staff to provide assistance and training to the renaissance coordinator, upon request; requiring participating counties to design a plan to make targeted investments to achieve population growth and increase economic vitality; providing requirements for such plans; requiring participating counties to develop intergovernmental agreements with certain entities in order to implement the plan; requiring the Auditor General to conduct an operational audit every 2 years for a specified purpose; requiring the Office of Economic and Demographic Research to provide an annual report on a specified date of renaissance block grant recipients by county; providing requirements for the annual report; requiring that the report be submitted to the Legislature; prohibiting funds appropriated for the program from being subject to reversion; providing for an expiration of the section; creating s. 288.0175, F.S.; creating the Public Infrastructure Smart Technology Grant Program within the Office of Rural Prosperity; defining terms; requiring the office to contract with one or more smart technology lead organizations to administer a grant program for a specified purpose; providing the criteria for such contracts; requiring that projects funded by the grant program be included in the office's annual report; amending s. 288.018, F.S.; requiring the office, rather than the Department of Commerce, to establish a grant program to provide funding for regional economic development organizations; revising who may apply for such grants; providing that a grant award may not exceed a certain amount in a year; providing exceptions to a provision that the department may expend a certain amount for a certain purpose; amending s. 288.019, F.S.; revising the program criteria and procedures that agencies and organizations of REDI are required to review; revising the list of impacts each REDI agency and organization must consider in its review; requiring REDI agencies and organizations to develop a proposal for modifications which minimizes the financial and resource impacts to a rural community; requiring that ranking of evaluation criteria and scoring procedures be used only when ranking is a component of the program; requiring that match requirements be waived or reduced for rural communities; providing that donations of land may be treated as in-kind matches; requiring each agency and organization that applies for or receives federal funding to request federal approval to waive or reduce the financial match requirements, if any, for projects in rural communities; requiring that proposals be submitted to the office, rather

than the department; requiring each REDI agency and organization to modify rules or policies as necessary to reflect the finalized proposal; requiring that information about authorized waivers be included on the office's online rural resource directory; conforming a cross-reference; amending s. 288.021, F.S.; requiring, when practicable, the economic development liaison to serve as the agency representative for REDI; amending s. 288.065, F.S.; defining the term "unit of local government"; requiring the office to include in its annual report certain information about the Rural Community Development Revolving Loan Fund; conforming provisions to changes made by the act; amending s. 288.0655, F.S.; revising the list of grants that may be awarded by the office; deleting the authorization for local match requirements to be waived for a catalyst site; revising the list of departments the office must consult with to certify applicants; requiring the office to include certain information about the Rural Infrastructure Trust Fund in its annual report; conforming provisions to changes made by the act; amending s. 288.0656, F.S.; providing legislative findings; providing that REDI is created within the Office of Rural Prosperity, rather than the department; deleting the definitions of the terms "catalyst project" and "catalyst site"; requiring that an alternate for each designated deputy secretary be a deputy secretary or higher-level staff person; requiring that the names of such alternates be reported to the director of the office; requiring at least one rural liaison to participate in REDI meetings; requiring REDI to meet at least each month; deleting a provision that a rural area of opportunity may designate catalyst projects; requiring REDI to submit a certain report to the office, rather than to the department; specifying requirements for such report; conforming provisions to changes made by the act; repealing s. 288.06561, F.S., relating to reduction or waiver of financial match requirements; amending s. 288.0657, F.S.; requiring the office, rather than the department, to provide grants to assist rural communities; providing that such grants may be used for specified purposes; requiring the rural liaison to assist those applying for such grants; providing that marketing grants may include certain funding; amending s. 288.1226, F.S.; revising required components of the 4-year marketing plan of the Florida Tourism Industry Marketing Corporation; repealing s. 288.12266, F.S., relating to the Targeted Marketing Assistance Program; amending s. 288.9961, F.S.; revising the definition of the term "underserved"; requiring the office to consult with regional rural community liaison centers on development of a certain strategic plan; requiring rural liaisons to assist rural communities with providing feedback in applying for federal grants for broadband Internet services; requiring the office to submit reports with specified information to the Governor and the Legislature within certain timeframes; repealing s. 290.06561, F.S., relating to designation of rural enterprise zones as catalyst sites; amending s. 334.044, F.S.; revising the powers and duties of the Department of Transportation; amending s. 339.0801, F.S.; revising the allocation of funds received in the State Transportation Trust Fund; amending s. 339.2816, F.S.; requiring, rather than authorizing, that certain funds received from the State Transportation Trust Fund be used for the Small County Road Assistance Program; requiring the department to use other additional revenues for the Small County Road Assistance Program; providing an exception from the prohibition against funding capacity improvements on county roads; amending s. 339.2817, F.S.; revising the criteria that the Department of Transportation must consider for evaluating projects for County Incentive Grant Program assistance; requiring the department to give priority to counties located either wholly or partially within the Everglades Agricultural Area and which request a specified percentage of project costs for eligible projects; specifying a limitation on such requests; providing for future expiration; amending s. 339.2818, F.S.; deleting a provision that the funds allocated under the Small County Outreach Program are in addition to the Small County Road Assistance Program; deleting a provision that a local government within the Everglades Agricultural Area, the Peace River Basin, or the Suwannee River Basin may compete for additional funding; conforming provisions to changes made by the act; making a technical change; amending s. 339.68, F.S.; providing legislative findings; creating the Florida Arterial Road Modernization Program within the Department of Commerce; defining the term "rural community"; requiring the department to allocate from the State Transportation Trust Fund a minimum sum in each fiscal year to fund the program; providing that such funding is in addition to any other funding provided to the program; providing criteria the department must use to prioritize projects for funding under the program; requiring the department to submit a report to the Governor and the Legislature by a specified date; requiring that such report be submitted every 2 years thereafter; providing the criteria for such report; requiring the Department of Transportation to allocate additional funds to implement the Small County Road Assistance Program and amend the tentative work program for a specified number of fiscal years; requiring the department to submit a budget amendment before the adoption of the work program; requiring the department to allocate sufficient funds to implement the Florida Arterial Road Modernization Program; requiring the department to amend the current tentative work program for a specified number of fiscal years to include the program's projects; requiring the department to submit a budget amendment before the implementation of the program; requiring that the revenue increases in the State Transportation Trust Fund which are derived from the act be used to fund the work program; amending s. 420.9073, F.S.; revising the calculation of guaranteed amounts distributed from the Local Government Housing Trust Fund; reenacting and amending s. 420.9075, F.S.; authorizing a certain percentage of the funds made available in each county and eligible municipality from the local housing distribution to be used to preserve multifamily affordable rental housing; specifying what such funds may be used for; providing an expiration; amending ss. 163.3187, 212.205, 257.191, 257.193, 265.283, 288.11621, 288.11631, 443.191, 571.26, and 571.265, F.S.; conforming cross-references and provisions to changes made by the act; reenacting s. 288.9935(8), F.S., relating to the Microfinance Guarantee Program, to incorporate the amendment made to s. 20.60, F.S., in a reference thereto; reenacting ss. 125.0104(5)(c), 193.624(3), 196.182(2), 218.12(1), 218.125(1), 218.135(1), 218.136(1), 252.35(2)(cc), 288.102(4), 403.064(16)(g), 589.08(2) and (3), and 1011.62(1)(f), F.S., relating to authorized uses of tourist development tax; applicability of assessments of renewable energy source devices; application of exemptions of renewable energy source devices; appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties; offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties; offset for tax loss associated with reductions in value of certain citrus fruit packing and processing equipment; offset for ad valorem revenue loss affecting fiscally constrained counties; Division of Emergency Management powers; one-to-one match requirement under the Supply Chain Innovation Grant Program; applicability of provisions related to reuse of reclaimed water; land acquisition restrictions; and funds for operation of schools, respectively, to incorporate the amendment made to s. 218.67, F.S., in references thereto; reenacting s. 403.0741(6)(c), F.S., relating to grease waste removal and disposal, to incorporate the amendments made to ss. 218.67 and 339.2818, F.S., in references thereto; reenacting s. 163.3177(7)(e), F.S., relating to required and optional elements of comprehensive plans and studies and surveys, to incorporate the amendment made to s. 288.0656, F.S., in a reference thereto; reenacting s. 288.9962(7)(a), F.S., relating to the Broadband Opportunity Program, to incorporate the amendment made to s. 288.9961, F.S., in a reference thereto; reenacting s. 339.66(5) and (6), F.S., relating to upgrades of arterial highways with controlled access facilities, to incorporate the amendment made to s. 339.68, F.S., in references thereto; reenacting ss. 420.9072(4) and (6), 420.9076(7)(b), and 420.9079(2), F.S., relating to the State Housing Initiatives Partnership Program, adoption of affordable housing incentive strategies and committees, and the Local Government Housing Trust Fund, respectively, to incorporate the amendment made to s. 420.9073, F.S., in references thereto; amending s. 553.79, F.S.; prohibiting a local enforcement agency from denying the issuance of a certificate of occupancy to an owner of residential or commercial property based on noncompliance with Florida-friendly landscaping ordinances in certain circumstances; prohibiting a local enforcement agency from denying the issuance of a building permit for the alteration, modification, or repair of a single-family residential structure in certain circumstances; prohibiting a local enforcement agency from requiring a building permit for the construction of playground equipment or a fence on certain property; amending s. 475.17, F.S.; removing postlicensure education requirements for brokers, broker associates, and sales associates; amending ss. 475.175 and 475.180, F.S.; conforming provisions to changes made by the act; amending s. 475.182, F.S.; removing continuing education requirements for licensure renewal as a broker, a broker associate, and a sales associate; amending s. 475.183, F.S.; removing continuing education requirements for licensure renewal due to inactive status; amending s. 481.321, F.S.; revising provisions relating to seals and display of certificate number of registered landscape architects; amending s. 624.341, F.S.; providing legislative findings; requiring the Department of Law Enforcement to accept and process certain fingerprints; specifying procedures for submitting and processing fingerprinting; providing fees for fingerprinting; authorizing the department to exchange certain records with the Office of Insurance

Regulation for certain purposes; specifying that fingerprints must be submitted in accordance with certain rules; authorizing fingerprints to be submitted through a third-party vendor authorized by the department; requiring the department to conduct certain background checks; requiring certain background checks to be conducted through the Federal Bureau of Investigation; requiring that fingerprints be submitted and entered into a specified system; specifying who bears the costs of fingerprint processing; requiring the office to review certain background checks results and to make certain determination; requiring that certain criminal history records be used by the office for certain purposes; amending s. 475.613, F.S.; granting certain authority to the department, rather than the Florida Real Estate Appraisal Board; amending ss. 475.25, 475.611, 475.612, 475.614, 475.6145, 475.6147, 475.615, 475.617, 475.6171, 475.618, 475.619, 475.621, 475.6222, 475.6235, 475.624, 475.6245, 475.625, 475.626, 475.627, 475.628, 475.629, 475.630, and 475.631, F.S.; revising provisions pertaining to the board to transfer powers, duties, and responsibilities of the board to the Department of Business and Professional Regulation; providing effective dates.

On motion by Senator Simon, the Senate refused to concur in **House Amendment 1 (605877)** to **CS for SB 110** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 832, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 832—A bill to be entitled An act relating to former phosphate mining lands; amending s. 376.308, F.S.; providing conditions for a cause of action against certain former phosphate mine sites; creating s. 378.213, F.S.; authorizing landowners to record certain notice of former phosphate mines; specifying requirements for such notice; defining the term "former phosphate mine"; creating s. 404.0561, F.S.; requiring the Department of Health to conduct gamma radiation surveys of former phosphate land parcels upon petition; creating s. 768.405, F.S.; requiring that specified documentation of radiation levels be submitted in certain civil actions related to phosphate mining; providing an effective date.

House Amendment 2 (722689) (with title amendment)—Between lines 97 and 98, insert:

Section 5. Section 624.1552, Florida Statutes, is amended to read:

624.1552 Civil actions involving an insurance contract; applicability of offer of judgment provisions.—*Section 768.79 applies* ~~The provisions of s. 768.79 apply~~ to any civil action involving an insurance contract*, except a civil action to which s. 626.9375 or s. 627.4275 applies*.

Section 6. Section 626.9375, Florida Statutes, is created to read:

626.9375 Attorney fees.—

(1) Except as otherwise provided by law, in any civil action between a surplus lines insurer and a named or omnibus insured or the named beneficiary under an insurance policy or contract executed by the insurer, the court shall award reasonable attorney fees to the prevailing party. For purposes of this subsection:

(a) In an action for declaratory relief to determine insurance coverage:

1. The prevailing party is the insured or the beneficiary if the court enters a declaratory judgment in favor of such party.

2. The prevailing party is the insurer if the court enters a declaratory judgment in favor of such party.

(b) In an action for damages:

1. The prevailing party is the insured or named beneficiary if such party obtains a judgment that is greater than the highest written, good faith settlement offer previously made by the insurer.

2. The prevailing party is the insurer if the insured or named beneficiary does not obtain a judgment that is greater than the highest written, good faith settlement offer previously made by the insurer.

(c) For purposes of paragraph (b):

1. The term "judgment" includes damages and any reasonable attorney fees, taxable costs, and prejudgment interest that the insured had incurred when the highest written, good faith settlement offer was previously made by the insurer.

2. A settlement offer made by the insurer which is not kept open for at least 5 business days is not a good faith settlement offer. If the insurer fails to make any good faith settlement offer, then the settlement offer amount is deemed to be zero for purposes of this subsection.

(d) Notwithstanding any other provision in this section, the prevailing party in an action for damages is the insurer if the insured or a named beneficiary is not awarded any damages.

(e) This section does not apply to any action governed by s. 86.121.

(2) If subsection (1) applies to a civil action involving an insurance policy or contract, s. 768.79 does not apply.

Section 7. Section 627.4275, Florida Statutes, is created to read:

627.4275 Attorney fees.—

(1) Except as otherwise provided by law, in any civil action between an insurer and a named or omnibus insured or the named beneficiary under an insurance policy or contract executed by the insurer, the court shall award reasonable attorney fees to the prevailing party. For purposes of this subsection:

(a) In an action for declaratory relief to determine insurance coverage:

1. The prevailing party is the insured or the beneficiary if the court enters a declaratory judgment in favor of such party.

2. The prevailing party is the insurer if the court enters a declaratory judgment in favor of such party.

(b) In an action for damages:

1. The prevailing party is the insured or named beneficiary if such party obtains a judgment that is greater than the highest written, good faith settlement offer previously made by the insurer.

2. The prevailing party is the insurer if the insured or named beneficiary does not obtain a judgment that is greater than the highest written, good faith settlement offer previously made by the insurer.

(c) For purposes of paragraph (b):

1. The term "judgment" includes damages and any reasonable attorney fees, taxable costs, and prejudgment interest that the insured had incurred when the highest written, good faith settlement offer was previously made by the insurer.

2. A settlement offer made by the insurer which is not kept open for at least 5 business days is not a good faith settlement offer. If the insurer fails to make any good faith settlement offer, then the settlement offer amount is deemed to be zero for purposes of this subsection.

(d) Notwithstanding any other provision in this section, the prevailing party in an action for damages is the insurer if the insured or a named beneficiary is not awarded any damages.

(e) This section does not apply to any action governed by s. 86.121.

(2) If subsection (1) applies to a civil action involving an insurance policy or contract, s. 768.79 does not apply.

Section 8. Subsection (4) of section 624.123, Florida Statutes, is amended to read:

624.123 Certain international health insurance policies; exemption from code.—

(4) Any international health insurance policy or application solicited, provided, entered into, issued, or delivered pursuant to this subsection is exempt from all provisions of the insurance code, except that such policy, contract, or agreement is subject to ~~the provisions of~~ ss. 624.155, 624.316, 624.3161, 626.951, 626.9511, 626.9521, 626.9541, 626.9551, 626.9561, 626.9571, 626.9581, 626.9591, 626.9601, 627.413, 627.4145, *627.4275,* and 627.6043.

Section 9. Subsection (4) of section 624.488, Florida Statutes, is amended to read:

624.488 Applicability of related laws.—In addition to other provisions of the code cited in ss. 624.460-624.488:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425, 627.426, 627.4265, 627.427, *627.4275,* 627.702, and 627.706; part XI of chapter 627; ss. 627.912, 627.913, and 627.918;

apply to self-insurance funds. Only those sections of the code that are expressly and specifically cited in ss. 624.460-624.489 apply to self-insurance funds.

Section 10. Paragraph (b) of subsection (3) of section 627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—

(3)

(b) Individual risk rates and modifications to existing approved forms are not subject to this part or part II, except for paragraph (a) and ss. 627.402, 627.403, 627.4035, 627.404, 627.405, 627.406, 627.407, 627.4085, 627.409, 627.4132, 627.4133, 627.415, 627.416, 627.417, 627.419, 627.425, 627.426, 627.4265, ~~and~~ 627.427, *and 627.4275,* but are subject to all other applicable provisions of this code and rules adopted thereunder.

Section 11. Subsections (3), (4), and (5) of section 627.401, Florida Statutes, are amended to read:

627.401 Scope of this part.—No provision of this part of this chapter applies to:

(3) Wet marine and transportation insurance, except ss. 627.409*,* ~~and~~ 627.420*, and 627.4275*.

(4) Title insurance, except ss. 627.406, 627.415, 627.416, 627.419, ~~and~~ 627.427*, and 627.4275*.

(5) Credit life or credit disability insurance, except *ss. 627.419(5) and 627.4275* ~~s. 627.419(5)~~.

Section 12. Subsection (10) is added to section 627.727, Florida Statutes, to read:

627.727 Motor vehicle insurance; uninsured and underinsured vehicle coverage; insolvent insurer protection.—

(10) Section 627.4275 does not apply to any action brought pursuant to this section against the uninsured motorist insurer unless there is a dispute over whether the policy provides coverage for an uninsured motorist proven to be liable for the accident.

Section 13. Subsection (8) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(8) APPLICABILITY OF PROVISION REGULATING ATTORNEY FEES.—With respect to any dispute under ~~the provisions of~~ ss. 627.730-627.7405 between the insured and the insurer, or between an assignee of an insured's rights and the insurer, *s. 627.4275 applies* ~~the provisions of s. 768.79 apply~~, except as provided in subsections (10) and (15), and except that any attorney fees recovered must:

(a) Comply with prevailing professional standards;

(b) Not overstate or inflate the number of hours reasonably necessary for a case of comparable skill or complexity; and

(c) Represent legal services that are reasonable and necessary to achieve the result obtained.

Upon request by either party, a judge must make written findings, substantiated by evidence presented at trial or any hearings associated therewith, that any award of attorney fees complies with this subsection. Attorney fees recovered under ss. 627.730-627.7405 must be calculated without regard to a contingency risk multiplier.

Section 14. Subsection (1) of section 627.756, Florida Statutes, is amended to read:

627.756 Bonds for construction contracts; attorney fees in case of suit.—

(1) *Section 627.4275 applies to* ~~In~~ a suit brought by an owner, a contractor, a subcontractor, a laborer, or a materialman against a surety insurer under payment or performance bonds written by the insurer under the laws of this state to indemnify against pecuniary loss by breach of a building or construction contract*. Owners, contractors, subcontractors, laborers, and materialmen are deemed to be insureds or beneficiaries for the purposes of this section*~~, upon the rendition of a judgment or decree by any of the courts of this state against the surety insurer and in favor of the owner, contractor, subcontractor, laborer, or materialman, the trial court or, in the event of an appeal in which the owner, contractor, subcontractor, laborer, or materialman prevails, the appellate court, shall adjudge or decree against the surety insurer and in favor of the owner, contractor, subcontractor, laborer, or materialman a reasonable sum as fees or compensation for the attorney prosecuting the suit in which the recovery is had~~.

Section 15. Subsection (4) of section 628.6016, Florida Statutes, is amended to read:

628.6016 Applicability of related laws.—In addition to other provisions of the code cited in ss. 628.6011-628.6018:

(4) Sections 627.291, 627.413, 627.4132, 627.416, 627.418, 627.420, 627.421, 627.425-627.427, *627.4275,* 627.702, and 627.706; part XI of chapter 627; ss. 627.912, 627.913, and 627.918; and

apply to assessable mutual insurers; however, ss. 628.255, 628.411, and 628.421 do not apply. No section of the code not expressly and specifically cited in ss. 628.6011-628.6018 applies to assessable mutual insurers. The term "assessable mutual insurer" shall be substituted for the term "commercial self-insurer" as appropriate.

Section 16. Section 631.696, Florida Statutes, is created to read:

631.696 Attorney fees.—Section 627.4275 does not apply to any claim presented to the association under this part, unless the association denies, by affirmative action other than delay, a covered claim or a portion thereof.

Section 17. Section 631.9245, Florida Statutes, is created to read:

631.9245 Attorney fees.—Section 627.4275 does not apply to any claim presented to the corporation under this part, unless the corporation denies, by affirmative action other than delay, a covered claim or a portion thereof.

Section 18. Subsections (11), (12), and (13) of section 632.638, Florida Statutes, are renumbered as subsections (12), (13), and (14), respectively, and a new subsection (11) is added to that section, to read:

632.638 Applicability of other code provisions.—In addition to other provisions contained or referred to in this chapter, the following chapters and provisions of this code apply to fraternal benefit societies, to

the extent applicable and not in conflict with the express provisions of this chapter and the reasonable implications thereof:

(11) Section 627.4275;

Section 19. Subsection (2) of section 768.0427, Florida Statutes, is amended to read:

768.0427 Admissibility of evidence to prove medical expenses in personal injury or wrongful death actions; disclosure of letters of protection; recovery of past and future medical expenses damages.—

(2) ADMISSIBLE EVIDENCE OF MEDICAL TREATMENT OR SERVICE EXPENSES.—Evidence offered to prove *or rebut* the amount of damages for past or future medical treatment or services in a personal injury or wrongful death action *shall be* ~~is~~ admissible as *follows:* ~~provided in this subsection.~~

(a) Evidence offered to prove the amount of damages for past medical treatment or services that have been satisfied is limited to evidence of the amount actually paid, regardless of the source of payment.

(b) Evidence *any party may offer* ~~offered~~ to prove *or rebut* the amount necessary to satisfy unpaid charges for incurred medical treatment or services shall include, but is not limited to, evidence as provided in this paragraph.

1. If the claimant has health care coverage other than Medicare or Medicaid, evidence of the amount which such health care coverage is obligated to pay the health care provider to satisfy the charges for the claimant's incurred medical treatment or services, plus the claimant's share of medical expenses under the insurance contract or regulation.

2. If the claimant has health care coverage but obtains treatment under a letter of protection or otherwise does not submit charges for any health care provider's medical treatment or services to health care coverage, evidence of the amount the claimant's health care coverage would pay the health care provider to satisfy the past unpaid medical charges under the insurance contract or regulation, plus the claimant's share of medical expenses under the insurance contract or regulation, had the claimant obtained medical services or treatment pursuant to the health care coverage.

~~3. If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, evidence of 120 percent of the Medicare reimbursement rate in effect on the date of the claimant's incurred medical treatment or services, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate.~~

3.~~4.~~ If the claimant obtains medical treatment or services under a letter of protection and the health care provider subsequently transfers the right to receive payment under the letter of protection to a third party, evidence of the amount the third party paid or agreed to pay the health care provider in exchange for the right to receive payment pursuant to the letter of protection.

4. Evidence of the reasonable and customary rates for such treatment or services rendered by a qualified provider.

5. Any evidence of reasonable amounts billed to the claimant for medically necessary treatment or medically necessary services provided to the claimant.

(c) Evidence *any party may offer* ~~offered~~ to prove the amount of damages for any future medical treatment or services the claimant will receive shall include, but is not limited to, evidence as provided in this paragraph.

1. If the claimant has health care coverage other than Medicare or Medicaid, or is eligible for any such health care coverage, evidence of the amount for which the future charges of health care providers could be satisfied if submitted to such health care coverage, plus the claimant's share of medical expenses under the insurance contract or regulation.

2. If the claimant does not have health care coverage or has health care coverage through Medicare or Medicaid, or is eligible for such health care coverage, evidence of *the reasonable and customary rates for such treatment or services rendered by a qualified provider* ~~120 percent of the Medicare reimbursement rate in effect at the time of trial for the medical treatment or services the claimant will receive, or, if there is no applicable Medicare rate for a service, 170 percent of the applicable state Medicaid rate~~.

3. Any evidence of reasonable future amounts to be billed to the claimant for medically necessary treatment or medically necessary services.

(d) This subsection does not impose an affirmative duty upon any party to seek a reduction in billed charges to which the party is not contractually entitled *or to offer any specific evidence made admissible by this subsection*.

(e) Individual contracts between providers and authorized commercial insurers or authorized health maintenance organizations are not subject to discovery or disclosure and are not admissible into evidence.

Section 20. *The amendments to s. 768.0427, Florida Statutes, made by this act apply to all causes of action that accrued after March 24, 2023, for which a final judgment has not yet been entered by July 1, 2025.*

Section 21. *The amendments made by this act to ss. 624.123, 624.1552, 624.488, 626.9375, 627.062, 627.401, 627.4275, 627.727, 627.736, 627.756, 628.6016, 631.696, 631.9245, and 632.638, Florida Statutes, apply to an insurance policy or contract issued on or after July 1, 2025, and may not be construed to impair or limit any right under an insurance policy or contract issued before July 1, 2025.*

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to civil actions; amending s. 376.308, F.S.; providing conditions for a cause of action against certain former phosphate mine sites; creating s. 378.213, F.S.; authorizing landowners to record certain notice of former phosphate mines; specifying requirements for such notice; defining the term "former phosphate mine"; creating s. 404.0561, F.S.; requiring the Department of Health to conduct gamma radiation surveys of former phosphate land parcels upon petition; creating s. 768.405, F.S.; requiring that specified documentation of radiation levels be submitted in certain civil actions related to phosphate mining; amending s. 624.1552, F.S.; revising the applicability of the offer of judgment and demand for judgment provisions to civil actions involving an insurance contract; creating s. 626.9375, F.S.; requiring the award of prevailing party attorney fees in certain civil actions involving surplus lines insurers; providing guidelines to determine prevailing parties; defining the term "judgment"; providing a specified circumstance under which a settlement offer is not a good faith settlement offer; specifying the applicability of the offer of judgment and demand for judgment provisions if prevailing party attorney fees apply; creating s. 627.4275, F.S.; requiring the award of prevailing party attorney fees in certain civil actions involving insurers; providing guidelines to determine prevailing parties; defining the term "judgment"; providing a specified circumstance under which a settlement offer is not a good faith settlement offer; specifying the applicability of the offer of judgment and demand for judgment provisions if prevailing party attorney fees apply; amending ss. 624.123, 624.488, 627.062, 627.401, 627.727, and 627.736, F.S.; providing for the applicability of the prevailing party attorney fee provision to specified insurers, insurance policies or coverage types, and rate standards; amending s. 627.756, F.S.; providing for the applicability of the prevailing party attorney fee provision to suits brought by certain entities against surety insurers under certain circumstances; providing that such entities are deemed insureds or beneficiaries for specified purposes; amending ss. 628.6016 and 632.638, F.S.; providing for the applicability of the prevailing party attorney fee provision to assessable mutual insurers and fraternal benefit societies, respectively; creating ss. 631.696 and 631.9245, F.S.; providing for the applicability of the prevailing party attorney fee provision to claims presented to specified guaranty associations; amending s. 768.0427, F.S.; providing evidence that is admissible to demonstrate past and future medical expenses in personal injury and wrongful death actions; providing applicability and construction; providing an effective date.

On motion by Senator Burgess, the Senate refused to concur in **House Amendment 2 (722689)** to **CS for CS for SB 832** and the

House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 248, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 248—A bill to be entitled An act relating to student participation in interscholastic and intrascholastic extracurricular sports; amending s. 1006.15, F.S.; providing that an activity or a sport must meet specified requirements; specifying conditions for a home education student to participate in interscholastic athletics; revising the criteria a private school student must meet to participate in a sport at a Florida High School Athletic Association (FHSAA) member school; deleting a provision limiting which non-FHSAA member private school students are eligible to participate in FHSAA sports; providing an effective date.

House Amendment 1 (421121) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (2) and paragraphs (a), (e), and (g) of subsection (8) of section 1006.15, Florida Statutes, are amended to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(2) Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term "extracurricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day. *When determining whether a school offers an activity or sport, the activity or sport must be in the same designation required by s. 1006.205(3)(a).*

(8)(a) The Florida High School Athletic Association (FHSAA) shall, in cooperation with each district school board and its member private schools, facilitate a program in which a middle school or high school student who attends a private school is eligible to participate in an interscholastic or intrascholastic sport at a member public high school, a member public middle school, a member 6-12 public school, or a member private school, as appropriate for the private school student's grade level, if:

1. The private school in which the student is enrolled *does not offer the interscholastic sport* ~~is not a member of the FHSAA~~.

2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board or member private school. At a minimum, such guidelines must provide a deadline for each sport by which the private school student's parents must register with the member school in writing their intent for their child to participate at that school in the sport.

(e) Any ~~non FHSAA member~~ private school that has a student who wishes to participate in this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records, available upon request of the FHSAA.

~~(g) Only students who are enrolled in non FHSAA member private schools consisting of 200 students or fewer are eligible to participate in the program in any given academic year.~~

Section 2. Paragraph (a) of subsection (4) and subsection (7) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(4) BOARD OF DIRECTORS.—

(a) The executive and legislative authority of the FHSAA is vested in its board of directors, which is composed of 13 members, ~~8 of whom are appointed by the Governor and confirmed by the Senate,~~ as follows:

1. Two public member school representatives elected from among its public school representative members. Each elected representative must be from a different administrative region.

2. Two nonpublic member school representatives elected from among its nonpublic school representative members. Each elected representative must be from a different administrative region that is also different from the public member school representatives elected under subparagraph 1.

3. The commissioner or his or her designee from the department executive staff.

4. Three members appointed by the President of the Senate, three members appointed by the Speaker of the House of Representatives, and two members appointed by the Governor, as follows:

a.~~3.~~ Two public member school representatives appointed from different administrative regions.

b.~~4.~~ Two nonpublic member school representatives appointed from different administrative regions that are also different than those represented by the public member school representatives appointed under *sub-subparagraph a.* ~~subparagraph 3.~~

c.~~5.~~ Two representatives, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions.

d.~~6.~~ One district school superintendent appointed from the northernmost administrative region.

e.~~7.~~ One district school board member appointed from the southernmost administrative region.

~~8. The commissioner or his or her designee from the department executive staff.~~

(7) APPEALS.—

(a) The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals*, which must have a majority of its membership be representatives of member schools*.

(b) No member of the board of directors is eligible to serve on a committee on appeals.

(c) Members of a committee on appeals shall serve terms of 3 years and are eligible to succeed themselves only once. A member of a committee on appeals may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently.

(d) The authority and duties of a committee on appeals shall be to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes. *Each committee on appeals must issue a decision on appeals of determinations of ineligibility within 20 days after any such appeal during the applicable sports season.*

(e) A student athlete or member school that receives an unfavorable ruling from a committee on appeals shall be entitled to appeal that decision to the board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. In all such cases, the decision of the board of directors shall be final.

(f) The FHSAA shall expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the

end of the applicable sports season, if possible. *The expedited process must provide that the FHSAA board of directors issue a decision within 20 days after receipt of an appeal of a determination of ineligibility by the committee on appeals. The FHSAA board of directors may conduct meetings for the sole purpose of considering such pending appeals.*

(g) In any appeal from a decision on eligibility made by the executive director or a designee, a school or student athlete filing the appeal must be permitted to present information and evidence that was not available at the time of the initial determination or if the determination was not made by an unbiased, objective individual using a process allowing full due process rights to be heard and to present evidence. If evidence is presented on appeal, a de novo decision must be made by the committee or board hearing the appeal, or the determination may be suspended and the matter remanded for a new determination based on all the evidence. If a de novo decision is made on appeal, the decision must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based. If a de novo decision is not required, the decision appealed must be set aside if the decision on ineligibility was not based on clear and convincing evidence. Any further appeal shall be considered on a record that includes all evidence presented.

(h) Decisions made by the committee on appeals, the executive director, or his or her designee, and the FHSAA board of directors must be posted online in a searchable format and in compliance with ss. 1002.22 and 1002.221.

Section 3. This act shall take effect July 1, 2025.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to student participation in interscholastic and intrascholastic extracurricular sports; amending s. 1006.15, F.S.; providing requirements for determining whether a school offers an activity or sport; revising the criteria a private school student must meet to participate in a sport at a Florida High School Athletic Association (FHSAA) member school; removing a provision limiting which non-FHSAA member private school students are eligible to participate in FHSAA sports; amending s. 1006.20, F.S.; revising the requirements for the appointment of members to the FHSAA board of directors; providing requirements for membership of FHSAA committees on appeals; providing timelines for specified appeals; authorizing the FHSAA board of directors to conduct meetings solely for certain appeals; requiring the publication of appeal decisions online; providing requirements for such publications; providing an effective date.

Senator Simon moved the following amendment which was adopted:

Senate Amendment 1 (591970) (with directory and title amendments) to House Amendment 1 (421121)—Delete lines 18-149 and insert: or outside the regular instructional school day. *In the determination of whether a school offers an activity or a sport, the activity or sport must meet the designation requirements of s. 1006.205(3)(a).*

(3)

(c)*1.* An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

a.~~1.~~ The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

b.~~2.~~ During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

c.~~3.~~ The home education student must meet the same residency requirements as other students in the school at which he or she participates.

d.~~4.~~ The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

e.~~5.~~ The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

f.~~6.~~ A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to *sub-subparagraph b.* ~~subparagraph 2.~~

g.~~7.~~ Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to *sub-subparagraph b.* ~~subparagraph 2.~~ to become eligible to participate as a home education student.

2. An individual home education student is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, provided the student meets the conditions specified in sub-subparagraphs 1.a.-g.

(8)(a) The Florida High School Athletic Association (FHSAA) shall, in cooperation with each district school board and its member private schools, facilitate a program in which a middle school or high school student who attends a private school is eligible to participate in an interscholastic or intrascholastic sport at a member public high school, a member public middle school, a member 6-12 public school, or a member private school, as appropriate for the private school student's grade level, if:

1. The private school in which the student is enrolled is not a member of the FHSAA *or the private school in which the student is enrolled is a member of the FHSAA and does not offer the sport in which the student wishes to participate*.

2. The private school student meets the guidelines for the conduct of the program established by the FHSAA's board of directors and the district school board or member private school. At a minimum, such guidelines must provide a deadline for each sport by which the private school student's parents must register with the member school in writing their intent for their child to participate at that school in the sport.

(e) Any ~~non-FHSAA member~~ private school that has a student who wishes to participate in this program must make all student records, including, but not limited to, academic, financial, disciplinary, and attendance records, available upon request of the FHSAA.

~~(g) Only students who are enrolled in non-FHSAA member private schools consisting of 200 students or fewer are eligible to participate in the program in any given academic year.~~

Section 2. Paragraph (h) is added to subsection (7) of section 1006.20, Florida Statutes, to read:

1006.20 Athletics in public K-12 schools.—

(7) APPEALS.—

(h) Decisions made by the committee on appeals, the executive director or his or her designee, and the FHSAA board of directors must be posted online in a searchable format and be in compliance with ss. 1002.22 and 1002.221.

And the directory clause is amended as follows:

Delete line 5 and insert:

Section 1. Subsection (2), paragraph (c) of subsection (3), and paragraphs (a), (e), and (g)

And the title is amended as follows:

Delete lines 158-173 and insert: sports; amending s. 1006.15, F.S.; providing that an activity or a sport must meet specified requirements; specifying conditions for a home education student to participate in interscholastic athletics; revising the criteria a private school student must meet to participate in a sport at a Florida High School Athletic Association (FHSAA) member school; deleting a provision limiting which non-FHSAA member private school students are eligible to participate in FHSAA sports; amending s. 1006.20, F.S.; requiring the publication of appeal decisions online; providing requirements for such publication; providing an

House Amendment 1 (421121), as amended, was adopted.

On motion by Senator Simon, the Senate concurred in **House Amendment 1 (421121)**, as amended, and requested the House to concur in **Senate Amendment 1 (591970) to House Amendment 1 (421121)**.

CS for CS for SB 248 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Davis	McClain
Arrington	DiCeglie	Osgood
Avila	Gaetz	Passidomo
Berman	Garcia	Pizzo
Bernard	Grall	Polsky
Boyd	Gruters	Rodriguez
Bradley	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Truenow
Burton	Jones	Trumbull
Calatayud	Leek	Wright
Collins	Martin	Yarborough

Nays—1

Smith

SPECIAL ORDER CALENDAR, Continued

On motion by Senators Gaetz and Grall, the Senate resumed consideration of—

CS for HB 1205—A bill to be entitled An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to immediately submit an initiative petition to the Attorney General under certain circumstances; amending s. 97.021, F.S.; revising the definition of the term "petition circulator"; amending and reenacting s. 99.097, F.S.; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter within a specified timeframe; providing that certain initiative petition signatures expire and the sponsor's political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting sponsors of initiative amendments from sponsoring more than one such amendment; providing requirements for sponsors before they obtain signatures; requiring a sponsor to post a specified bond; authorizing alternatives for such bond; providing requirements for specified petition forms; revising requirements for a person who collects or handles petitions; providing requirements for a person to be registered as a petition circulator; requiring a certain background check to be paid for by specified persons; requiring the Division of Elections to provide specified notification under certain circumstances; requiring the division to develop specified training; providing requirements for such training; revising requirements for petition circulator registration applications; authorizing the division to revoke a petition circulator's registration under certain circumstances; prohibiting specified compensation for petition circulators; revising the information included on the Petition Circulator's Affidavit; providing that certain acts by a person collecting initiative petition forms are violations of a specified law; providing penalties; providing that copying a completed petition or retaining specified information is a felony; providing and revising penalties; revising the frequency with which petition forms must be delivered to a supervisor of elections; prohibiting certain acts by initiative petition sponsors and persons collecting initiative petition forms; providing penalties; requiring a supervisor of elections to record the date on which each petition form is received; requiring the division to be notified of certain misfiled petitions; revising the information required on petition forms; requiring a supervisor of elections to electronically transmit signature forms to the division; providing requirements for such transmission; requiring a supervisor of elections to retain petition forms in a specified manner for a certain period of time; requiring a supervisor of elections to mail certain notification to specified voters; providing notification requirements; requiring the division to contact certain voters and provide the voters with a complaint form; requiring the division to verify signatures and revoke certain petitions; providing construction; prohibiting certain signatures from being revoked; revising the frequency with which actual costs of signature verification are posted and what is included in such costs; requiring a supervisor of elections to notify the Office of Election Crimes and Security upon a specified event; authorizing the office to investigate such event and report findings to certain authorities; authorizing a voter to challenge ballot placement certifications in a specified manner; providing requirements for such challenges; revising the voting membership of the Financial Impact Estimating Conference; amending s. 101.161, F.S.; authorizing the Legislature to define and describe elements of proposed constitutional amendments; amending s. 102.121, F.S.; requiring the Elections Canvassing Commission to make and sign separate constitutional amendment certificates; providing requirements for such certificates; amending s. 102.168, F.S.; providing that certification of the adoption of a constitutional amendment may be contested in court; providing requirements for such proceedings; amending s. 104.185, F.S.; providing criminal penalties for filling in missing information on certain petitions; amending s. 104.186, F.S.; providing a cross-reference for a specified violation of law; amending s. 104.187, F.S.; increasing criminal penalties for certain violations of law; creating s. 106.151, F.S.; defining the term "public funds"; prohibiting the expenditure of public funds for certain purposes; providing applicability; providing construction; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; providing applicability; prohibiting the verification of a signed petition form for a specified period of time; providing construction; providing requirements for the Department of State; providing that certain registrations expire on a specified date; authorizing a supervisor of elections to increase the cost of a certain signature verification within a specified timeframe; requiring such cost to be posted on a specified website; authorizing the department to adopt certain emergency rules; amending s. 212.055, F.S.; conforming a cross-reference; providing an effective date.

—which was previously considered and amended this day.

Pursuant to Rule 4.19, **CS for HB 1205**, as amended, was placed on the calendar of Bills on Third Reading.

SB 734—A bill to be entitled An act relating to actions for recovery of damages for wrongful death; amending s. 768.21, F.S.; deleting a provision prohibiting the recovery of certain damages by specified parties related to the decedent in wrongful death proceedings; amending ss. 400.023, 400.0235, and 429.295, F.S.; conforming provisions to changes made by the act; reenacting ss. 95.11(11) and 429.29(1), F.S., relating to limitations other than for recovery of real property and civil actions to enforce rights, respectively, to incorporate the amendment made to s. 768.21, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 734**, pursuant to Rule 3.11(3), there being no objection, **HB 6017** was withdrawn from the Committee on Rules.

On motion by Senator Yarborough—

HB 6017—A bill to be entitled An act relating to recovery of damages for medical negligence resulting in death; amending s. 768.21, F.S.; deleting a provision that precluded certain persons from recovering damages for medical negligence resulting in death; amending ss. 400.023, 400.0235, and 429.295, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 734** and read the second time by title.

Senator Yarborough moved the following amendment which failed:

Amendment 1 (270612) (with title amendment)—Before line 12 insert:

Section 1. Paragraphs (a), (b), and (c) of subsection (1) of section 766.201, Florida Statutes, are amended to read

766.201 Legislative findings and intent.—

(1) The Legislature makes the following findings:

(a) *High* medical malpractice liability insurance premiums *result* ~~have increased dramatically in recent years, resulting~~ in increased medical care costs for ~~most~~ patients and functional unavailability of malpractice insurance for some physicians.

(b) The *major cost drivers of* ~~primary cause of increased~~ medical malpractice liability insurance premiums *include the cost of* ~~has been the substantial increase in~~ loss payments *and the cost of defending* ~~to claimants caused by tremendous increases in the amounts of paid~~ claims.

(c) The ~~average~~ cost of ~~a~~ medical negligence *claims, including claims for wrongful death, must be balanced against the public interest in ensuring access to* ~~claim has escalated in the past decade to the point where it has become imperative to control such cost in the interests of the public need for~~ quality medical services.

Section 2. Section 766.118, Florida Statutes, is amended to read:

766.118 Determination of noneconomic damages.—

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

(a) "Catastrophic injury" means a permanent impairment constituted by:

1. Spinal cord injury involving severe paralysis of an arm, a leg, or the trunk;

2. Amputation of an arm, a hand, a foot, or a leg involving the effective loss of use of that appendage;

3. Severe brain or closed-head injury as evidenced by:

a. Severe sensory or motor disturbances;

b. Severe communication disturbances;

c. Severe complex integrated disturbances of cerebral function;

d. Severe episodic neurological disorders; or

e. Other severe brain and closed-head injury conditions at least as severe in nature as any condition provided in sub-subparagraphs a.-d.;

4. Second-degree or third-degree burns of 25 percent or more of the total body surface or third-degree burns of 5 percent or more to the face and hands;

5. Blindness, defined as a complete and total loss of vision; or

6. Loss of reproductive organs which results in an inability to procreate.

(b) "Noneconomic damages" means noneconomic damages as defined in s. 766.202(8).

(c) "Practitioner" means any person licensed under chapter 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter 463, chapter 466, chapter 467, chapter 486, or s. 464.012 or registered under s. 464.0123. "Practitioner" also means any association, corporation, firm, partnership, or other business entity under which such practitioner practices or any employee of such practitioner or entity acting in the scope of his or her employment. For the purpose of determining the limitations on noneconomic damages set forth in this section, the term "practitioner" includes any person or entity for whom a practitioner is vicariously liable and any person or entity whose liability is based solely on such person or entity being vicariously liable for the actions of a practitioner.

(2) LIMITATION ON NONECONOMIC DAMAGES FOR NEGLIGENCE OF PRACTITIONERS.—

(a) With respect to a cause of action for personal injury ~~or wrongful death~~ arising from medical negligence of practitioners, regardless of the number of such practitioner defendants, noneconomic damages shall not exceed $500,000 per claimant. No practitioner shall be liable for more than $500,000 in noneconomic damages, regardless of the number of claimants.

(b) Notwithstanding paragraph (a), if the negligence resulted in a permanent vegetative state ~~or death~~, the total noneconomic damages recoverable from all practitioners, regardless of the number of claimants, under this paragraph shall not exceed $1 million. In cases that do not involve ~~death or~~ permanent vegetative state, the patient injured by medical negligence may recover noneconomic damages not to exceed $1 million if:

1. The trial court determines that a manifest injustice would occur unless increased noneconomic damages are awarded, based on a finding that because of the special circumstances of the case, the noneconomic harm sustained by the injured patient was particularly severe; and

2. The trier of fact determines that the defendant's negligence caused a catastrophic injury to the patient.

(c) The total noneconomic damages recoverable by all claimants from all practitioner defendants under this subsection shall not exceed $1 million in the aggregate.

(3) LIMITATION ON NONECONOMIC DAMAGES FOR NEGLIGENCE OF NONPRACTITIONER DEFENDANTS.—

(a) With respect to a cause of action for personal injury ~~or wrongful death~~ arising from medical negligence of nonpractitioners, regardless of the number of such nonpractitioner defendants, noneconomic damages shall not exceed $750,000 per claimant.

(b) Notwithstanding paragraph (a), if the negligence resulted in a permanent vegetative state ~~or death~~, the total noneconomic damages recoverable by such claimant from all nonpractitioner defendants under this paragraph shall not exceed $1.5 million. The patient injured by medical negligence of a nonpractitioner defendant may recover noneconomic damages not to exceed $1.5 million if:

1. The trial court determines that a manifest injustice would occur unless increased noneconomic damages are awarded, based on a finding that because of the special circumstances of the case, the noneconomic harm sustained by the injured patient was particularly severe; and

2. The trier of fact determines that the defendant's negligence caused a catastrophic injury to the patient.

(c) Nonpractitioner defendants are subject to the cap on noneconomic damages provided in this subsection regardless of the theory of liability, including vicarious liability.

(d) The total noneconomic damages recoverable by all claimants from all nonpractitioner defendants under this subsection shall not exceed $1.5 million in the aggregate.

(4) LIMITATION ON NONECONOMIC DAMAGES FOR NEGLIGENCE OF PRACTITIONERS PROVIDING EMERGENCY SERVICES AND CARE.—Notwithstanding subsections (2) and (3), with respect to a cause of action for personal injury ~~or wrongful death~~ arising from medical negligence of practitioners providing emergency services

and care, as defined in s. 395.002(9), or providing services as provided in s. 401.265, or providing services pursuant to obligations imposed by 42 U.S.C. s. 1395dd to persons with whom the practitioner does not have a then-existing health care patient-practitioner relationship for that medical condition:

(a) Regardless of the number of such practitioner defendants, noneconomic damages shall not exceed $150,000 per claimant.

(b) Notwithstanding paragraph (a), the total noneconomic damages recoverable by all claimants from all such practitioners shall not exceed $300,000.

The limitation provided by this subsection applies only to noneconomic damages awarded as a result of any act or omission of providing medical care or treatment, including diagnosis that occurs prior to the time the patient is stabilized and is capable of receiving medical treatment as a nonemergency patient, unless surgery is required as a result of the emergency within a reasonable time after the patient is stabilized, in which case the limitation provided by this subsection applies to any act or omission of providing medical care or treatment which occurs prior to the stabilization of the patient following the surgery.

(5) LIMITATION ON NONECONOMIC DAMAGES FOR NEGLIGENCE OF NONPRACTITIONER DEFENDANTS PROVIDING EMERGENCY SERVICES AND CARE.—Notwithstanding subsections (2) and (3), with respect to a cause of action for personal injury ~~or wrongful death~~ arising from medical negligence of defendants other than practitioners providing emergency services and care pursuant to obligations imposed by s. 395.1041 or s. 401.45, or obligations imposed by 42 U.S.C. s. 1395dd to persons with whom the practitioner does not have a then-existing health care patient-practitioner relationship for that medical condition:

(a) Regardless of the number of such nonpractitioner defendants, noneconomic damages shall not exceed $750,000 per claimant.

(b) Notwithstanding paragraph (a), the total noneconomic damages recoverable by all claimants from all such nonpractitioner defendants shall not exceed $1.5 million.

(c) Nonpractitioner defendants may receive a full setoff for payments made by practitioner defendants.

The limitation provided by this subsection applies only to noneconomic damages awarded as a result of any act or omission of providing medical care or treatment, including diagnosis that occurs prior to the time the patient is stabilized and is capable of receiving medical treatment as a nonemergency patient, unless surgery is required as a result of the emergency within a reasonable time after the patient is stabilized, in which case the limitation provided by this subsection applies to any act or omission of providing medical care or treatment which occurs prior to the stabilization of the patient following the surgery.

(6) LIMITATION ON NONECONOMIC DAMAGES FOR NEGLIGENCE OF A PRACTITIONER PROVIDING SERVICES AND CARE TO A MEDICAID RECIPIENT.—Notwithstanding subsections (2), (3), and (5), with respect to a cause of action for personal injury ~~or wrongful death~~ arising from medical negligence of a practitioner committed in the course of providing medical services and medical care to a Medicaid recipient, regardless of the number of such practitioner defendants providing the services and care, noneconomic damages may not exceed $300,000 per claimant, unless the claimant pleads and proves, by clear and convincing evidence, that the practitioner acted in a wrongful manner. A practitioner providing medical services and medical care to a Medicaid recipient is not liable for more than $200,000 in noneconomic damages, regardless of the number of claimants, unless the claimant pleads and proves, by clear and convincing evidence, that the practitioner acted in a wrongful manner. The fact that a claimant proves that a practitioner acted in a wrongful manner does not preclude the application of the limitation on noneconomic damages prescribed elsewhere in this section. For purposes of this subsection:

(a) The terms "medical services," "medical care," and "Medicaid recipient" have the same meaning as provided in s. 409.901.

(b) The term "practitioner," in addition to the meaning prescribed in subsection (1), includes any hospital or ambulatory surgical center as defined and licensed under chapter 395.

(c) The term "wrongful manner" means in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property, and shall be construed in conformity with the standard set forth in s. 768.28(9)(a).

(7) *LIMITATION ON NONECONOMIC DAMAGES FOR WRONGFUL DEATH ARISING FROM MEDICAL NEGLIGENCE.—In a cause of action for wrongful death arising from medical negligence, noneconomic damages may not exceed $1 million, regardless of the number of claimants or the number of practitioners or nonpractitioners who are liable for a claimant's damages.*

(8) SETOFF.—In any case in which the jury verdict for noneconomic damages exceeds the limits established by this section, the trial court shall reduce the award for noneconomic damages within the same category of defendants in accordance with this section after making any reduction for comparative fault as required by s. 768.81 but before application of a setoff in accordance with ss. 46.015 and 768.041. In the event of a prior settlement or settlements involving one or more defendants subject to the limitations of the same subsection applicable to a defendant remaining at trial, the court shall make such reductions within the same category of defendants as are necessary to ensure that the total amount of noneconomic damages recovered by the claimant does not exceed the aggregate limit established by the applicable subsection. This subsection is not intended to change current law relating to the setoff of economic damages.

(9)~~(8)~~ ACTIONS GOVERNED BY SOVEREIGN IMMUNITY LAW.—This section shall not apply to actions governed by s. 768.28.

Section 3. For the purpose of incorporating the amendment made by this act to section 766.118, Florida Statutes, in a reference thereto, paragraph (a) of subsection (3) of section 766.209, Florida Statutes, is reenacted to read:

766.209 Effects of failure to offer or accept voluntary binding arbitration.—

(3) If the defendant refuses a claimant's offer of voluntary binding arbitration:

(a) The claim shall proceed to trial, and the claimant, upon proving medical negligence, shall be entitled to recover damages subject to the limitations in s. 766.118, prejudgment interest, and reasonable attorney's fees up to 25 percent of the award reduced to present value.

And the title is amended as follows:

Delete lines 2-8 and insert: An act relating to recovery of damages for claims of medical negligence; amending s. 766.201, F.S.; revising legislative findings; amending s. 766.118, F.S.; deleting certain prohibitions providing that the total noneconomic damages recovered if negligence by certain persons resulted in death may not exceed specified sums; limiting the amount of noneconomic damages for wrongful death arising from medical negligence regardless of the number of claimants or the number of practitioners or nonpractitioners who are liable for a claimant's damages; reenacting s. 766.209(3)(a), F.S., relating to effects of failure to offer or accept voluntary binding arbitration, to incorporate the amendment made to s. 766.118, F.S., in a reference thereto; amending s. 768.21, F.S.; deleting a provision that precludes certain persons from recovering damages for medical negligence that result in death; amending ss. 400.023, 400.0235, and 429.295, F.S.; conforming provisions to changes made by the act; providing an effective date.

WHEREAS, the Legislature finds that expanding the right to recover noneconomic damages for wrongful death caused by medical negligence furthers an important state interest of promoting accountability and adherence to the applicable standards of care, and

WHEREAS, the Legislature further recognizes that the expansion of the right to recover damages must be balanced against the important state interests of minimizing increases in the cost of malpractice insurance and promoting the availability of quality health care services, and

WHEREAS, the Legislature finds that limitations on noneconomic

damages in medical negligence cases further the critical state interest in promoting the affordability and availability of health care services, and

WHEREAS, the Legislature finds that the cases of Estate of McCall v. United States, 134 So. 3d 894 (Fla. 2014) and North Broward Hospital District v. Kalitan, 219 So. 3d 49 (Fla. 2017), which invalidated limits on noneconomic damages, were decided contrary to legislative intent and prior case law interpreting the equal protection clauses of the United States Constitution and the State Constitution, and

WHEREAS, the cases of Estate of McCall v. United States and North Broward Hospital District v. Kalitan are inconsistent with the decisions of other courts addressing limits on damages, and

WHEREAS, the Legislature finds that medical malpractice insurance premiums in this state are the highest or among the highest in the nation, and

WHEREAS, the Legislature finds that having high medical malpractice insurance premiums causes physicians to practice medicine without malpractice insurance, begin medical careers in other states, pursue opportunities to practice in other states, abstain from performing high-risk procedures in this state, or retire early from the practice of medicine, and

WHEREAS, the Legislature finds that having the highest or among the highest medical malpractice insurance premiums in the nation threatens the quality and availability of health care services for everyone in this state, and

WHEREAS, the Legislature finds that it is obligated to minimize or prevent crises that result from high medical malpractice premiums which, according to Mizrahi v. North Miami Medical Center, Ltd., 712 So. 2d 826, 828 (Fla. 3d DCA 1998), aff'd, 761 So. 2d 1040 (Fla. 2000), "adversely impact not only physicians but also, ultimately, their patients through the resultant increased cost of medical care," and

WHEREAS, the Legislature finds that the rapidly growing population and the changing demographics of this state make it imperative for the state to have a legal environment that helps to attract and retain physicians, and

WHEREAS, the Legislature finds that there is an overpowering public necessity to ensure that physicians practice medicine in this state, and

WHEREAS, the Legislature finds that there is also an overpowering public necessity to enact policies that prevent medical malpractice insurance premiums from being unaffordable, and

WHEREAS, the Legislature finds that expanding the right to recover noneconomic damages for wrongful death arising from medical negligence without limiting amounts recoverable would make health care more expensive and less accessible, and

WHEREAS, the Legislature finds that limitations on noneconomic damages in medical negligence cases further the public necessities of making quality health care available to the residents of this state, ensuring that physicians practice medicine in this state and ensuring that those physicians have the opportunity to purchase affordable medical malpractice insurance, NOW, THEREFORE,

The vote was:

Yeas—18

Mr. President	DiCeglie	Passidomo
Avila	Gaetz	Rodriguez
Boyd	Harrell	Rouson
Burton	Ingoglia	Simon
Calatayud	Leek	Truenow
Collins	McClain	Yarborough

Nays—19

Arrington	Garcia	Pizzo
Berman	Grall	Polsky
Bernard	Gruters	Smith
Bradley	Hooper	Trumbull
Brodeur	Jones	Wright
Burgess	Martin	
Davis	Osgood	

Vote after roll call:

Yea to Nay—Rouson

On motion by Senator Yarborough, by two-thirds vote, **HB 6017** was read the third time by title.

On motion by Senator Yarborough, further consideration of **HB 6017** was deferred.

Consideration of **CS for CS for SB 628** was deferred.

CS for CS for CS for SB 712—A bill to be entitled An act relating to construction regulations; creating s. 125.572, F.S.; defining the term "synthetic turf"; requiring the Department of Environmental Protection to adopt minimum standards for the installation of synthetic turf on specified properties; requiring that the standards take into account specified factors; prohibiting local governments from adopting or enforcing any ordinance, resolution, order, rule, or policy that prohibits, or is enforced to prohibit, property owners from installing synthetic turf meeting certain standards on single-family residential property of a specified size; prohibiting local governments from adopting or enforcing specified ordinances, resolutions, orders, rules, or policies that regulate synthetic turf which are inconsistent with specified standards; requiring the Department of Environmental Protection to adopt rules; creating s. 218.755, F.S.; requiring that, for certain contracts entered into on or after a specified date, local governmental entities approve or deny certain price quotes and provide notice to contractors within a specified timeframe; requiring denials to specify alleged deficiencies and actions necessary to remedy such deficiencies; providing that if a local governmental entity fails to provide the contractor with a certain notice, the change order and price quote are deemed approved and the local governmental entity must pay the contractor a certain amount upon completion of the change order; prohibiting contracts from altering specified duties of a local governmental entity; amending s. 255.0992, F.S.; prohibiting the state or political subdivisions that contract for public works projects from penalizing or rewarding bidders for performing larger or smaller volumes of construction work for the state or political subdivisions when scoring or evaluating certain bids; amending s. 399.035, F.S.; requiring that elevator car interiors have at least one support rail that meets certain specifications; amending s. 489.505, F.S.; revising the definition of the term "certified alarm system contractor"; amending s. 553.73, F.S.; providing an exemption from the Florida Building Code to systems or equipment located within a spaceport territory which is used for specified purposes; reenacting and amending s. 553.79, F.S.; prohibiting local governments from requiring copies of contracts and certain associated documents for the issuance of building permits or as a requirement for submitting building permit applications; amending s. 553.791, F.S.; revising definitions; revising the conditions under which specified contractors may elect to use a private provider to provide inspection services; authorizing private providers to use automated or software-based plans review systems designed to make certain determinations; requiring local building officials to issue permits within a specified timeframe if the permit application is related to certain single-trade plans reviews; authorizing certain inspections to be performed in person or virtually; reenacting s. 201.21(2), F.S., relating to an exemption from all excise taxes imposed by ch. 201, F.S., for specified notes and obligations when given by a customer to an alarm system contractor in connection with the sale of an alarm system, to incorporate the amendment made to s. 489.505, F.S., in a reference thereto; reenacting ss. 177.073(4)(a), 468.621(1)(i) and (j), 471.033(1)(l), 481.225(1)(l), and 553.80(7)(a), F.S., relating to inspections performed for expedited approval of residential building permits before a final plat is recorded; disciplinary proceedings against building code administrators and inspectors for performing building code inspection services without satisfying specified insurance requirements; disciplinary proceedings against engineers for performing building code inspection services without satisfying specified insurance requirements; disciplinary proceedings against registered architects for performing building code inspection services without satisfying specified insurance requirements; and the refunding of certain fees due to specified reduced services provided by a local building official, respectively, to incorporate the amendment to s. 553.791, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 712**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 683** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

CS for CS for CS for HB 683—A bill to be entitled An act relating to construction regulations; creating s. 125.572, F.S.; defining the term "synthetic turf"; requiring the Department of Environmental Protection to adopt minimum standards for the installation of synthetic turf on specified properties; requiring that the standards take into account specified factors; prohibiting local governments from adopting or enforcing any ordinance, resolution, order, rule, or policy that prohibits, or is enforced to prohibit, property owners from installing synthetic turf meeting certain standards on single-family residential property; prohibiting local governments from adopting or enforcing specified ordinances, resolutions, orders, rules, or policies that regulate synthetic turf which are inconsistent with specified standards; requiring the department to adopt rules; creating s. 218.755, F.S.; requiring local governmental entities to approve or deny certain price quotes and send written notice to contractors within a specified timeframe; requiring denial notices to specify alleged deficiencies and actions necessary to remedy such deficiencies; requiring certain payment to a contractor if a local governmental entity fails to provide such notice; prohibiting contracts from altering specified duties of a local governmental entity; amending s. 255.0992, F.S.; prohibiting the state or political subdivisions that contract for public works projects from penalizing or rewarding bidders for performing larger or smaller volumes of construction work for the state or political subdivisions; amending s. 399.035, F.S.; requiring only one support rail in an elevator car interior to meet certain specifications; amending s. 489.505, F.S.; revising the definition of the term "certified alarm system contractor"; amending s. 553.73, F.S.; providing an exemption from the Florida Building Code for systems or equipment located on property within a spaceport territory which is used for specified purposes; reenacting and amending s. 553.79, F.S.; prohibiting local governments from requiring copies of contracts and certain associated documents for the issuance of building permits or as a requirement for the submission of building permit applications; amending s. 553.791, F.S.; revising definitions; revising the conditions under which specified contractors may elect to use a private provider to provide inspection services; authorizing private providers to use automated or software-based plans review systems designed to make certain determinations; requiring local building officials to issue permits within a specified timeframe if such permit application is related to certain single-trade plans reviews; authorizing certain inspections to be performed in person or virtually; amending s. 497.271, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 712** and read the second time by title.

On motion by Senator Grall, by two-thirds vote, **CS for CS for CS for HB 683** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	DiCeglie	Osgood
Arrington	Gaetz	Passidomo
Avila	Garcia	Pizzo
Berman	Grall	Polsky
Bernard	Gruters	Rodriguez
Boyd	Harrell	Rouson
Brodeur	Hooper	Simon
Burgess	Ingoglia	Smith
Burton	Jones	Truenow
Calatayud	Leek	Trumbull
Collins	Martin	Wright
Davis	McClain	Yarborough

Nays—None

Vote after roll call:

Yea—Bradley

CS for CS for CS for SB 818—A bill to be entitled An act relating to utility relocation; amending s. 212.20, F.S.; requiring that a specified amount of communications services tax remittances be distributed by the Department of Revenue by a nonoperating transfer to the Department of Commerce in monthly installments to the Grants and Donations Trust Fund within the Department of Commerce for the Utility Relocation Reimbursement Grant Program; revising the percentage by which a certain amount transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund must be reduced, beginning on a certain date; amending s. 337.403, F.S.; requiring a service provider to initiate communications services facility relocation work under certain circumstances; specifying that a county or municipal authority is not responsible for paying the expense properly attributable to such work except as otherwise provided; authorizing a service provider to apply to the Utility Relocation Reimbursement Grant Program for reimbursement of relocation expenses; requiring a department to notify certain providers of communications services of certain projects within a specified timeframe; defining the term "department"; providing notification requirements; requiring a provider to respond to the notification with certain information within a specified timeframe; requiring the department to provide a reasonable offer for joint participation in certain relocation costs under certain conditions; providing construction; creating s. 337.4031, F.S.; creating the Utility Relocation Reimbursement Grant Program within the Department of Commerce; providing the purpose of the program; requiring the Department of Revenue to deposit certain proceeds into a specified trust fund to fund the program beginning on a certain date; requiring the Department of Commerce to establish program requirements by rule; authorizing only certain uses of program funds; exempting program funds from a certain service charge; providing that interest earned on program funds accrues to the program's fund; authorizing emergency rulemaking; amending ss. 125.42, 202.18, 212.181, and 218.65, F.S.; conforming cross-references; providing a finding and declaration of important state interest; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 818**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 703** was withdrawn from the Committees on Rules.

On motion by Senator McClain—

CS for HB 703—A bill to be entitled An act relating to utility relocation; amending s. 212.20, F.S.; requiring that a specified amount of communications services tax remittances be distributed by the Department of Revenue by a nonoperating transfer to the Department of Commerce in monthly installments to the Grants and Donations Trust Fund within the Department of Commerce for the Utility Relocation Reimbursement Grant Program; revising the percentage by which a certain amount transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund must be reduced, beginning on a certain date; amending s. 337.403, F.S.; requiring a service provider to initiate communications services facility relocation work under certain circumstances; specifying that a county or municipal authority is not responsible for paying the expense properly attributable to such work except as otherwise provided; authorizing a service provider to apply to the Utility Relocation Reimbursement Grant Program for reimbursement of relocation expenses; requiring a department to notify certain providers of communications services of certain projects within a specified timeframe; defining the term "department"; providing notification requirements; requiring a provider to respond to the notification with certain information within a specified timeframe; requiring the department to provide a reasonable offer for joint participation in certain relocation costs under certain conditions; providing construction; creating s. 337.4031, F.S.; creating the Utility Relocation Reimbursement Grant Program within the Department of Commerce; providing the purpose of the program; requiring the Department of Revenue to deposit certain proceeds into a specified trust fund to fund the program beginning on a certain date; requiring the Department of Commerce to establish program requirements by rule; authorizing only certain uses of program funds; exempting program funds from a certain service charge; providing that interest earned on program funds accrues to the program's fund; authorizing emergency rulemaking; amending ss. 125.42, 202.18, 212.181, and 218.65, F.S.; conforming cross-references; providing a finding and declaration of important state interest; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 818** and read the second time by title.

On motion by Senator McClain, by two-thirds vote, **CS for HB 703** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

CS for CS for SB 1212—A bill to be entitled An act relating to firefighter health and safety; amending s. 633.506, F.S.; revising legislative intent; amending s. 633.508, F.S.; requiring the Division of State Fire Marshal within the Department of Financial Services to assist in decreasing the frequency and severity of fatalities; revising the division's authority to adopt rules; requiring the division to adopt rules; defining the term "readily available"; authorizing the division to recommend a phased approach in adopting certain rules related to firefighting gear; amending s. 633.520, F.S.; requiring the division to adopt rules relating to education on chemical hazards and toxic substances in protective gear and employers' mental health best practices; amending ss. 633.522 and 633.526, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1212**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 929** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator DiCeglie—

CS for HB 929—A bill to be entitled An act relating to firefighter health and safety; amending s. 633.506, F.S.; revising legislative intent; amending s. 633.508, F.S.; requiring the Division of State Fire Marshal within the Department of Financial Services to adopt certain rules; requiring the division to assist in decreasing the frequency of fatalities; defining the term "readily available"; amending s. 633.520, F.S.; requiring the division to adopt rules relating to education on chemical hazards or toxic substances and mental health best practices; amending ss. 633.522 and 633.526, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1212** and read the second time by title.

On motion by Senator DiCeglie, by two-thirds vote, **CS for HB 929** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Calatayud	Ingoglia
Arrington	Collins	Jones
Avila	Davis	Leek
Berman	DiCeglie	Martin
Bernard	Gaetz	McClain
Boyd	Garcia	Osgood
Bradley	Grall	Passidomo
Brodeur	Gruters	Pizzo
Burgess	Harrell	Polsky
Burton	Hooper	Rodriguez
Rouson	Truenow	Yarborough
Simon	Trumbull	
Smith	Wright	

Nays—None

CS for CS for SB 1356—A bill to be entitled An act relating to the Florida Institute for Pediatric Rare Diseases; creating s. 1004.4211, F.S.; establishing the Florida Institute for Pediatric Rare Diseases within the Florida State University College of Medicine; providing the purpose of the institute; providing the goals of the institute; requiring the institute to establish and administer the Sunshine Genetics Pilot Program for a specified period; providing the purpose of the pilot program; providing institute responsibilities and duties relating to the pilot program; providing requirements for participation in the pilot program and data collection and release in the pilot program; defining the term "health care practitioner"; providing reporting requirements for the pilot program; establishing the Sunshine Genetics Consortium for specified purposes; requiring the consortium to be administered at the institute by an oversight board; providing for the membership and terms of the board; providing reporting requirements for the consortium; specifying that implementation of the act is subject to appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1356**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 907** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Burton—

CS for CS for HB 907—A bill to be entitled An act relating to the Florida Institute for Pediatric Rare Diseases; creating s. 1004.4211, F.S.; establishing the Florida Institute for Pediatric Rare Diseases within the Florida State University College of Medicine; providing the goals of the institute; requiring the institute to establish and administer the Sunshine Genetics Pilot Program for a specified period; providing the purpose of the pilot program; providing institute responsibilities and duties relating to the pilot program; providing requirements for participation in the pilot program and data collection and release in the pilot program; defining the term "health care practitioner"; providing reporting requirements for the pilot program; establishing the Sunshine Genetics Consortium for specified purposes; requiring the consortium to be administered at the institute by an oversight board; providing for the membership and terms of the board; providing meeting and reporting requirements for the consortium; providing that specified provisions will be implemented subject to available funding in the General Appropriations Act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1356** and read the second time by title.

On motion by Senator Burton, by two-thirds vote, **CS for CS for HB 907** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

CS for SB 1360—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; excepting from the Schedule I controlled substance xylazine drug products approved by the United States Food and Drug Administration for certain use; amending s. 893.13, F.S.; providing criminal penalties and requiring a mandatory minimum term of imprisonment if a person sells, manufactures, or delivers or possesses with intent to sell, manufacture, or deliver xylazine; amending s. 893.135, F.S.; creating the offense of trafficking in xylazine; providing criminal penalties and requiring a mandatory minimum term of imprisonment and fines based on the quantity of the controlled substance involved in the offense; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1360**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 57** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Leek—

CS for HB 57—A bill to be entitled An act relating to regulation of xylazine; amending s. 893.03, F.S.; excepting from the list of Schedule I controlled substances certain xylazine animal drug products approved by the United States Food and Drug Administration and used for certain purposes; amending s. 893.13, F.S.; providing criminal penalties and requiring a mandatory minimum term of imprisonment if a person sells, manufactures, or delivers or possesses with intent to sell, manufacture, or deliver xylazine; amending s. 893.135, F.S.; creating the offense of trafficking in xylazine; providing criminal penalties and requiring a mandatory minimum term of imprisonment and fines based on the quantity of the controlled substance involved in the offense; providing effective dates.

—a companion measure, was substituted for **CS for SB 1360** and read the second time by title.

Senator Rouson moved the following amendment which was adopted:

Amendment 1 (268418)—Delete lines 1199-1200 and insert:
delivers, or brings into this state, or who actually or constructively possesses with intent to sell, purchase, manufacture, or deliver, or with the intent to combine with another controlled substance for the purpose of potentiating that substance, 4 grams or more of

On motion by Senator Leek, by two-thirds vote, **CS for HB 57**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Davis	McClain
Arrington	DiCeglie	Passidomo
Avila	Gaetz	Pizzo
Berman	Garcia	Polsky
Bernard	Grall	Rodriguez
Boyd	Gruters	Rouson
Bradley	Harrell	Simon
Brodeur	Hooper	Smith
Burgess	Ingoglia	Truenow
Burton	Jones	Trumbull
Calatayud	Leek	Wright
Collins	Martin	Yarborough

Nays—1

Osgood

Vote after roll call:

Nay to Yea—Osgood

Consideration of **SB 7032** was deferred.

CS for SB 80—A bill to be entitled An act relating to state land management; providing a short title; amending s. 253.034, F.S.; requiring public hearings for all updated conservation and nonconservation land management plans; requiring the Division of State Lands of the Department of Environmental Protection to make available to the public, within a specified timeframe, electronic copies of land management plans for parcels of a certain size and for parcels located in state parks; making technical changes; amending s. 258.004, F.S.; revising the duties of the Division of Recreation and Parks of the Department of Environmental Protection; specifying requirements for the management of parks and recreational areas held by the state; defining the term "conservation-based public outdoor recreational uses"; making technical changes; amending s. 258.007, F.S.; requiring the division to comply with specified provisions when granting certain privileges, leases, concessions, and permits; authorizing the division to acquire, install, or permit the installation or operation at state parks of camping cabins that meet certain requirements; prohibiting the division from authorizing certain uses or construction activities within a state park; prohibiting the division from installing or permitting the installation of any lodging establishment at a state park; amending s. 259.032, F.S.; requiring that individual management plans for parcels located within state parks be developed and updated with input from an advisory group; requiring that the advisory group's required public hearings be noticed to the public within a specified timeframe; requiring the department to submit a report to the Governor and the Legislature by a specified date; specifying requirements for the report; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 80**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 209** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Harrell—

CS for CS for HB 209—A bill to be entitled An act relating to state land management; providing a short title; amending s. 253.034, F.S.; requiring public hearings for all updated conservation and nonconservation land management plans; requiring the Division of State Lands of the Department of Environmental Protection to make available to the public, within a specified timeframe, electronic copies of land management plans for parcels of a certain size and for parcels located in state parks; making technical changes; amending s. 258.004, F.S.; revising the duties of the Division of Recreation and Parks of the Department of Environmental Protection; specifying requirements for the management of parks and recreational areas held by the state; defining the term "conservation-based recreational uses"; making technical changes; amending s. 258.007, F.S.; requiring the division to comply with specified provisions when granting certain privileges, leases, concessions, and permits; authorizing the division to acquire, install, or permit the installation or operation of camping cabins that meet certain requirements in state parks; prohibiting the division from authorizing certain uses or construction activities within a state park; prohibiting the division from installing or permitting the installation of any lodging establishment at a state park; amending s. 259.032, F.S.; requiring that individual management plans for parcels located within state parks be developed with input from an advisory group; requiring that the advisory group's required public hearings be noticed to the public within a specified timeframe; requiring the department to submit a report to the Governor and the Legislature by a specified date; specifying requirements for the report; providing an effective date.

—a companion measure, was substituted for **CS for SB 80** and read the second time by title.

Senator Calatayud moved the following amendment which was adopted:

Amendment 1 (592460) (with title amendment)—Delete lines 244-411 and insert:

1. All lands managed pursuant to this chapter must be managed:

a. In a manner that will provide the greatest combination of benefits to the public and to the land's natural resources; and

b. For conservation-based recreational uses and associated facilities; public access and related amenities, including roads, parking areas, walkways, and visitor centers; Florida heritage and wildlife viewing,

including preservation of historical structures and activities such as glass bottom boat tours; and scientific research, including archaeology. Such uses must be managed in a manner that is compatible with and ensures the conservation of this state's natural resources by minimizing impacts to undisturbed habitat. As used in this sub-subparagraph, the term "conservation-based recreational uses" means public outdoor recreational activities that do not significantly invade, degrade, or displace the natural resources, native habitats, or archaeological or historical sites that are preserved within state parks. These activities include, but are not limited to, fishing, camping, bicycling, hiking, nature study, swimming, boating, canoeing, horseback riding, diving, birding, sailing, jogging.

2. To ensure the protection of state park resources, native habitats, and archeological and historical sites, sporting facilities, including, but not limited to, golf courses, tennis courts, pickleball courts, ball fields, or other sporting facilities, may not be constructed within the boundaries of state parks. This subparagraph may not be construed to prohibit the continued operation, maintenance, or repair of any such sporting facilities, or other facilities, existing within a state park.

(c)~~(3) The Division of Recreation and Parks shall~~ Study and appraise the *recreational* ~~recreation~~ needs of the state and assemble and disseminate information relative to recreation.

(d)~~(4) The Division of Recreation and Parks shall~~ Provide consultation assistance to local governing units as to the protection, organization, and administration of local recreation systems and the planning and design of local *recreational* ~~recreation~~ areas and facilities.

(e)~~(5) The Division of Recreation and Parks shall~~ Assist in recruiting, training, and placing recreation personnel.

(f)~~(6) The Division of Recreation and Parks shall~~ Sponsor and promote recreation institutes, workshops, seminars, and conferences throughout *this* ~~the~~ state.

(g)~~(7) The Division of Recreation and Parks shall~~ Cooperate with state and federal agencies, private organizations, and commercial and industrial interests in the promotion of a state recreation program.

(2)~~(8) This part shall be enforced by~~ The Division of Law Enforcement of the Department of Environmental Protection and its officers and ~~by~~ the Division of Law Enforcement of the Fish and Wildlife Conservation Commission and its officers *shall enforce this part*.

Section 4. Present subsection (5) of section 258.007, Florida Statutes, is redesignated as subsection (7), a new subsection (5) and subsection (6) are added to that section, and subsection (3) of that section is amended, to read:

258.007 Powers of division.—

(3)(a) The division may*, as consistent with s. 258.004,* grant privileges, leases, concessions, and permits for the use of land for the accommodation of visitors in the various parks, monuments, and memorials *in accordance with all of the following provisions:*

1. ~~, provided no~~ Natural curiosities or objects of interest *may not* ~~shall~~ be granted, leased, or rented on ~~such~~ terms *that* ~~as shall~~ deny or interfere with free access to them by the public.~~;~~

2. ~~provided further,~~ Such grants, leases, and permits may be made and given without advertisement or securing competitive bids.~~; and~~

3. ~~provided further, that no~~ Such *grants, leases, and permits may not* ~~grant, lease, or permit shall~~ be assigned or transferred by any grantee without consent of the division.

(b) Notwithstanding paragraph (a), ~~after May 1, 2014,~~ the division may not grant new concession agreements for the accommodation of visitors in a state park that provides beach access and contains less than 7,000 feet of shoreline if the type of concession is available within 1,500 feet of the park's boundaries. This paragraph does not apply to concession agreements for accommodations offered at a park on or before May 1, 2014. ~~This paragraph shall take effect upon this act becoming a law.~~

(5) The division may acquire, install, or permit the installation or operation at state parks of campsites and cabins. The installation and operation of campsites and cabins must be compatible with the state park's land management plan and must be approved pursuant to s. 253.034(5). Campsites and cabins must be sited to avoid impacts to a state park's critical habitat and natural and historical resources.

(6) The division may not authorize uses or construction activities, including the building or alteration of structures, within a state park which may cause significant harm to the resources of the state park. Any use or any construction activity must be conducted in a manner that avoids impacts to a state park's critical habitat and natural and historical resources. The division may not install or permit the installation of any lodging establishment as defined in s. 509.242 within the boundaries of state parks. This subsection may not be construed to prohibit the continued operation, maintenance, or repair of any such public lodging establishment existing within a state park.

Section 5. Section 258.152, Florida Statutes, is created to read:

258.152 Ney Landrum State Park designation.—The St. Marks River Preserve State Park, located in Leon and Jefferson Counties, is renamed and designated as Ney Landrum State Park.

Section 6. Paragraphs (b) and (c) of subsection (8) of section 259.032, Florida Statutes, are amended to read:

259.032 Conservation and recreation lands.—

(8)

(b) Individual management plans required by s. 253.034(5)~~,~~ for parcels over 160 acres *and for parcels located within a state park must*~~, shall~~ be developed with input from an advisory group.

1. Members of *the* ~~this~~ advisory group shall include, at a minimum, representatives of the lead land managing agency, comanaging entities, local private property owners, the appropriate soil and water conservation district, a local conservation organization, and a local elected official. If habitat or potentially restorable habitat for imperiled species is located on state lands, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services *must* ~~shall~~ be included on any advisory group required under chapter 253, and the short-term and long-term management goals required under chapter 253 must advance the goals and objectives of imperiled species management without restricting other uses identified in the management plan.

2. The advisory group shall conduct at least one public hearing within the county in which the parcel or project is located. For those parcels or projects ~~that are~~ within more than one county, at least one areawide public hearing *is* ~~shall be~~ acceptable and the lead managing agency shall invite a local elected official from each county. The areawide public hearing *must* ~~shall~~ be held in the county in which the core parcels are located. *At least 30 days before the public hearing,* notice of *the* ~~such public~~ hearing *must* ~~shall~~ be posted on the parcel or project designated for management, advertised in a paper of general circulation, and announced at a scheduled meeting of the local governing body ~~before the actual public hearing~~.

3. The management prospectus required pursuant to paragraph (7)(b) *must* ~~shall~~ be available to the public for a period of 30 days before the public hearing.

(c) Once a plan is adopted, the managing agency or entity shall update the plan at least every 10 years in a form and manner adopted by rule of the board. Such updates~~,~~ for parcels over 160 acres *and for parcels located within a state park must*~~, shall~~ be developed with input from an advisory group. Such plans may include transfers of leasehold interests to appropriate conservation organizations or governmental entities designated by the council for uses consistent with the purposes of the organizations and the protection, preservation, conservation, restoration, and proper management of the lands and their resources. Volunteer management assistance is encouraged, including, but not limited to, assistance by youths participating in programs sponsored by state or local agencies, by volunteers sponsored by environmental or civic organizations, and by individuals participating in programs for committed delinquents and adults.

By July 1 of each year, each governmental agency and each private entity designated to manage lands shall report to the Secretary of Environmental Protection on the progress of funding, staffing, and resource management of every project for which the agency or entity is responsible.

Section 7. *By December 1, 2025, the Department of Environmental Protection shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes all of the following information regarding the state park system:*

(1) Park amenities or areas of state parks that:

(a) Have limited use or are closed due to needed repairs;

(b) Are in need of repair or renovation; or

(c) Lack the infrastructure necessary to support park purposes as provided in the park's most recent approved management plan.

(2) The system's estimated budget allocation expenditures for the 2023-2024 fiscal year, broken down by salaries and benefits, equipment costs, and contracting costs for the following categories: operations, maintenance and repair, park improvement, and administrative overhead.

(3) A plan for addressing any needs identified in subsection (1), including estimated costs for opening all such amenities or areas no later than July 1, 2035, to ensure access to and the

And the title is amended as follows:

Delete lines 16-28 and insert: term "conservation-based recreational uses"; prohibiting the construction of certain facilities within the boundaries of state parks for the protection of certain resources; providing construction; making technical changes; amending s. 258.007, F.S.; requiring the division to comply with specified provisions when granting certain privileges, leases, concessions, and permits; authorizing the division to acquire, install, or permit the installation or operation at state parks of campsites and cabins that meet certain requirements; prohibiting the division from authorizing certain uses or construction activities within a state park; prohibiting the division from installing or permitting the installation of any lodging establishment within the boundaries of a state park; providing construction; creating s. 258.152, F.S.; designating the St. Marks River Preserve State Park as Ney Landrum State Park; amending s. 259.032, F.S.; requiring that

On motion by Senator Harrell, by two-thirds vote, **CS for CS for HB 209**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

CS for SB 716—A bill to be entitled An act relating to sexual offenses by persons previously convicted of sexual offenses; creating s. 794.0116, F.S.; providing mandatory minimum terms of imprisonment for specified sexual offenses when committed by registered sexual offenders or sexual predators; providing requirements for such sentences; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 716**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1455** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Martin—

CS for CS for HB 1455—A bill to be entitled An act relating to sexual offenses by persons previously convicted of sexual offenses; creating s. 794.0116, F.S.; providing mandatory minimum sentences for specified sexual offenses when committed by persons who have previously committed specified sexual offenses; providing requirements for such sentences; providing an effective date.

—a companion measure, was substituted for **CS for SB 716** and read the second time by title.

Senator Martin moved the following amendment which was adopted:

Amendment 1 (662944) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 794.0116, Florida Statutes, is created to read:

794.0116 Sexual offenses by registered sexual offenders or sexual predators; mandatory sentencing.—

(1) A person who was previously convicted of or had adjudication withheld for any offense listed in s. 775.21 or s. 943.0435 and commits a violation of s. 787.025(2)(c); s. 794.011, excluding s. 794.011(10); s. 800.04(4) or (5); s. 825.1025(2) or (3); s. 827.071; or s. 847.0145 shall be sentenced to a mandatory minimum term of imprisonment as follows:

Florida Statute	*Mandatory minimum*
787.025(2)(c)	*10 years*
794.011, excluding s. 794.011(10)	*10 years*
800.04(4) or (5)	*10 years*
825.1025(2) or (3)	*10 years*
827.071 (victim older than 12 years of age)	*10 years*
827.071 (victim 12 years of age or younger)	*20 years*
847.0145	*10 years*

(2) Notwithstanding s. 775.082(3), chapter 958, any other law, or any interpretation or construction thereof, a person subject to sentencing under this section must be sentenced to the mandatory term of imprisonment provided under this section. If the mandatory minimum term of imprisonment imposed under this section exceeds the maximum sentence authorized under s. 775.082, s. 775.084, or chapter 921, the mandatory minimum term of imprisonment under this section must be imposed. If the mandatory minimum term of imprisonment under this section is less than the sentence that could be imposed under s. 775.082, s. 775.084, or chapter 921, the sentence imposed must include the mandatory minimum term of imprisonment under this section.

(3) A defendant sentenced to a mandatory minimum term of imprisonment under this section is not eligible for statutory gain-time under s. 944.275 or any form of discretionary early release, other than pardon or executive clemency, or conditional medical release under s. 947.149, before serving the minimum sentence.

Section 2. This act shall take effect on October 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to sexual offenses by persons previously convicted of sexual offenses; creating s. 794.0116, F.S.; providing mandatory minimum terms of imprisonment for specified sexual offenses when committed by registered sexual offenders or sexual predators; providing requirements for such sentences; providing an effective date.

On motion by Senator Martin, by two-thirds vote, **CS for CS for HB 1455**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

SENATOR PASSIDOMO PRESIDING

CS for CS for SB 270—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.531, F.S.; revising eligibility requirements for a student who earns a high school diploma from a non-Florida school under certain circumstances; amending s. 1009.534, F.S.; revising student eligibility requirements for the Florida Academic Scholars award to include earning an Advanced Placement Capstone designation from the College Board; providing requirements for the designation; amending s. 1009.26, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 270**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 1105** was withdrawn from the Committee on Rules.

On motion by Senator Burgess, the rules were waived and—

CS for CS for CS for HB 1105—A bill to be entitled An act relating to education; amending s. 1003.4282, F.S.; requiring certain internships to be included in counseling materials and presented with certain courses; requiring the Department of Education to develop certain courses; removing obsolete language; revising the requirements students must meet to satisfy the graduation requirements of the Career and Technical Education pathway option; amending s. 1003.4321, F.S.; revising the eligibility criteria for a student to earn the Seal of Fine Arts; amending s. 1003.491, F.S.; revising the requirements of a certain strategic 3-year plan to include promotion of specified Florida Bright Futures Scholarship awards; amending s. 1003.493, F.S.; requiring certain career and professional academies and secondary schools to promote the Florida Gold Seal CAPE Scholars award; amending ss. 1009.22 and 1009.23, F.S.; prohibiting the transportation access fee from being included in the calculation of Florida Gold Seal CAPE Scholars awards; amending s. 1009.26, F.S.; conforming a cross-reference; amending s. 1009.531, F.S.; revising eligibility requirements for a Florida Bright Futures Scholarship award for certain students who earn a high school diploma from a non-Florida school; amending s. 1009.534, F.S.; removing obsolete language; revising student eligibility requirements for the Florida Academic Scholars award; providing requirements for the Advanced Placement Capstone designation as an eligibility requirement for the Florida Academic Scholars award; amending s. 1009.535, F.S.; removing obsolete language; amending s. 1009.536, F.S.; removing obsolete language; revising student eligibility requirements for the Florida Gold Seal Vocational Scholars and the Florida Gold Seal CAPE Scholars awards; amending s. 1007.271, F.S.; removing obsolete language; revising the requirements for certain career dual enrollment agreements; revising the requirements for certain dual enrollment articulation agreements; amending s. 1009.986, F.S.; revising membership of the board of directors of Florida ABLE, Inc.; requiring the board of directors to annually elect a chair; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 270** and read the second time by title.

Senator Burgess moved the following amendment which was adopted:

Amendment 1 (829028) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (1) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(a) *District school boards are not subject to the requirements for rules in this chapter when making and adopting rules with public input at a public meeting.* Notwithstanding s. 120.536(1) and the flush left provisions of s. 120.52(8), district school boards may adopt rules to implement their general powers under s. 1001.41.

Section 2. Subsections (5) and (6) are added to section 1001.23, Florida Statutes, to read:

1001.23 Specific powers and duties of the Department of Education.—In addition to all other duties assigned to it by law or by rule of the State Board of Education, the department shall:

(5) Annually by August 1, inform district school superintendents that pursuant to s. 120.565, the superintendents may receive a declaratory statement, within 90 days after submitting a petition to receive such statement, regarding the department's opinion as to the applicability of a statutory or rule provision to a school district as it applies to the district's particular set of circumstances.

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

Section 3. Paragraph (l) of subsection (12) of section 1001.42, Florida Statutes, is amended to read:

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

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

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

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

~~a. The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse as defined in s. 11.45(1).~~

~~b. Compliance with applicable laws, rules, contracts, grant agreements, district school board-approved policies, and best practices.~~

~~c. The efficiency of operations.~~

~~d. The reliability of financial records and reports.~~

~~e. The safeguarding of assets.~~

~~f. Financial solvency.~~

~~g. Projected revenues and expenditures.~~

~~h. The rate of change in the general fund balance.~~

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

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

Section 4. Subsection (16) of section 1002.20, Florida Statutes, is amended to read:

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

(16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS; FISCAL TRANSPARENCY.—Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable under s. 1008.341, the school's improvement rating, and the school's accountability report, including the school financial report as required under s. 1010.215. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school~~, which must also be included in the student handbook or a similar publication~~. *The department shall produce the reports required under this subsection and make the reports for each school available on the department's website in a prominent location. Each public school district must provide a link on its website to such reports for parent access.*

Section 5. Paragraph (g) of subsection (18) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

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

Section 6. Paragraph (a) of subsection (5) of section 1002.451, Florida Statutes, is amended to read:

1002.451 District innovation school of technology program.—

(5) EXEMPTION FROM STATUTES.—

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

1. Laws pertaining to the following:

a. Schools of technology, including this section.

b. Student assessment program and school grading system.

c. Services to students who have disabilities.

d. Civil rights, including s. 1000.05, relating to discrimination.

e. Student health, safety, and welfare.

2. Laws governing the election and compensation of district school board members and election or appointment and compensation of district school superintendents.

3. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.

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

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

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual *or instructional multiyear* contracts for instructional personnel. This subparagraph does not apply to at-will employees.

7. Section 1012.34, relating to requirements for performance evaluations of instructional personnel and school administrators.

Section 7. Paragraph (a) of subsection (10) of section 1002.61, Florida Statutes, is amended to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

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

Section 8. Subsection (9) of section 1002.63, Florida Statutes, is amended to read:

1002.63 School-year prekindergarten program delivered by public schools.—

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

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

Section 9. Paragraph (b) of subsection (6) and subsection (7) of section 1002.71, Florida Statutes, are amended to read:

1002.71 Funding; financial and attendance reporting.—

(6)

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

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

VERIFICATION OF STUDENT'S ATTENDANCE AND CERTIFICATION OF PARENTAL CHOICE

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

(Signature of Parent)

(Date)

3. The private prekindergarten provider ~~or public school~~ must keep each original signed form for at least 2 years. Each private pre-

kindergarten provider must permit the early learning coalition~~, and each public school must permit the school district,~~ to inspect the original signed forms during normal business hours. The department shall adopt procedures for early learning coalitions ~~and school districts~~ to review the original signed forms against the certified student attendance. The review procedures *must* ~~shall~~ provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition ~~and the school districts~~ must comply with the review procedures.

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

Section 10. Subsection (4) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

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

Section 11. Paragraph (b) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

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

Section 12. Effective upon becoming a law, paragraph (b) of subsection (1), paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (5), subsection (6), and paragraph (a) of subsection (7), of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.—

(1) TWENTY-FOUR CREDITS REQUIRED.—

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(2), including work-related internships approved by the State Board of Education and identified in the course code directory. *Such internships must be included in counseling materials and presented with courses required for graduation.* However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the state academic standards for that subject. An applied course aligns with state academic standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

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

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

(b) Four credits in mathematics.—

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

2. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry. A student may earn two mathematics credits by successfully completing Algebra I through two full-year courses. A certified school counselor or the principal's designee *shall* ~~must~~ advise the student that admission to a state university may require the student to earn 3 additional mathematics credits that are at least as rigorous as Algebra I.

3. A student who earns a computer science credit may substitute the credit for up to one credit of the mathematics requirement, with the exception of Algebra I and Geometry, if the commissioner identifies the computer science credit as being equivalent in rigor to the mathematics credit. An identified computer science credit may not be used to substitute for both a mathematics and a science credit. A student who earns an industry certification in 3D rapid prototype printing may satisfy up to two credits of the mathematics requirement, with the exception of

Algebra I, if the commissioner identifies the certification as being equivalent in rigor to the mathematics credit or credits.

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

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

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

(7) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL CREDIT REQUIREMENTS.—

(a) Participation in *equivalent, applied, or integrated courses or* career education courses engages students in their high school education, increases academic achievement, enhances employability, and increases postsecondary success. The department shall develop, for approval by the State Board of Education, multiple, additional *equivalent, applied, or integrated courses or* career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection and allow students to earn credit in ~~both~~ the *equivalent, applied, or integrated courses or* career education course and courses required for high school graduation under this section and s. 1003.4281.

1. The state board must determine at least biennially whether sufficient academic standards are covered to warrant the award of academic credit, including satisfaction of graduation, assessment, and state university admissions requirements under this section.

2. Career education courses must:

a. Include workforce and digital literacy skills.

b. Integrate required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships. The department shall negotiate state licenses for material and testing for industry certifications.

The instructional methodology used in these courses must comprise authentic projects, problems, and activities for contextual academic learning and emphasize workplace skills identified under s. 445.06.

3. A student who earns credit upon completion of 1 year of related technical instruction for an apprenticeship program registered with the Department of Education under chapter 446 or preapprenticeship program registered with the Department of Education under chapter 446 may use such credit to satisfy the high school graduation credit requirements in paragraph (3)(e) or paragraph (3)(g). The state board shall approve and identify in the Course Code Directory the apprenticeship and preapprenticeship programs from which earned credit may be used pursuant to this subparagraph.

4. The State Board of Education shall, by rule, establish a process that enables a student to receive work-based learning credit or credit in electives for completing a threshold level of demonstrable participation in extracurricular activities associated with career and technical student organizations. Work-based learning credit or credit in electives for extracurricular activities or supervised agricultural experiences may not be limited by grade level.

Section 13. Paragraph (a) of subsection (3) of section 1003.4321, Florida Statutes, is amended to read:

1003.4321 Florida Seal of Fine Arts Program for high school graduates.—

(3)(a) Beginning with the 2024-2025 school year, the Seal of Fine Arts shall be awarded to a high school student who has earned a standard high school diploma; successfully completed at least three year-long courses in dance, music, theater, or the visual arts with a grade of "A" or higher in each course or earned three sequential course credits in such courses with a grade of "A" or higher in each course; and meets a minimum of two of the following requirements:

1. Successfully completes a fine arts International Baccalaureate, *an Advanced International Certificate of Education,* advanced placement, dual enrollment, or honors course in the subjects listed in this paragraph with a grade of "B" or higher.

2. Participates in a district or statewide organization's juried event as a selected student participant for 2 or more years.

3. Records at least 25 volunteer hours of arts-related community service in his or her community and presents a comprehensive presentation on his or her experiences.

4. Meets the requirements of a portfolio-based program identifying the student as an exemplary practitioner of the fine arts.

5. Receives district, state, or national recognition for the creation and submission of an original work of art. For purposes of this paragraph, the term "work of art" means a musical or theatrical composition, visual artwork, or choreographed routine or performance.

Section 14. Effective upon becoming a law, section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

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

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

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

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

~~(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school~~

~~graduation. A student attending an adult general education program shall have the opportunity to take any must pass assessment under s. 1003.4282 or s. 1008.22 an unlimited number of times in order to receive a standard high school diploma.~~

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

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

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

Section 15. Paragraph (n) of subsection (3) of section 1003.491, Florida Statutes, is amended to read:

1003.491 Florida Career and Professional Education Act.—The Florida Career and Professional Education Act is created to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.

(3) The strategic 3-year plan developed jointly by the local school district, local workforce development boards, economic development agencies, and state-approved postsecondary institutions must be constructed and based on:

(n) Promotion of the benefits of the *Florida* Gold Seal *Vocational Scholars and Florida Gold Seal CAPE Scholars awards within the Florida* Bright Futures Scholarship *Program*;

Section 16. Paragraph (c) of subsection (4) of section 1003.493, Florida Statutes, is amended to read:

1003.493 Career and professional academies and career-themed courses.—

(4) Each career and professional academy and secondary school providing a career-themed course must:

(c) Promote and provide opportunities for students enrolled in a career and professional academy or a career-themed course to attain, at minimum, the Florida Gold Seal Vocational Scholars award *or the Florida Gold Seal CAPE Scholars award* pursuant to s. 1009.536.

Section 17. Subsection (2) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Purchase of instructional materials.—

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

Section 18. Subsection (7) of section 1007.271, Florida Statutes, is amended, and paragraph (p) is added to subsection (21) of that section, to read:

1007.271 Dual enrollment programs.—

(7) Career dual enrollment shall be provided as a curricular option for secondary students to pursue in order to earn industry certifications adopted pursuant to s. 1008.44, which count as credits toward the high school diploma. Career dual enrollment shall be available for secondary students seeking a degree and industry certification through a career education program or course. Each career center established under s. 1001.44 shall enter into an agreement with each high school in any school district it serves. ~~Beginning with the 2019-2020 school year,~~ The agreement must be completed annually and submitted by the career center to the Department of Education by August 1. The agreement must:

(a) Identify the courses and programs that are available to students through career dual enrollment and the clock hour credits that students will earn upon completion of each course and program.

(b) Delineate the high school credit earned for the completion of each career dual enrollment course.

(c) Identify any college credit articulation agreements associated with each clock hour program.

(d) Describe how students and parents will be informed of career dual enrollment opportunities and related workforce demand, how students can apply to participate in a career dual enrollment program and register for courses through their high schools, and the postsecondary career education expectations for participating students.

(e) Establish any additional eligibility requirements for participation and a process for determining eligibility and monitoring the progress of participating students.

(f) Delineate costs incurred by each entity and determine how transportation will be provided for students who are unable to provide their own transportation *and how students will be notified of such transportation*.

(g) Address scheduling changes that will increase access and student participation.

(21) Each district school superintendent and each public postsecondary institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and postsecondary institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the postsecondary institution to the Department of Education on or before August 1. The agreement must include, but is not limited to:

(p) Any scheduling changes that are necessary to increase access and student participation.

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

1008.212 Students with disabilities; extraordinary exemption.—

(2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(d) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption. *The first two administrations of the coordinated screening and progress monitoring system under s. 1008.25(9) or any alternate assessments used in lieu of such administrations are not subject to the requirements of this section.*

(3) The IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption *from the end-of-year or end-of-course statewide, standardized assessment* at any time during the school year, but not later than 60 days before the current year's assessment administration for which the request is made. A request must include all of the following:

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

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

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

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

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

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

(g) Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment in prior assessments.

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

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

1008.22 Student assessment program for public schools.—

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(a) The Commissioner of Education shall establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedules. *By January 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment schedule for, at a minimum, the next 2 school years.* The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized ELA and Mathematics assessments and all statewide, standardized EOC assessments must be made available no later than June 30, except for results for the grade 3 statewide, standardized ELA assessment, which must be made available no later than May 31. Beginning with the 2023-2024 school year, assessment results for the statewide, standardized ELA and Mathematics assessments must be available no later than May 31. School districts shall administer statewide, standardized assessments in accordance with the schedule established by the commissioner.

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

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

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

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

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

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

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

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

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

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

(c)~~(d)~~ Each school district shall*, by November 1 of each year,* establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a district school board meeting. Each school district shall publish ~~the~~ testing schedules on its website *which specify whether an assessment is a state-required or district-required assessment and the grade bands or subject areas associated with the assessments* ~~using the uniform calendar, including all information required under paragraph (b), and submit the schedules to the Department of Education by October 1 of each year~~. Each public school shall publish schedules for statewide, standardized assessments and district-required assessments on its website ~~using the uniform calendar, including all information required under paragraph (b)~~. The *school board-approved assessment* ~~uniform~~ calendar must be included in the parent guide required by s. 1002.23(5).

Section 21. Paragraph (b) of subsection (7) and paragraphs (b), (c), and (d) of subsection (9) of section 1008.25, Florida Statutes, are amended to read:

1008.25 Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements.—

(7) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(c), for good cause. A student promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification. Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. Students who demonstrate through a student portfolio that they are performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

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

7. Students who have scored a level 2 or higher on both the initial and midyear administrations of the coordinated screening and progress monitoring system.

(9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

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

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

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

3. For grades 3 through 10 English Language Arts and grades 3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the scheduling requirements under *s. 1008.22(7)(b)* ~~s. 1008.22(7)(c)~~.

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

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

2. In addition to the information under subparagraph (a)5., the report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed parent involvement. Parent resources may include personalized video formats.

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

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

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

Section 22. Paragraph (c) of subsection (3) and subsection (5) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools. The intervention and support strategies must address student performance and may include improvement planning; leadership quality improvement; educator quality improvement; professional learning; curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes. In addition, the state board may prescribe reporting requirements to review and monitor the progress of the schools. The rule must define the intervention and support strategies for school improvement for schools earning a grade of "D" or "F" and the roles for the district and department. *A school may not be required to use the measure of student learning growth in s. 1012.34(7) as the sole determinant to recruit instructional personnel. The rule must create a timeline for a school district's school improvement plan or district-managed turnaround plan to be approved and for the school improvement funds under Title I to be released to the school district. The timeline established in rule for the release of school improvement funding under Title I may not exceed 20 calendar days after the approval of the school improvement plan or district-managed turnaround plan.*

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

Section 23. Paragraph (b) of subsection (13) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(13)

(b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536, the transportation access fee authorized under paragraph (a) may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, ~~or~~ a Florida Gold Seal Vocational Scholars award*, or a Florida Gold Seal CAPE Scholars award*.

Section 24. Paragraph (b) of subsection (18) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—

(18)

(b) Notwithstanding ss. 1009.534, 1009.535, and 1009.536, the transportation access fee authorized under paragraph (a) may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, ~~or~~ a Florida Gold Seal Vocational Scholars award*, or a Florida Gold Seal CAPE Scholars award*.

Section 25. Paragraph (c) of subsection (18) of section 1009.26, Florida Statutes, is amended to read:

1009.26 Fee waivers.—

(18)

(c) Upon enrollment in a Program of Strategic Emphasis or a state-approved teacher preparation program, the tuition and fees waived under this subsection must be reported for state funding purposes under ss. 1009.534 and 1009.535 and must be disbursed to the student. The amount disbursed to the student must be equal to the award amount the student has received under *s. 1009.534(3)* ~~s. 1009.534(2)~~ or s. 1009.535(2).

Section 26. Paragraph (b) of subsection (1) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) In order to be eligible for an initial award from any of the scholarships under the Florida Bright Futures Scholarship Program, a student must:

(b) Earn a standard Florida high school diploma pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41;

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on*, or, within 12 months before the student's high school graduation, has retired from,* military or public service assignment away from Florida; or

3. The student earns a high school diploma from a Florida private school operating pursuant to s. 1002.42.

Section 27. Present subsections (2), (3), and (4) of section 1009.534, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, and a new subsection (2) is added to that section, and subsection (1) of that section is amended, to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office*,* ~~or~~ an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office*, or an Advanced Placement Capstone designation from the College Board beginning with high school students graduating in the 2025-2026 school year*;

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar recipient.

The student must complete a program of volunteer service or~~, beginning with a high school student graduating in the 2022-2023 academic year and thereafter,~~ paid work, as approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include 100 hours of volunteer service, paid work, or a combination of both. ~~Eligible paid work completed on or after June 27, 2022, shall be included in the student's total of paid work hours.~~ The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(2) For purposes of this section, the Advanced Placement Capstone designation consists of earning a score of three or higher on six Advanced Placement Examinations, including Advanced Placement Seminar and Advanced Placement Research; and for students who:

(a) Began high school before the 2025-2026 school year, four Advanced Placement Examinations.

(b) Began high school during the 2025-2026 school year and thereafter, three Advanced Placement Examinations that satisfy the requirements of s. 1003.4282(3)(a)-(d) and one Advanced Placement Examination in a subject of the student's choice.

Receipt of the Advanced Placement Capstone designation does not satisfy the requirements for a standard high school diploma under s. 1003.4282.

Section 28. Subsection (1) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(d) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer service or paid work required under s. 1009.534; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed the program of volunteer service or paid work required under s. 1009.534.

A high school student must complete a program of volunteer service or~~, beginning with a high school student graduating in the 2022-2023 academic year and thereafter,~~ paid work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include 75 hours of volunteer service, 100 hours of paid work, or 100 hours of a combination of both. ~~Eligible paid work completed on or after June 27, 2022, shall be included in a student's total of required paid work hours.~~ The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

Section 29. Subsection (1), paragraph (b) of subsection (2), and subsection (5) of section 1009.536, Florida Statutes, are amended to read:

1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Completes ~~the secondary school portion of a sequential program of studies that requires~~ at least three *high* ~~secondary~~ school career *and technical education* credits. On-the-job training may not be substituted for any of the three required career credits.

(b) Demonstrates readiness for postsecondary education by earning a passing score on the Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education.

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses.

(d) *Has achieved* ~~Earns~~ a minimum unweighted grade point average of 3.5 on a 4.0 scale *in high school* ~~for secondary~~ career *and technical education* courses ~~that comprise the career program~~.

(e) Completes at least 30 hours of volunteer service*, or 75 hours of volunteer service for students entering grade 9 in the 2024-2025 school year and thereafter,* or~~, beginning with high school students graduating in the 2022-2023 academic year and thereafter,~~ 100 hours of paid work, approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. ~~Eligible paid work completed on or after June 27, 2022, shall be included in a student's total of required paid work hours.~~ The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(2) A student is eligible for a Florida Gold Seal CAPE Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program, and the student:

(b) Completes at least 30 hours of volunteer service*, or 75 hours of volunteer service for students entering grade 9 in the 2024-2025 school year and thereafter*, *or completes* ~~beginning with a high school student graduating in the 2022-2023 academic year and thereafter,~~ 100 hours of paid work, approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. ~~Eligible paid work completed on or after June 27, 2022, shall be included in a student's total required paid work hours.~~ The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(5)(a) A student who is ~~initially~~ eligible ~~in the 2012-2013 academic year and thereafter~~ may earn a Florida Gold Seal Vocational Scholarship for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20), up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours.

(b)1. A student who is ~~initially~~ eligible ~~in the 2017-2018 academic year and thereafter~~ for a Florida Gold Seal CAPE Scholars award under subsection (2) may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree, not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20), up to the number of hours required for a specific certificate, not to exceed 72 credit hours or equivalent clock hours. A student who transfers from one of these program levels to another program level is eligible for the higher of the two credit hour limits.

2. A Florida Gold Seal CAPE Scholar who completes a technical degree education program as defined in s. 1004.02(13) may also receive an award for:

a. A maximum of 60 credit hours for a bachelor of science degree program for which there is a statewide associate in science degree program to bachelor of science degree program articulation agreement; or

b. A maximum of 60 credit hours for a bachelor of applied science degree program at a Florida College System institution.

Section 30. Paragraph (d) of subsection (3) of section 1009.986, Florida Statutes, is amended to read:

1009.986 Florida ABLE program.—

(3) DIRECT-SUPPORT ORGANIZATION; FLORIDA ABLE, INC.—

(d)1. The board of directors of Florida ABLE, Inc., shall consist of:

a. The chair of the Florida Prepaid College Board, *or his or her designee* ~~who shall serve as the chair of the board of directors of Florida ABLE, Inc~~.

b. Up to three individuals who possess knowledge, skill, and experience in the areas of accounting, risk management, or investment management, one of whom may be a current member of the Florida Prepaid College Board, who shall be appointed by the Florida Prepaid College Board.

c. One individual who possesses knowledge, skill, and experience in the areas of accounting, risk management, or investment management, who shall be appointed by the Governor.

d. Two individuals who are advocates of persons with disabilities, one of whom shall be appointed by the President of the Senate and one of whom shall be appointed by the Speaker of the House of Representatives. At least one of the individuals appointed under this sub-subparagraph must be an advocate of persons with developmental disabilities, as that term is defined in s. 393.063.

2.a. The term of the appointees under sub-subparagraph 1.b. shall be up to 3 years as determined by the Florida Prepaid College Board. Such appointees may be reappointed.

b. The term of the appointees under sub-subparagraphs 1.c. and d. shall be 3 years. Such appointees may be reappointed.

3. Unless authorized by the board of directors of Florida ABLE, Inc., an individual director has no authority to control or direct the operations of Florida ABLE, Inc., or the actions of its officers and employees.

4. The board of directors of Florida ABLE, Inc.:

a. Shall meet at least quarterly and at other times upon the call of the chair.

b. May use any method of telecommunications to conduct, or establish a quorum at, its meetings or the meetings of a subcommittee or other subdivision if the public is given proper notice of the telecommunications meeting and provided reasonable access to observe and, if appropriate, to participate.

c. Shall annually elect a board member to serve as chair.

5. A majority of the total current membership of the board of directors of Florida ABLE, Inc., constitutes a quorum of the board.

6. Members of the board of directors of Florida ABLE, Inc., and the board's subcommittees or other subdivisions shall serve without compensation; however, the members may be reimbursed for reasonable, necessary, and actual travel expenses pursuant to s. 112.061.

Section 31. Paragraph (e) is added to subsection (2) of section 1010.20, Florida Statutes, to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

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

Section 32. Subsections (2) and (4) of section 1011.035, Florida Statutes, are amended to read:

1011.035 School district fiscal transparency.—

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

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

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

~~1. Summary financial efficiency data.~~

~~2. Fiscal trend information for the previous 3 years on:~~

~~a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.~~

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

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

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

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

~~f. The rate of change in the general fund's ending fund balance not classified as restricted~~.

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

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

(4) The website should contain links to*:*

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

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

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

Section 33. Subsection (1) of section 1011.14, Florida Statutes, is amended to read:

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

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

Section 34. Subsection (2) of section 1011.60, Florida Statutes, is amended to read:

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

(2) MINIMUM TERM.—Operate all schools for a term of 180 actual teaching days or the equivalent on an hourly basis as specified by rules of the State Board of Education each school year. The State Board of Education may prescribe procedures for altering, and, upon written application, may alter, this requirement during a national, state, or

local emergency as it may apply to an individual school or schools in any district or districts *if the district school board certifies to the Commissioner of Education that* ~~if, in the opinion of the board,~~ it is not *necessary* ~~feasible~~ to make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools. A strike, as defined in s. 447.203(6), by employees of the school district may not be considered an emergency.

Section 35. Paragraph (o) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

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

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

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

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

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not rely solely on the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

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

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

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

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

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

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

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

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

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

Section 36. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

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

(3) EXEMPTION FROM LAWS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).

Section 37. Subsection (4) of section 1011.69, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

1011.69 Equity in School-Level Funding Act.—

(4) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high schools above the 50 percent threshold as permitted by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. ~~The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.~~

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of 10 percent;

3. A reasonable and necessary amount to provide:

a. Homeless programs;

b. Delinquent and neglected programs;

c. Prekindergarten programs and activities;

d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs;

4. Up to 5 percent to provide financial incentives and rewards to teachers who serve students in eligible schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a measurement under s. 1012.34(7) or a state-approved Alternative Student Growth Model is unavailable; and

5. ~~4.~~ A necessary and reasonable amount~~, not to exceed 1 percent,~~ for eligible schools*, including charter schools,* to provide educational services in accordance with the approved Title I plan. *Such educational services may include the provision of STEM curricula, instructional materials, and related learning technologies that support academic achievement in science, technology, engineering, and mathematics in Title I schools, including, but not limited to, technologies related to drones, coding, animation, artificial intelligence, cybersecurity, data science, the engineering design process, mobile development, and robotics. Funds may be reserved under this subparagraph only to the extent that all required reservations under federal law have been met and that such reservation does not reduce school-level allocations below the levels required under federal law.*

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. An eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district. Any funds provided by an eligible school to participate in discretionary educational services provided by the school district are not subject to the requirements of this subsection.

(c) Any funds carried forward by the school district are not subject to the requirements of this subsection.

(5) The Department of Education shall make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal law.

Section 38. Paragraphs (c), (e), and (h) of subsection (2) of section 1011.71, Florida Statutes, are amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. 1013.62(1) and (3) and for district schools to fund:

(c) The purchase, lease-purchase, or lease of school buses *or other motor vehicles regularly used for the transportation of prekindergarten disability program and K-12 public school students to and from school or to and from school activities, and owned, operated, rented, contracted, or leased by any district school board*.

(e) Payments for educational *plants, ancillary plants, and auxiliary* facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. The three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this paragraph. If payments under lease-purchase agreements in the aggregate, including lease-purchase agreements entered into before June 30, 2009, exceed three-fourths of the proceeds from the millage levied pursuant to this subsection, the district school board may not withhold the administrative fees authorized by s. 1002.33(20) from any charter school operating in the school district.

(h) Payment of costs of leasing relocatable educational *plants, ancillary plants, and auxiliary* facilities, of renting or leasing educational *plants, ancillary plants, and auxiliary* facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

Section 39. Paragraph (c) of subsection (1) and paragraph (a) of subsection (3) of section 1012.22, Florida Statutes, are amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion,

suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(c) Compensation and salary schedules.—

1. Definitions.—As used in this paragraph:

a. "Adjustment" means an addition to the base salary schedule that is not a bonus and becomes part of the employee's permanent base salary and shall be considered compensation under s. 121.021(22).

b. "Grandfathered salary schedule" means the salary schedule or schedules adopted by a district school board before July 1, 2014, pursuant to subparagraph 4.

c. "Instructional personnel" means instructional personnel as defined in s. 1012.01(2)(a)-(d), excluding substitute teachers.

d. "Performance salary schedule" means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. "Salary schedule" means the schedule or schedules used to provide the base salary for district school board personnel.

f. "School administrator" means a school administrator as defined in s. 1012.01(3)(c).

g. "Supplement" means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee's continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:

a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.

b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may use advanced degrees in setting a salary schedule for instructional personnel or school administrators if the advanced degree is held in the individual's area of certification*, a field related to his or her teaching assignment, or a related field of study. For the purposes of the salary schedule, an advanced degree may include a master's degree or higher in the area of certification or teaching assignment, or an advanced degree in another field with a minimum of 18 graduate semester hours related to the area of certification or teaching assignment*.

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph *4.* ~~5.~~ Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule shall be compensated pursuant to the performance salary schedule once they have received the appropriate performance evaluation for this purpose.

a. Base salary.—The base salary shall be established as follows:

(I) The base salary for instructional personnel or school administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

b. Salary adjustments.—Salary adjustments for highly effective or effective performance shall be established as follows:

(I) The annual salary adjustment under the performance salary schedule for an employee rated as highly effective must be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.

(II) The annual salary adjustment under the performance salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

(III) A salary schedule *may* ~~shall~~ not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.

c. Salary supplements.—In addition to the salary adjustments, each district school board shall provide for salary supplements for activities that must include, but are not limited to:

(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in critical teacher shortage areas. Statewide critical teacher shortage areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of critical shortage within the school district for purposes of this sub-sub-subparagraph and may remove areas identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board's ability to fully fund all adopted salary schedules, the performance salary schedule *may* ~~shall~~ not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

(3)(a) Collective bargaining.—Notwithstanding provisions of chapter 447 related to district school board collective bargaining, collective bargaining may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

1. Providing incentives to effective and highly effective teachers.

2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.

3. Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.

4. Implementing school safety plans and requirements.

5. Implementing staff and student recognition programs.

6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.

7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.

8. The school district's calendar.

9. Providing salary supplements pursuant to sub-sub-subparagraph (1)(c)5.c.(III).

Section 40. Present paragraphs (b) and (c) of subsection (1) of section 1012.335, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, a new paragraph (b) is added to that subsection, paragraphs (d), (e), and (f) are added to subsection (2) of that section, and subsections (3) and (4) of that section are amended, to read:

1012.335 Contracts with instructional personnel hired on or after July 1, 2011.—

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

(b) "Instructional multiyear contract," beginning July 1, 2026, means an employment contract for a period not to exceed 3 years which the district school board may choose to award upon completion of a probationary contract and at least one annual contract.

(2) EMPLOYMENT.—

(d) An instructional multiyear contract may be awarded, beginning July 1, 2026, only if the employee:

1. Holds an active professional certificate or temporary certificate issued pursuant to s. 1012.56 and rules of the State Board of Education;

2. Has been recommended by the district school superintendent for the instructional multiyear contract based upon the individual's evaluation under s. 1012.34 and approved by the district school board; and

3. Has not received an annual performance evaluation rating of unsatisfactory or needs improvement under s. 1012.34.

(e) An employee awarded an instructional multiyear contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement under s. 1012.34 must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause under s. 1012.33.

(f) The award of an instructional multiyear contract does not remove the authority of the district school superintendent to reassign a teacher during the term of the contract.

(3) VIOLATION OF ANNUAL *OR INSTRUCTIONAL MULTIYEAR* CONTRACT.—Instructional personnel who accept a written offer from the district school board and who leave their positions without prior release from the district school board are subject to the jurisdiction of the Education Practices Commission.

(4) SUSPENSION OR DISMISSAL OF INSTRUCTIONAL PERSONNEL ON ANNUAL *OR INSTRUCTIONAL MULTIYEAR* CONTRACT.—Any instructional personnel with an annual *or instructional multiyear* contract may be suspended or dismissed at any time during the term of the contract for just cause as provided in subsection (5). The district school board shall notify the employee in writing whenever charges are made and may suspend such person without pay. However, if the charges are not sustained, the employee *must* ~~shall~~ be immediately reinstated and his or her back pay *must* ~~shall~~ be paid. If the employee wishes to contest the charges, he or she must, within 15 days after receipt of the written notice, submit a written request for a hearing to the district school board. A direct hearing *must* ~~shall~~ be conducted by the district school board or a subcommittee thereof within 60 days after receipt of the written appeal. The hearing *must* ~~shall~~ be conducted in accordance with ss. 120.569 and 120.57. A majority vote of the membership of the district school board shall be required to sustain the district school superintendent's recommendation. The district school board's determination is final as to the sufficiency or insufficiency of the grounds for suspension without pay or dismissal. Any such decision adverse to the employee may be appealed by the employee pursuant to s. 120.68.

Section 41. Paragraph (c) of subsection (1) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and 1012.57, or any other provision of law or rule to the contrary, each district school board shall establish the minimal qualifications for:

(c) Part-time and full-time nondegreed teachers of career programs. Qualifications must be established for nondegreed teachers of career and technical education courses for program clusters that are recognized in the state and are based primarily on successful occupational experience rather than academic training. The qualifications for such teachers must require:

1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.

2. Documentation of education and successful occupational experience, including documentation of:

a. A high school diploma or the equivalent.

b. Completion of *a minimum level, established by the district school board,* ~~3 years~~ of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.

c. ~~For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students. This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program, or the local school district inservice master plan.~~

~~d.~~ Documentation of industry certification when state or national industry certifications are available and applicable.

Section 42. Paragraphs (a), (b), (d), and (e) of subsection (2) of section 1012.555, Florida Statutes, are amended to read:

1012.555 Teacher Apprenticeship Program.—

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

1. *Be enrolled in or have completed* ~~Have received~~ an associate degree *program at* ~~from~~ an accredited postsecondary institution.

2. Have earned a cumulative grade point average of 2.5 in that degree program.

3. Have successfully passed a background screening as provided in s. 1012.32.

4. Have received a temporary apprenticeship certificate as provided in s. 1012.56(7)(d).

(b) As a condition of participating in the program, an apprentice teacher must commit to spending at least the first 2 years in the classroom of a mentor teacher using team teaching strategies identified in *s. 1003.03(4)(b)* ~~s. 1003.03(5)(b)~~ and fulfilling the on-the-job training

component of the registered apprenticeship and its associated standards.

(d) An apprentice teacher must be appointed by the district school board *or work in the district* as an education paraprofessional and must be paid in accordance with s. 446.032 and rules adopted by the State Board of Education.

(e) An apprentice teacher may change schools or districts after the first year of his or her apprenticeship if the *receiving* ~~hiring~~ school or district has agreed to fund the remaining year of the apprenticeship.

Section 43. Paragraph (g) of subsection (2), and paragraph (a) of subsection (8) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(2) ELIGIBILITY CRITERIA.—To be eligible to seek certification, a person must:

(g) Demonstrate mastery of general knowledge pursuant to subsection (3)*, if the person serves as a classroom teacher as defined in s. 1012.01(2)(a)*.

(8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional learning certification program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. These entities may collaborate with other supporting agencies or educational entities for implementation. The program shall include the following:

1. A teacher mentorship and induction component.

a. Each individual selected by the district, charter school, or charter management organization as a mentor:

(I) Must hold a valid professional certificate issued pursuant to this section;

(II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;

(III) Must have completed training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional learning under s. 1012.98(4);

(IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation; and

(V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.

b. The teacher mentorship and induction component must, at a minimum, provide routine opportunities for mentoring and induction activities, including ongoing professional learning as described in s. 1012.98 targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and *follow-up* ~~followup~~ discussions. Professional learning must meet the criteria established in s. 1012.98(3). Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section.

2. An assessment of teaching performance aligned to the district's, charter school's, or charter management organization's system for personnel evaluation under s. 1012.34 which provides for:

a. An initial evaluation of each educator's competencies to determine an appropriate individualized professional learning plan.

b. A summative evaluation to assure successful completion of the program.

3. Professional education preparation content knowledge, which must be included in the mentoring and induction activities under subparagraph 1., that includes, but is not limited to, the following:

a. The state academic standards provided under s. 1003.41, including scientifically researched and evidence-based reading instructional strategies grounded in the science of reading, content literacy, and mathematical practices, for each subject identified on the temporary certificate. Reading instructional strategies for foundational skills shall include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

b. The educator-accomplished practices approved by the state board.

4. Required achievement of passing scores on the subject area and professional education competency examination required by State Board of Education rule. Mastery of general knowledge must be demonstrated as described in subsection (3).

5. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum.

Section 44. Paragraph (a) of subsection (2), subsection (3), and paragraph (b) of subsection (5) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(2)(a) All professional certificates, except a nonrenewable professional certificate, *are* ~~shall be~~ renewable for successive periods not to exceed *10* ~~5~~ years after the date of submission of documentation of completion of the requirements for renewal provided in subsection (3). Only one renewal may be granted during each 5-year *or 10-year* validity period of a professional certificate.

1. An applicant who is rated highly effective, pursuant to s. 1012.34, in the first 4 years of the 5-year validity period of his or her professional certificate is eligible for a professional certificate valid for 10 years. An applicant must be issued at least one 5-year professional certificate to be eligible for a 10-year professional certificate. An applicant who does not meet the requirement of this subparagraph is eligible only to renew his or her 5-year professional certificate.

2. An applicant who is rated effective or highly effective, pursuant to s. 1012.34, for the first 9 years of the 10-year validity period of his or her professional certificate is eligible to renew a professional certificate valid for 10 years. An applicant issued a 10-year professional certificate who does not meet the requirement of this subparagraph is eligible only for renewal of a professional certificate valid for 5 years.

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must*:*

1. Earn a minimum of 6 college credits or 120 inservice points or a combination thereof *for a certificate valid for 5 years*.

2. Earn a minimum of 12 college credits or 240 inservice points or a combination thereof for a professional certificate valid for 10 years. A minimum of 5 college credits or 100 inservice points or a combination thereof must be earned within the first 5 years of a professional certificate valid for 10 years.

(b) For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical edu-

cator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to s. 1012.56(8)(a); and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6. Each district school board shall include in its inservice master plan the ability for teachers to receive inservice points for supporting students in extracurricular career and technical education activities, such as career and technical student organization activities outside of regular school hours and training related to supervising students participating in a career and technical student organization. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph.

(c)~~(b)~~ In lieu of college course credit or inservice points, the applicant may renew a subject area specialization by passage of a state board approved Florida-developed subject area examination or, if a Florida subject area examination has not been developed, a standardized examination specified in state board rule.

(d)~~(c)~~ If an applicant wishes to retain more than two specialization areas on the certificate, the applicant *must* ~~shall~~ be permitted two successive validity periods for renewal of all specialization areas, but must earn no fewer than 6 college course credit hours or the equivalent *inservice points* in any one validity period.

(e)~~(d)~~ The State Board of Education shall adopt rules for the expanded use of training for renewal of the professional certificate for educators who are required to complete training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading as follows:

1. A teacher who holds a professional certificate may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading in excess of 6 semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods.

2. A teacher who holds a temporary certificate may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading toward renewal of the teacher's first professional certificate. Such training must not have been included within the degree program, and the teacher's temporary and professional certificates must be issued for consecutive school years.

(f)~~(e)~~ Beginning July 1, 2014, an applicant for renewal of a professional certificate must earn a minimum of one college credit or the equivalent inservice points in the area of instruction for teaching students with disabilities. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(g)~~(f)~~ An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or the equivalent inservice points in evidence-based instruction and interventions grounded in the science of reading specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional learning systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(h)~~(g)~~ An applicant for renewal of a professional certificate in educational leadership from a Level I program under s. 1012.562(2) or Level II program under s. 1012.562(3), with a beginning validity date of July 1, 2025, or thereafter, must earn a minimum of 1 college credit or 20 inservice points in Florida's educational leadership standards, as established in rule by the State Board of Education. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(i)~~(h)~~ A teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth.

(5) The State Board of Education shall adopt rules to allow the reinstatement of expired professional certificates. The department may reinstate an expired professional certificate if the certificateholder:

(b) Documents completion of 6 college credits during the 5 years immediately preceding reinstatement of the expired certificate, completion of 120 inservice points, or a combination thereof, in an area specified in paragraph *(3)(b)* ~~(3)(a)~~ to include the credit required under paragraph *(3)(f)* ~~(3)(e)~~.

The requirements of this subsection may not be satisfied by subject area examinations or college credits completed for issuance of the certificate that has expired.

Section 45. Section 1013.19, Florida Statutes, is amended to read:

1013.19 Purchase, conveyance, or encumbrance of property interests above surface of land; joint-occupancy structures.—For the purpose of implementing jointly financed construction project agreements, or for the construction of combined occupancy structures, any board may purchase, own, convey, sell, lease, or encumber airspace or any other interests in property above the surface of the land, provided the lease of airspace for nonpublic use is for such reasonable rent, length of term, and conditions as the board in its discretion may determine. All proceeds from such sale or lease shall be used by *a* ~~the~~ board *of trustees for a Florida College System institution or state university* ~~or boards~~ receiving the proceeds solely for fixed capital outlay purposes. These purposes may include the renovation or remodeling of existing facilities owned by the board or the construction of new facilities; however, for a Florida College System institution board or university board, such new facility must be authorized by the Legislature. It is declared that the use of such rental by the board for public purposes in accordance with its statutory authority is a public use. Airspace or any other interest in property held by the Board of Trustees of the Internal Improvement Trust Fund or the State Board of Education may not be divested or conveyed without approval of the respective board. Any building, including any building or facility component that is common to both nonpublic and educational portions thereof, constructed in airspace that is sold or leased for nonpublic use pursuant to this section is subject to all applicable state, county, and municipal regulations pertaining to land use, zoning, construction of buildings, fire protection, health, and safety to the same extent and in the same manner as such regulations would be applicable to the construction of a building for nonpublic use on the appurtenant land beneath the subject airspace. Any educational facility constructed or leased as a part of a joint-occupancy facility is subject to all rules and requirements of the respective boards or departments having jurisdiction over educational facilities. Any contract executed by a university board of trustees pursuant to this section is subject to the provisions of s. 1010.62.

Section 46. Section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

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

~~(a) "Adopted educational facilities plan" means the comprehensive planning document that is adopted annually by the district school board as provided in subsection (2) and that contains the educational plant survey.~~

~~(b) "District facilities work program" means the 5-year listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, which is required in order to:~~

~~1. Properly maintain the educational plant and ancillary facilities of the district.~~

~~2. Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs.~~

~~(c) "Tentative educational facilities plan" means the comprehensive planning document prepared annually by the district school board and submitted to the Office of Educational Facilities and the affected general purpose local governments.~~

~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.—~~

~~(a)~~ Annually, *before* ~~prior to~~ the adoption of the district school budget, each district school board shall prepare a tentative district educational facilities plan that includes long-range planning for facilities needs ~~over 5-year, 10-year, and 20-year periods~~. *The district school board shall submit the tentative facilities plan to the department* ~~The plan must be developed in coordination with the general-purpose local governments and be consistent with the local government comprehensive plans. The school board's plan for provision of new schools must meet the needs of all growing communities in the district, ranging from small rural communities to large urban cities. The plan must include:~~

~~1. Projected student populations apportioned geographically at the local level. The projections must be based on information produced by the demographic, revenue, and education estimating conferences pursuant to s. 216.136, where available, as modified by the district based on development data and agreement with the local governments and the Office of Educational Facilities. The projections must be apportioned geographically with assistance from the local governments using local development trend data and the school district student enrollment data.~~

~~2. An inventory of existing school facilities. Any anticipated expansions or closures of existing school sites over the 5-year, 10-year, and 20-year periods must be identified. The inventory must include an assessment of areas proximate to existing schools and identification of the need for improvements to infrastructure, safety, including safe access routes, and conditions in the community. The plan must also provide a listing of major repairs and renovation projects anticipated over the period of the plan.~~

~~3. Projections of facilities space needs, which may not exceed the norm space and occupant design criteria established in the State Requirements for Educational Facilities.~~

~~4. Information on leased, loaned, and donated space and relocatables used for conducting the district's instructional programs.~~

~~5. The general location of public schools proposed to be constructed over the 5-year, 10-year, and 20-year time periods, including a listing of the proposed schools' site acreage needs and anticipated capacity and maps showing the general locations. The school board's identification of general locations of future school sites must be based on the school siting requirements of s. 163.3177(6)(a) and policies in the comprehensive plan which provide guidance for appropriate locations for school sites.~~

~~6. The identification of options deemed reasonable and approved by the school board which reduce the need for additional permanent student stations. Such options may include, but need not be limited to:~~

~~a. Acceptable capacity;~~

~~b. Redistricting;~~

~~c. Busing;~~

~~d. Year round schools;~~

~~e. Charter schools;~~

~~f. Magnet schools; and~~

~~g. Public private partnerships.~~

~~7. The criteria and method, jointly determined by the local government and the school board, for determining the impact of proposed development to public school capacity.~~

~~(b) The plan must also include a financially feasible district facilities work program for a 5-year period. The work program must include:~~

~~1. A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.~~

~~2. A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs. This schedule shall consider:~~

~~a. The locations, capacities, and planned utilization rates of current educational facilities of the district. The capacity of existing satisfactory facilities, as reported in the Florida Inventory of School Houses must be compared to the capital outlay full-time-equivalent student enrollment as determined by the department, including all enrollment used in the calculation of the distribution formula in s. 1013.64.~~

~~b. The proposed locations of planned facilities, whether those locations are consistent with the comprehensive plans of all affected local governments, and recommendations for infrastructure and other improvements to land adjacent to existing facilities. The provisions of ss. 1013.33(6), (7), and (8) and 1013.36 must be addressed for new facilities planned within the first 3 years of the work plan, as appropriate.~~

~~c. Plans for the use and location of relocatable facilities, leased facilities, and charter school facilities.~~

~~d. Plans for multitrack scheduling, grade level organization, block scheduling, or other alternatives that reduce the need for additional permanent student stations.~~

~~e. Information concerning average class size and utilization rate by grade level within the district which will result if the tentative district facilities work program is fully implemented.~~

~~f. The number and percentage of district students planned to be educated in relocatable facilities during each year of the tentative district facilities work program. For determining future needs, student capacity may not be assigned to any relocatable classroom that is scheduled for elimination or replacement with a permanent educational facility in the current year of the adopted district educational facilities plan and in the district facilities work program adopted under this section. Those relocatable classrooms clearly identified and scheduled for replacement in a school board adopted, financially feasible, 5-year district facilities work program shall be counted at zero capacity at the time the work program is adopted and approved by the school board. However, if the district facilities work program is changed and the relocatable classrooms are not replaced as scheduled in the work program, the classrooms must be reentered into the system and be counted at actual capacity. Relocatable classrooms may not be perpetually added to the work program or continually extended for purposes of circumventing this section. All relocatable classrooms not identified and scheduled for replacement, including those owned, lease purchased, or leased by the school district, must be counted at actual student capacity. The district educational facilities plan must identify the number of relocatable student stations scheduled for replacement during the 5-year survey period and the total dollar amount needed for that replacement.~~

~~g. Plans for the closure of any school, including plans for disposition of the facility or usage of facility space, and anticipated revenues.~~

~~h. Projects for which capital outlay and debt service funds accruing under s. 9(d), Art. XII of the State Constitution are to be used shall be identified separately in priority order on a project priority list within the district facilities work program.~~

~~3. The projected cost for each project identified in the district facilities work program. For proposed projects for new student stations, a schedule shall be prepared comparing the planned cost and square footage for each new student station, by elementary, middle, and high school levels, to the low, average, and high cost of facilities constructed throughout the state during the most recent fiscal year for which data is available from the Department of Education.~~

~~4. A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.~~

~~5. A schedule indicating which projects included in the district facilities work program will be funded from current revenues projected in subparagraph 4.~~

~~6. A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded under subparagraph 5. Additional anticipated revenues may include Classrooms First funds.~~

~~(c) To the extent available, the tentative district educational facilities plan shall be based on information produced by the demographic, revenue, and education estimating conferences pursuant to s. 216.136.~~

(2)~~(d)~~ Provision *must* ~~shall~~ be made for public comment concerning the tentative district educational facilities plan.

~~(e) The district school board shall coordinate with each affected local government to ensure consistency between the tentative district educational facilities plan and the local government comprehensive plans of the affected local governments during the development of the tentative district educational facilities plan.~~

(3)~~(f)~~ Not less than once every 5 years, the district school board shall have an audit conducted of the district's educational planning and construction activities. An operational audit conducted by the Auditor General pursuant to s. 11.45 satisfies this requirement.

(4)~~(3)~~ ~~SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN TO LOCAL GOVERNMENT.~~—The district school board shall submit a copy of its tentative district educational facilities plan to all affected local governments *before* ~~prior to~~ adoption by the board. The affected local governments *may* ~~shall~~ review the tentative district educational facilities plan and comment to the district school board on the consistency of the plan with the local comprehensive plan, whether a comprehensive plan amendment will be necessary for any proposed educational facility, and whether the local government supports a necessary comprehensive plan amendment. If the local government does not support a comprehensive plan amendment for a proposed educational facility, the matter *must* ~~shall~~ be resolved pursuant to the interlocal agreement when required by ss. 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the submittal and review *must* ~~shall~~ be detailed in the interlocal agreement when required pursuant to ss. 163.3177(6)(h), 163.31777, and 1013.33(2).

(5)~~(4)~~ ~~ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~—Annually, the district school board shall consider and adopt the tentative district educational facilities plan ~~completed pursuant to subsection (2)~~. Upon giving proper notice to the public and local governments and opportunity for public comment, the district school board may amend the plan to revise the priority of projects, to add or delete projects, to reflect the impact of change orders, or to reflect the approval of new revenue sources which may become available. *The district school board shall submit the revised plan to the department.* The adopted district educational facilities plan *must* ~~shall~~:

(a) Be a complete, balanced, and financially feasible capital outlay financial plan for the district.

(b) Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.

(6)~~(5)~~ ~~EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~—The first year of the adopted district educational facilities plan *constitutes* ~~shall constitute~~ the capital outlay budget required in s. 1013.61. ~~The adopted district educational facilities plan shall include the information required in subparagraphs (2)(b)1., 2., and 3., based upon projects actually funded in the plan.~~

Section 47. Subsections (3) and (4) of section 1013.41, Florida Statutes, are amended to read:

1013.41 SMART schools; Classrooms First; legislative purpose.—

(3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the purpose of the Legislature to create s. 1013.35, requiring each school district annually to adopt an educational facilities plan that provides an integrated long-range facilities plan~~, including the survey of projected needs and the 5-year work program~~. The purpose of the educational facilities plan is to keep the district school board, local governments, and the public fully informed as to whether the district is using sound policies and practices that meet the essential needs of students and that warrant public confidence in district operations. The educational facilities plan will be monitored by the Office of Educational Facilities, which will also apply performance standards pursuant to s. 1013.04.

(4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of the Legislature to require the Office of Educational Facilities to assist school districts in building SMART schools utilizing functional and frugal practices. The Office of Educational Facilities *shall* ~~must~~ review district facilities ~~work programs and~~ projects and identify opportunities to maximize design and construction savings~~; develop school district facilities work program performance standards;~~ and provide for review and recommendations to the Governor, the Legislature, and the State Board of Education.

Section 48. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques for school districts and Florida College System institutions.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used *by Florida College System institution and state university boards of trustees* for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than $50,000 or for the placement or hookup of relocatable educational facilities that conform to standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. ~~A district school board shall reuse existing construction documents or design criteria packages if such reuse is feasible and practical. If a school district's 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board must require that prototype design and construction be used for the construction of these schools.~~ Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans must be reviewed for compliance with the State Requirements for Educational Facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned, or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management contracts and the design-build process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

Section 49. Paragraph (e) of subsection (1), paragraph (a) of subsection (2), paragraph (d) of subsection (3), paragraph (b) of subsection

(5) of section 1013.64, Florida Statutes, are amended, and paragraph (f) is added to subsection (6) of that section, to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1)

(e) Remodeling projects *must* ~~shall~~ be based on the recommendations of a survey pursuant to s. 1013.31*, or, for district school boards, as indicated by the relative need as determined by the Florida Inventory of School Houses and the capital outlay full-time equivalent enrollment in the district*.

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. A district may not receive funding for more than one approved project in any 3-year period or while any portion of the district's participation requirement is outstanding. The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. Before developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1. Within 90 days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district's pattern of student growth; the district's existing and projected capital outlay full-time equivalent student enrollment as determined by the demographic, revenue, and education estimating conferences established in s. 216.136; the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended ~~in the most recent survey or survey amendment cooperatively prepared~~ by the district *school board* ~~and the department,~~ and approved by the department under the rules of the State Board of Education. If a district *school board* employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) unless approved by the Special Facility Construction Committee. At the discretion of the committee, costs that exceed the cost per student station for special facilities may include legal and administrative fees, the cost of site improvements or related offsite improvements, the cost of complying with public shelter and hurricane hardening requirements, cost overruns created by a disaster as defined in s. 252.34(2), costs of security enhancements approved by the school safety specialist, and unforeseeable circumstances beyond the district's control.

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district's participation requirement, levy the maximum millage against its nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of 1 mill per year to the project until the district's participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied.

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the ~~survey-recommended~~ project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its commitment to satisfy its participation requirement, which is equivalent to all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.

12. Phase I plans must be approved by the district school board as being in compliance with the building and life safety codes before June 1 of the year the application is made.

(3)

(d) Funds accruing to a district school board from the provisions of this section shall be expended on needed projects as shown ~~by survey or surveys~~ under the rules of the State Board of Education.

(5) District school boards shall identify each fund source and the use of each proportionate to the project cost, as identified in the bid document, to assure compliance with this section. The data shall be submitted to the department, which shall track this information as sub-

mitted by the boards. PECO funds shall not be expended as indicated in the following:

(b) PECO funds shall not be used for the construction of football fields, bleachers, site lighting for athletic facilities, tennis courts, stadiums, racquetball courts, or any other competition-type facilities not required for physical education curriculum. Regional or intradistrict football stadiums may be constructed with these funds provided a minimum of two high schools and two middle schools are assigned to the facility ~~and the stadiums are survey recommended~~. Sophisticated auditoria shall be limited to magnet performing arts schools, with all other schools using basic lighting and sound systems as determined by rule. Local funds shall be used for enhancement of athletic and performing arts facilities.

(6)

(f)1. The Office of Program Policy and Government Accountability (OPPAGA) shall review the cost per student station levels and annual adjustments provided for in this section. The review must include all of the following:

a. An evaluation of the estimate required under this paragraph.

b. Recommendations for additional costs that should be factored into the cost per student station, and other costs that should be excluded.

c. A recommendation for changes to the annual adjustment of the cost per student station or repeal of the requirements of this subsection.

2. OPPAGA shall submit its review to the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education no later than September 1, 2026.

Section 50. Paragraph (e) of subsection (6) of section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(6)

(e) A school district that includes relocatable facilities in its inventory of student stations shall include the capacity of such relocatable facilities ~~as provided in s. 1013.35(2)(b)2.f.~~, provided the relocatable facilities were purchased after 1998 and the relocatable facilities meet the standards for long-term use pursuant to s. 1013.20.

Section 51. Paragraph (a) of subsection (5) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(5)(a) If a public school's or private prekindergarten provider's program assessment composite score for its prekindergarten classrooms fails to meet the minimum program assessment composite score for contracting adopted in rule by the department, the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting. A public school or private prekindergarten provider may request one program assessment per program year in order to requalify for participation in the Voluntary Prekindergarten Education Program, provided that the public school or private prekindergarten provider is not excluded from participation under ss. 1002.55(6), 1002.61(10)(b), *1002.63(9)* ~~1002.63(9)(b)~~, or paragraph (5)(b) of this section. If a public school or private prekindergarten provider would like an additional program assessment completed within the same program year, the public school or private prekindergarten provider shall be responsible for the cost of the program assessment.

Section 52. Paragraphs (c) and (e) of subsection (2) of section 1003.631, Florida Statutes, are amended to read:

1003.631 Schools of Excellence.—The Schools of Excellence Program is established to provide administrative flexibility to the state's top schools so that the instructional personnel and administrative staff at such schools can continue to serve their communities and increase student learning to the best of their professional ability.

(2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence must be provided the following administrative flexibilities:

(c) For instructional personnel, the substitution of 1 school year of employment at a School of Excellence for 20 inservice points toward the renewal of a professional certificate, up to 60 inservice points in a 5-year cycle~~, pursuant to s. 1012.585(3)~~.

(e) Calculation for compliance with maximum class size ~~pursuant to s. 1003.03(4)~~ based on the average number of students at the school level.

Section 53. Paragraph (c) of subsection (2) and paragraph (b) of subsection (5) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

(c) Each candidate must receive instruction and be assessed on the uniform core curricula in the candidate's area or areas of program concentration during course work and field experiences. Beginning with candidates entering a teacher preparation program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience under subsection (5), in order to graduate from the program.

(5) PRESERVICE FIELD EXPERIENCE.—All postsecondary instructors, school district personnel and instructional personnel, and school sites preparing instructional personnel through preservice field experience courses and internships shall meet special requirements. District school boards may pay student teachers during their internships.

(b)1. All school district personnel and instructional personnel who supervise or direct teacher preparation students during field experience courses or internships taking place in this state in which candidates demonstrate an impact on student learning growth must have:

a. Evidence of "clinical educator" training;

b. A valid professional certificate issued pursuant to s. 1012.56;

c. At least 3 years of teaching experience in prekindergarten through grade 12;

d. Earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34 or be a peer evaluator under the district's evaluation system approved under s. 1012.34; and

e. Beginning with the 2022-2023 school year, for all such personnel who supervise or direct teacher preparation students during internships in kindergarten through grade 3 or who are enrolled in a teacher preparation program for a certificate area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~, a certificate or endorsement in reading.

The State Board of Education shall approve the training requirements.

2. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates his or her impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place, and have at least 3 years of teaching experience in prekindergarten through grade 12.

3. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical edu-

cator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least 3 years teaching experience in prekindergarten through grade 12.

Section 54. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.

2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3., achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 55. Paragraph (b) of subsection (2) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates; reading endorsement pathways.—

(2)

(b) As part of adopting a pathway pursuant to paragraph (a), the department shall review the competencies for the reading endorsement and subject area examinations for educator certificates identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ for alignment with evidence-based instructional and intervention strategies rooted in the science of reading and identified pursuant to s. 1001.215(7) and recommend changes to the State Board of Education. Recommended changes must address identification of the characteristics of conditions such as dyslexia, implementation of evidence-based classroom instruction and interventions, including evidence-based reading instruction and interventions specifically for students with characteristics of dyslexia, and effective progress monitoring. By July 1, 2023, each school district reading endorsement add-on program must be resubmitted for approval by the department consistent with this paragraph.

Section 56. Paragraph (b) of subsection (5) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Learning Act.—

(5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:

1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning systems. A professional learning system must be reviewed and approved every 5 years. Any substantial revisions to the system must be submitted to the department for review and approval. The department shall establish a format for the review and approval of a professional learning system.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional learning system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with *follow-up* ~~followup~~ support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data; ongoing formal and informal assessments of student achievement; identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas; enhancement of subject content expertise; integrated use of classroom technology that enhances teaching and learning; classroom management; parent involvement; and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning certification and education competency program under s. 1012.56(8)(a).

5. Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards shall submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional learning plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, which address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning programs.

8. Provide for delivery of professional learning by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 shall include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~.

Section 57. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to administrative efficiency in public schools; amending s. 120.81, F.S.; exempting district school boards from requirements for adopting certain rules; amending s. 1001.23, F.S.; requiring the Department of Education to annually inform district school superintendents by a specified date that they are authorized to petition to receive a specified declaratory statement; requiring the department to annually maintain and provide school districts with a list of statutory and rule requirements; providing requirements for such list; amending s. 1001.42, F.S.; deleting a requirement for a district school board to employ an internal auditor in certain circumstances; amending s. 1002.20, F.S.; deleting a requirement that the school financial report be included in the student handbook; requiring the department to produce specified reports relating to school accountability and make such reports available on the department's website; requiring each school district to provide a link to such reports; amending s. 1002.33, F.S.; conforming a provision relating to a 5-year facilities plan; amending s. 1002.451, F.S.; requiring innovation schools of technology to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel; amending s. 1002.61, F.S.; revising applicability of a requirement that early learning coalitions verify compliance with a certain law to exclude public schools; amending s. 1002.63, F.S.; deleting a requirement for an early learning coalition to verify that certain public schools comply with specified provisions; amending s. 1002.71, F.S.; revising requirements relating to district school board attendance policies for Voluntary Prekindergarten Education Programs; requiring a school district to certify its attendance records for a Voluntary Prekindergarten Education Program; amending s. 1003.03, F.S.; deleting a requirement that district school boards provide an accountability plan to the Commissioner of Education under certain conditions; amending s. 1003.26, F.S.; authorizing a district school board to reduce the period of time within which a student's primary teacher must report a pattern of nonattendance; amending s. 1003.4282, F.S.; requiring certain internships to be included in counseling materials and presented with certain courses; requiring the department to develop certain courses; revising requirements for assessments needed for a student to earn a high school diploma; deleting a requirement that a student who transfers into a public high school take specified assessments; revising the courses for which the transferring course final grade must be honored for a transfer student under certain conditions; amending s. 1003.4321, F.S.; revising criteria for awarding the Seal of Fine Arts; amending s. 1003.433, F.S.; deleting requirements that must be met by students who enter a public school at the 11th or 12th grade from out of state or out of country; amending s. 1003.491, F.S.; revising requirements for the 3-year plan for the Florida Career and Professional Education Act; amending s. 1003.493, F.S.; revising requirements for certain career and professional academies and secondary schools; amending s. 1006.40, F.S.; revising the timeframe within which certain instructional materials must be purchased; authorizing the State Board of Education to modify the timeframe; amending s. 1007.271, F.S.; deleting obsolete language; revising the requirements for certain career dual enrollment agreements; revising the requirements for certain dual enrollment articulation agreements; amending s. 1008.212, F.S.; providing that certain assessments are not subject to specified requirements; specifying that IEP teams may submit requests for extraordinary exemptions from specified assessments; amending s. 1008.22, F.S.; requiring the Commissioner of Education to notify school districts of the assessment schedule for a specified time interval; deleting requirements relating to a uniform calendar that must be published by the commissioner each year; revising an annual timeframe within which each school district must establish schedules for the administration of statewide, standardized assessments; requiring each school district to publish certain information regarding such schedules on its website; conforming provisions to changes made by the act; amending s. 1008.25, F.S.; providing an additional good cause exemption from mandatory retention to allow a student to be promoted to grade 4; conforming cross-references; amending s. 1008.33, F.S.; prohibiting a school from being required to use a certain parameter as the sole determining factor in the recruitment of instructional personnel; providing requirements for a rule adopted by the State Board of Education; amending ss. 1009.22 and 1009.23, F.S.; prohibiting the inclusion of a transportation access fee in calculating the amount a student receives for the Florida Gold Seal CAPE Scholars award; amending s. 1009.26, F.S.; conforming a cross-reference; amending s. 1009.531, F.S.; revising exceptions to requirements for receiving a scholarship under the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.36, F.S.; revising eligibility for a Florida Academic Scholars award, a Florida Medallion Scholars award, and a Florida Gold Seal Vocational Scholars award, respectively; amending s. 1009.986, F.S.; revising membership of the board of directors of Florida ABLE, Inc.; requiring the board of directors to annually elect a chair from among the board members; amending s. 1010.20, F.S.; requiring charter schools to respond to monitoring questions from the department; amending s. 1011.035, F.S.; deleting a requirement that each district school board budget posted on the school board's website include a graphical representation of specified information; revising website requirements; amending s. 1011.14, F.S.; revising the types of facilities for which district school boards may incur certain financial obligations; amending s. 1011.60, F.S.; revising circumstances under which the State Board of Education may alter the length of school terms for certain school districts; amending s. 1011.62, F.S.; deleting a requirement that certain full-time equivalent bonuses under the Florida Education Finance Program be paid only to teachers who are employed by the district when the bonus is calculated; amending s. 1011.6202, F.S.; re-

quiring schools participating in the Principal Autonomy Program Initiative to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel; amending s. 1011.69, F.S.; deleting a requirement relating to Title I fund allocations to schools; providing a new category of funding school districts are authorized to withhold; revising a category of funding a school district is authorized to withhold; requiring the department to make certain funds available to local education agencies; amending s. 1011.71, F.S.; revising specified vehicles that may be purchased or leased using specified revenue; revising the types of facilities payments that may be made from such revenue; amending s. 1012.22, F.S.; providing requirements for advanced degrees which may be used to set salary schedules for instructional personnel and school administrators hired after a specified date; specifying district school board activities that may not be precluded by collective bargaining; amending s. 1012.335, F.S.; defining the term "instructional multiyear contract"; providing requirements for the award of an instructional multiyear contract; requiring that an employee awarded an instructional multiyear contract be returned to an annual contract under certain conditions; specifying district school superintendent authority; making conforming and technical changes; amending s. 1012.39, F.S.; revising an occupational experience qualification requirement for nondegreed teachers of career programs; deleting a training requirement for full-time nondegreed teachers of career programs; amending s. 1012.555, F.S.; revising eligibility requirements for individuals to participate in the Teacher Apprenticeship Program; amending employment requirements for paraprofessionals to serve as an apprentice teacher; amending s. 1012.56, F.S.; specifying individuals who must demonstrate mastery of general knowledge for educator certification; conforming a cross-reference; amending s. 1012.585, F.S.; revising the validity period for professional certificates; providing eligibility requirements for 5-year and 10-year professional certificates; establishing requirements for the renewal of a 10-year professional certificate; amending s. 1013.19, F.S.; requiring that proceeds from certain sales or leases of property be used for specified purposes by boards of trustees for Florida College System institutions or state universities; amending s. 1013.35, F.S.; deleting definitions; requiring a district school board to submit a tentative district educational facilities plan; revising requirements for the contents of such plan; deleting provisions relating to district school boards coordinating with local governments to ensure consistency between school district and local government plans; authorizing, rather than requiring, local governments to review tentative district educational facilities plans; requiring a district school board to submit a revised facilities plan; making conforming changes; amending s. 1013.41, F.S.; revising requirements for an educational facilities plan; revising the duties of the Office of Educational Facilities; amending s. 1013.45, F.S.; specifying that Florida College System institution and state university boards of trustees are required to use an architect for the development of certain plans; deleting district school board requirements for certain construction plans; amending s. 1013.64, F.S.; revising determinations of allocations from the Public Education Capital Outlay and Debt Service Trust Fund; requiring the Office of Program Policy and Government Accountability (OPPAGA) to review cost per student station levels and make certain recommendations; requiring OPPAGA to submit its review to the Legislature and the Commissioner of Education by a specified date; revising district school board requirements relating to educational plant construction; amending ss. 163.3180, 1002.68, 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98, F.S.; conforming cross-references; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1105**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1618—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; deleting the Florida School for Competitive Academics from the list of entities subject to certain audit requirements; amending s. 11.51, F.S.; authorizing the Office of Program Policy Analysis and Government Accountability to develop contracts or agreements with institutions in the State University System for a specified purpose; amending s. 216.251, F.S.; deleting the Florida School for Competitive Academics from specified classification and pay plans; amending s. 251.001, F.S.; providing tuition assistance to active members of the Florida State Guard; amending s. 288.036, F.S.; revising the duties of the Office of Ocean Economy; amending s. 381.853, F.S.; specifying that the President of the University of Florida appoints the members of the scientific advisory council within the Florida Center for Brain Tumor Research; amending s. 413.407, F.S.; revising the qualifications for members of the Assistive Technology Advisory Council; increasing the maximum term length for such members; amending s. 435.12, F.S.; revising the dates for a screening schedule; amending s. 446.032, F.S.; revising the date by which the Department of Education is required to publish an annual report on apprenticeship and preapprenticeship programs; amending s. 446.041, F.S.; requiring the department to take into account underrepresented groups in administering the apprenticeship training program, rather than minority and gender diversity; amending s. 447.203, F.S.; deleting the Florida School for Competitive Academics from the definition of a public employer; amending s. 1000.04, F.S.; deleting the Florida School for Competitive Academics from the components of Florida's Early Learning-20 education system; amending s. 1000.05, F.S.; renaming the Florida Educational Equity Act as the "Florida Educational Equality Act"; changing the term "gender" to "sex"; requiring public schools and Florida College System institutions to develop and implement methods and strategies to increase participation of underrepresented students, rather than students with certain characteristics, in certain programs and courses; requiring the Commissioner of Education and the State Board of Education to utilize their authority to enforce compliance; amending s. 1000.21, F.S.; renaming Hillsborough Community College as "Hillsborough College"; amending s. 1001.20, F.S.; deleting oversight of the Florida School for Competitive Academics from the duties of the Office of Inspector General within the department; creating s. 1001.325, F.S.; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to purchase membership in, or goods or services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to promote, support, or maintain certain programs or activities; authorizing the use of student fees and school or district facilities by student-led organizations under certain circumstances; providing construction; requiring the state board to adopt rules; amending s. 1001.452, F.S.; deleting a provision requiring the Commissioner of Education to determine whether school districts have maximized efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils; creating s. 1001.68, F.S.; authorizing Florida College System institutions with a certain number of full-time equivalent students to enter into cooperative agreements to form a state college regional consortium service organization; requiring such organizations to provide at least a specified number of certain services; requiring that regional consortium service organizations be governed by a board of directors consisting of specified members; amending s. 1001.706, F.S.; deleting a requirement that state universities provide student access to certain information; amending s. 1001.7065, F.S.; revising academic standards for the preeminent state research university program to include a specified average Classic Learning Test score; amending s. 1002.20, F.S.; authorizing public schools to purchase or enter into arrangements for certain emergency opioid antagonists, rather than only for naloxone; requiring that district school board policies authorizing corporal punishment include a requirement that parental consent be provided before the administration of corporal punishment; amending s. 1002.33, F.S.; requiring a charter school to comply with statute relating to corporal punishment; repealing s. 1002.351, F.S., relating to the Florida School for Competitive Academics; amending s. 1002.394, F.S.; deleting the Florida School for Competitive Academics from Family Empowerment Scholarship prohibitions; amending s. 1002.395, F.S.; deleting the Florida School for Competitive Academics from Florida Tax Credit Scholarship prohibitions; amending s. 1002.42, F.S.; authorizing certain private schools to construct new facilities on property that meets specified criteria; amending s. 1002.68, F.S.; deleting a provision requiring the department to confer with the Council for Early Grade Success before receiving a certain approval; amending s. 1002.71, F.S.; revising the conditions under which a student may withdraw from a prekindergarten program and reenroll in another program; amending s. 1002.945, F.S.; revising the criteria required for a child care facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 1003.41, F.S.; requiring that certain standards documents contain only academic standards and benchmarks; requiring the Commissioner of Education to revise currently approved standards documents and submit them to the state board by a specified date; amending s. 1003.42, F.S.; revising required instruction on the principles of agriculture; requiring the department to collaborate with specified entities to develop

associated standards and a curriculum; authorizing the department to contract with certain agricultural education organizations; amending s. 1003.4201, F.S.; authorizing the inclusion of intensive reading interventions in a school district comprehensive reading instruction plan; requiring that intensive reading interventions be delivered by instructional personnel who possess a micro-credential or are certified or endorsed in reading; requiring that such interventions incorporate certain strategies; requiring that instructional personnel with a micro-credential be supervised by an individual certified or endorsed in reading; defining the term "supervised"; authorizing the inclusion in the reading instruction plans of a description of how school districts prioritize the assignment of highly effective teachers; amending s. 1003.4282, F.S.; adding components to required instruction on financial literacy; amending s. 1004.0971, F.S.; revising the definition of the term "emergency opioid antagonist"; amending s. 1004.933, F.S.; authorizing an institution to enter into an agreement with an online provider for the adult education or career instruction portion of the Graduation Alternative to Traditional Education (GATE) Program; deleting the age limit for enrollment in the program; clarifying that students are not required to enroll in adult secondary and career education coursework simultaneously; amending s. 1005.06, F.S.; authorizing certain institutions to operate without licensure; specifying affirmations required as a part of an affidavit; requiring submission of requested documentation in a specified timeframe; requiring the Commission for Independent Education to review such affidavit in a public meeting; specifying commission actions for noncompliance; authorizing the commission to adopt rules; amending s. 1006.73, F.S.; revising reporting requirements relating to the Florida Postsecondary Academic Library Network; amending s. 1007.27, F.S.; requiring the state board to identify national consortia to develop certain courses; authorizing the department to join or establish a national consortium as an additional alternative method to develop and implement advanced placement courses; conforming a provision to changes made by the act; amending s. 1007.34, F.S.; expanding the scope of the college reach-out program to all low-income educationally disadvantaged and underrepresented students regardless of minority status; amending s. 1007.35, F.S.; revising legislative findings; renaming the Florida Partnership for Minority and Underrepresented Student Achievement as the "Florida Partnership for Underrepresented Student Achievement"; revising the purposes and duties of the partnership to focus on all underrepresented students regardless of minority status; revising duties of the partnership; revising which examinations public high schools are required to administer; revising which examinations a partnership must provide information to specified individuals and entities; revising which examinations the department must provide the learning data from to a certain partnership; deleting duties of the partnership; repealing s. 1008.2125, F.S., relating to the Council for Early Grade Success; amending s. 1008.36, F.S.; specifying the recipients of school recognition bonus funds; amending s. 1008.365, F.S.; revising the types of tutoring hours that may be counted toward meeting the community service requirements for the Bright Futures Scholarship Program; amending s. 1008.37, F.S.; revising the date by which the Commissioner of Education must deliver a report to specified entities; revising the requirements of the report; amending s. 1009.23, F.S.; authorizing the Florida College System to allocate a portion of financial aid fees to assist underrepresented students, rather than students who are members of a targeted gender or ethnic minority population; amending s. 1009.26, F.S.; revising the residency requirement for a grandparent for an out-of-state fee waiver; revising the residency criteria for a grandparent in a specified attestation; amending s. 1009.536, F.S.; clarifying the required minimum cumulative weighted grade point average for the Florida Gold Seal CAPE Scholars award; authorizing students to apply for a Florida Gold Seal CAPE Scholars award within a specified timeframe before or after completing the GATE Program; amending s. 1009.8962, F.S.; revising the definition of the term "institution"; amending s. 1009.897, F.S.; requiring institutions receiving funds through the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education Fund to allocate funding to health care-related programs; repealing s. 1011.58, F.S., relating to legislative budget requests of the Florida School for Competitive Academics; repealing s. 1011.59, F.S., relating to funds for the Florida School for Competitive Academics; amending s. 1011.71, F.S.; revising the types of casualty insurance premiums that may be paid by a district school tax; amending s. 1011.804, F.S.; authorizing certain institutions to apply for and use grant funds under the GATE Startup Grant Program for specified purposes; amending s. 1012.315, F.S.; revising educator certification and certain employment screening standards; making technical changes; amending s. 1012.56, F.S.; authorizing individuals to demonstrate mastery of general knowledge, subject area knowledge, or professional preparation and education competence by providing a school district with documentation of a valid certificate issued by the American Board for Certification of Teacher Excellence; amending s. 1012.77, F.S.; conforming a provision to a change made by the act; specifying entities eligible to submit nominees for the Teacher of the Year and Ambassador for Education awards; amending s. 1013.30, F.S.; revising the timeframe for updates to state university campus master plans; amending s. 1013.46, F.S.; deleting a provision relating to set asides for construction contracts with minority business enterprises; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1618**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1255** was withdrawn from the Committee on Rules.

On motion by Senator Calatayud, the rules were waived and—

CS for CS for HB 1255—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; conforming provisions to changes made by the act; amending s. 110.211, F.S.; authorizing recruiting within the career service system to include the use of certain apprenticeship programs; providing that open competition is not required under certain circumstances relating to the career service system; amending s. 125.901, F.S.; revising the composition and terms of membership for councils on children's services; amending ss. 216.251, 447.203, and 1000.04, F.S.; conforming provisions to changes made by the act; amending s. 1000.40, F.S.; revising the scheduled repeal date of the Interstate Compact on Educational Opportunity for Military Children; amending s. 1001.03, F.S.; renaming critical teacher shortage areas as "high-demand teacher needs areas"; amending s. 1001.20, F.S.; conforming provisions to changes made by the act; creating s. 1001.325, F.S.; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to purchase membership in, or goods or services from, any organization that discriminates on the basis of race, color, national origin, sex, disability, or religion; prohibiting the expenditure of funds by public schools, charter schools, school districts, charter school administrators, or direct-support organizations to promote, support, or maintain certain programs or activities; authorizing the use of student fees and school or district facilities by student-led organizations under certain circumstances; providing construction; requiring the State Board of Education to adopt rules; amending s. 1001.452, F.S.; deleting a provision requiring the Commissioner of Education to determine whether school districts have maximized efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils; amending s. 1002.20, F.S.; authorizing public schools to purchase or enter into arrangements for certain emergency opioid antagonists, rather than only for naloxone; revising specified liability protections to include public school employees who administer an emergency opioid antagonist; requiring that district school board policies authorizing corporal punishment include a requirement that parental consent be provided before the administration of corporal punishment; amending s. 1002.33, F.S.; requiring a charter school to comply with provisions relating to corporal punishment; prohibiting local governing authorities from imposing or enforcing certain building requirements and restrictions on charter school facilities; requiring the local governing authority to administratively approve a charter school if certain requirements are met; amending the statutory cause of action for an aggrieved school or entity; prohibiting local governing authorities from requiring charter schools to obtain a special exemption or conditional use approval unless otherwise specified; repealing s. 1002.351, F.S., relating to the Florida School for Competitive Academics; amending ss. 1002.394 and 1002.395, F.S.; conforming provisions to changes made by the act; amending s. 1002.421, F.S.; revising the background screening requirements for certain private school personnel; amending s. 1002.71, F.S.; revising the conditions under which a student may withdraw from a prekindergarten program and reenroll in another program; amending s. 1003.05, F.S.; requiring that strategies addressed in specified memoranda of agreement between school districts and military installations include the development and implementation of a specified training module; requiring the Department of Education to provide the training module to each district school board; requiring each district school board to provide such module to each public and charter K-12 school in its district; requiring district school boards to make certain training available to certain employees;

amending s. 1003.41, F.S.; requiring that certain standards documents contain only academic standards and benchmarks; requiring the commissioner to revise currently approved standards documents and submit them to the state board by a specified date; amending s. 1003.42, F.S.; requiring health education for students in grades 6 through 12 to include instruction on human embryologic development; providing requirements for such instruction; requiring the state board to adopt rules relating to such instruction; providing parental exemption for instruction on human embryologic development; requiring school districts to notify parents of the right to an exemption; amending s. 1003.4201, F.S.; revising the requirements for certain reading instruction plans to include specified instruction and information; requiring the department to approve school district reading instruction plans; creating s. 1003.4202, F.S.; requiring school districts to implement a certain system of comprehensive mathematics instruction for certain students; defining the term "evidence-based"; amending s. 1003.4282, F.S.; providing additional components for required instruction on financial literacy; amending s. 1004.04, F.S.; revising the uniform core curricula for state-approved teacher preparation programs to include specified mathematics content; amending s. 1004.85, F.S.; revising the requirements for postsecondary educator preparation institutes to include certain instruction and assessments on specified mathematics content; amending s. 1006.09, F.S.; expanding the duties of school principals relating to student discipline and school safety; amending s. 1006.13, F.S.; requiring district school superintendents to provide a determination to extend the expulsion period for students; providing requirements for such determination; requiring such determination be provided to students and parents; amending s. 1007.27, F.S.; authorizing the department to join or establish a national consortium as an additional alternative method to develop and implement advanced placement courses; amending s. 1007.35, F.S.; authorizing public high schools to provide the Classic Learning Test 10 to specified students; amending s. 1008.25, F.S.; requiring certain provisions to be defined in state board rules; requiring parents of a student who exhibits a substantial deficiency in mathematics to be notified in writing of information about the student's eligibility for the New Worlds Scholarship Accounts and the New Worlds Tutoring Program; amending s. 1008.365, F.S.; expanding the types of tutoring hours that may be counted toward meeting the community service requirements for the Bright Futures scholarship to include paid tutoring hours; amending s. 1008.366, F.S.; requiring the New Worlds Tutoring Program to provide best practice guidelines for mathematics tutoring in consultation with the Office of Mathematics and Sciences; revising the submission date for a specified report relating to the New Worlds Tutoring Program; repealing s. 1011.58, F.S., relating to procedures for legislative budget requests for the Florida School for Competitive Academics; repealing s. 1011.59, F.S.; relating to funds for the Florida School for Competitive Academics; amending s. 1011.71, F.S.; revising the definition of the term "casualty insurance" for specified purposes; amending ss. 1012.07 and 1012.22, F.S.; conforming provisions to changes made by the act; amending s. 1012.315, F.S.; revising the background screening requirements for certain private school personnel; providing that certain background screening requirements remain in place for a specified period of time for certain personnel; amending s. 1012.56, F.S.; requiring competency-based professional learning certification programs to include specified mathematics content; amending s. 1012.586, F.S.; amending reading endorsements and subject area examinations to address identifications of the characteristics of dyscalculia; removing the requirement for school districts' reading endorsement add-on programs to be resubmitted for approval by a date certain; requiring the department to adopt mathematics endorsement pathways; amending s. 1012.77, F.S.; deleting obsolete language; authorizing certain charter school consortia to submit nominees for the Teacher of the Year and Ambassador for Education; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1618** and read the second time by title.

Senator Calatayud moved the following amendment which was adopted:

Amendment 1 (351932) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (d) and (f) of subsection (2) of section 11.45, Florida Statutes, are amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with populations of *less* ~~fewer~~ than 150,000, according to the most recent federal decennial statewide census; *and* the Florida School for the Deaf and the Blind~~; and the Florida School for Competitive Academics~~.

(f) At least every 3 years, conduct operational audits of the accounts and records of state agencies, state universities, state colleges, district school boards, the Florida Clerks of Court Operations Corporation, water management districts, *and* the Florida School for the Deaf and the Blind~~, and the Florida School for Competitive Academics~~.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Subsection (5) is added to section 11.51, Florida Statutes, to read:

11.51 Office of Program Policy Analysis and Government Accountability.—

(5) The Office of Program Policy Analysis and Government Accountability may develop contracts or agreements with institutions in the State University System to use the expertise of state university faculty and research staff to provide assistance in analysis and evaluative research.

Section 3. Subsection (3) of section 110.211, Florida Statutes, is amended to read:

110.211 Recruitment.—

(3) Recruiting shall seek efficiency in advertising and may be assisted by a contracted vendor responsible for maintenance of the personnel data. *Recruiting may include the use of an apprenticeship program as defined in s. 446.021(6). Open competition is not required for a position that will be filled by a person who has successfully completed an apprenticeship program with the hiring agency.*

Section 4. Paragraph (b) of subsection (1) of section 125.901, Florida Statutes, is amended to read:

125.901 Children's services; independent special district; council; powers, duties, and functions; public records exemption.—

(1) Each county may by ordinance create an independent special district, as defined in ss. 189.012 and 200.001(8)(e), to provide funding for children's services throughout the county in accordance with this section. The boundaries of such district shall be coterminous with the boundaries of the county. The county governing body shall obtain approval at a general election, as defined in s. 97.021, by a majority vote of those electors voting on the question, to annually levy ad valorem taxes which shall not exceed the maximum millage rate authorized by this section. Any district created pursuant to the provisions of this subsection shall be required to levy and fix millage subject to the provisions of s. 200.065. Once such millage is approved by the electorate, the district shall not be required to seek approval of the electorate in future years to levy the previously approved millage. However, a referendum to increase the millage rate previously approved by the electors must be held at a general election, and the referendum may be held only once during the 48-month period preceding the effective date of the increased millage.

(b) However, any county as defined in s. 125.011(1) may instead have a governing body *composed* ~~consisting~~ of 33 members, including the superintendent of schools, or his or her designee; two representatives of public postsecondary education institutions located in the county; the county manager or the equivalent county officer*, or his or her designee*; the district administrator from the appropriate district of the Department of Children and Families, or the administrator's designee who is a member of the Senior Management Service or the Selected Exempt Service; the director of the county health department or the director's designee; the state attorney for the county or the state attorney's designee; the chief judge assigned to juvenile cases, or an-

other juvenile judge who is the chief judge's designee and who shall sit as a voting member of the board, except that the judge may not vote or participate in setting ad valorem taxes under this section; an individual who is selected by the board of the local United Way or its equivalent; a member of a locally recognized faith-based coalition, selected by that coalition; a member of the local chamber of commerce, selected by that chamber or, if more than one chamber exists within the county, a person selected by a coalition of the local chambers; a member of the early learning coalition, selected by that coalition; a representative of a labor organization or union active in the county; ~~a member of a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county, selected by that alliance or coalition;~~ a member of the local Parent-Teachers Association/Parent-Teacher-Student Association, selected by that association; a youth representative selected by the local school system's student government; a local school board member appointed by the chair of the school board; the mayor of the county or the mayor's designee; one member of the county governing body, appointed by the chair of that body; a member of the state Legislature who represents residents of the county, selected by the chair of the local legislative delegation; an elected official representing the residents of a municipality in the county, selected by the county municipal league; and *five* ~~4~~ members-at-large, appointed to the council by the majority of sitting council members. The remaining seven members shall be appointed by the Governor in accordance with procedures set forth in paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic *makeup* ~~diversity~~ of the population of the county. Members ~~who are~~ appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing body shall be appointed to serve *3-year* ~~2-year~~ terms, except that those members appointed by the Governor shall be appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

Section 5. Paragraph (a) of subsection (2) of section 216.251, Florida Statutes, is amended to read:

216.251 Salary appropriations; limitations.—

(2)(a) The salary for each position not specifically indicated in the appropriations acts shall be as provided in one of the following subparagraphs:

1. Within the classification and pay plans provided for in chapter 110.

2. Within the classification and pay plans established by the Board of Trustees for the Florida School for the Deaf and the Blind of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.

3. Within the classification and pay plan approved and administered by the Board of Governors or the designee of the board for those positions in the State University System.

4. Within the classification and pay plan approved by the President of the Senate and the Speaker of the House of Representatives, as the case may be, for employees of the Legislature.

5. Within the approved classification and pay plan for the judicial branch.

~~6. Within the classification and pay plans established by the Board of Trustees for the Florida School for Competitive Academics of the Department of Education and approved by the State Board of Education for academic and academic administrative personnel.~~

Section 6. Subsections (3) and (4) of section 288.036, Florida Statutes, are amended to read:

288.036 Ocean economy development.—

(3) The Office of Ocean Economy shall:

(a) Develop and undertake activities and strategies with a focus on research and development, technological innovation, emerging industries, strategic business recruitment, public and private funding opportunities, and workforce training and education to promote and stimulate the ocean economy.

(b)1. *Collaborate* ~~Foster relationships~~ and coordinate with state universities, private universities, *career centers,* and Florida College System institutions, including *the College of the Florida Keys, to* periodically *survey* ~~surveying~~ the development of academic research relating to the ocean economy across all disciplines and facilitating the transfer of innovative technology into marketable goods and services. ~~The office shall encourage collaboration between state universities and Florida College System institutions that have overlapping areas of academic research.~~

2. *Maintain* ~~Include~~ and update on the office's website information related to:

a. An inventory of current research and current collaborations, including contact information; and

b. Any available resources for research and technology development, including financial opportunities.

(c) Collaborate with relevant industries to identify economic challenges that may be solved through innovation in the ocean economy, including commercializing or otherwise facilitating public access to academic research and resources, removing governmental barriers, *strengthening the workforce,* and maximizing access to financial or other opportunities for growth and development.

(d) Develop and facilitate a pipeline for innovative ideas and strategies to be created, developed, researched, commercialized, and financed. This includes promotion and coordination of industry collaboration, academic research, accelerator programs, training and technical assistance, and startup or second-stage funding opportunities.

(e) Maintain and update on the office's website*:*

1. Reports and data on the number, growth, and average wages of jobs included in the ocean economy; the impacts on the number, growth, and development of businesses in the ocean economy; and the collaboration, transition, or adoption of innovation and research into new, viable ideas employed in the ocean economy.

2. A current inventory of programs related to the ocean economy, an evaluation of additional opportunities to earn credentials, and the institutions or training providers where such credentials may be earned.

(f) Educate other state and local entities on the interests of the ocean economy and how such entities may positively address environmental issues while simultaneously considering the economic impact of their policies.

(g) Communicate the state's role as an integral component of the ocean economy by promoting the state on national and international platforms and other appropriate forums as the premier destination for convening on pertinent subject matters.

(h) Collaborate with public and private educational and industry organizations to make recommendations:

1. For strengthening employment opportunities in:

a. Commercial fishing;

b. Fisheries and aquaculture, marine and freshwater;

c. Processing and preserving fish, crustaceans, and mollusks;

d. Shipbuilding and repair; and

e. Shipping, water transport such as sea and coastal and inland water transportation of both freight and passengers, ports, and related services and support activities.

2. Regarding the expansion of existing maritime programs and the addition of new programs and strategies for a public awareness campaign.

3. To increase the availability of dual enrollment, preapprenticeship and apprenticeship, and work-study programs at both public and private institutions.

4. For aligning the regulatory framework for fishing and boat operations with the demand for personnel through consultation with the Fish and Wildlife Conservation Commission.

(4) By August 1, 2025, and each August 1 thereafter, the office shall provide to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives and post on its website a detailed report *on* ~~demonstrating~~ the economic benefits of the office and the development of emerging ocean economy industries. *By August 1, 2026, the report must include the recommendations in paragraph (3)(h).*

Section 7. Paragraph (a) of subsection (3) of section 435.12, Florida Statutes, is amended to read:

435.12 Care Provider Background Screening Clearinghouse.—

(3)(a) Employees of each district unit under s. 1001.30, special district units under s. 1011.24, the Florida School for the Deaf and the Blind under s. 1002.36, the Florida Virtual School under s. 1002.37, virtual instruction programs under s. 1002.45, charter schools under s. 1002.33, hope operators under s. 1002.333, private schools participating in an educational scholarship program established pursuant to chapter 1002, and alternative schools under s. 1008.341 must be rescreened in compliance with the following schedule:

1. Employees for whom the last screening was conducted on or before June 30, 2021, must be rescreened by *December 1* ~~June 30~~, 2025.

2. Employees for whom the last screening was conducted between July 1, 2021, and June 30, 2022, must be rescreened by *December 1* ~~June 30~~, 2026.

3. Employees for whom the last screening was conducted between July 1, 2022, and December 31, 2023, must be rescreened by *December 1* ~~June 30~~, 2027.

Section 8. Subsection (2) of section 446.032, Florida Statutes, is amended to read:

446.032 General duties of the department for apprenticeship training.—The department shall:

(2) By *November 30* ~~September 1~~ of each year, publish an annual report on apprenticeship and preapprenticeship programs. The report must be published on the department's website and, at a minimum, include all of the following:

(a) A list of registered apprenticeship and preapprenticeship programs, sorted by local educational agency, as defined in s. 1004.02(18), and apprenticeship sponsor, under s. 446.071.

(b) A detailed summary of each local educational agency's expenditure of funds for apprenticeship and preapprenticeship programs, including:

1. The total amount of funds received for apprenticeship and preapprenticeship programs.

2. The total amount of funds allocated by training provider, program, and occupation.

3. The total amount of funds expended for administrative costs by training provider, program, and occupation.

4. The total amount of funds expended for instructional costs by training provider, program, and occupation.

(c) The number of apprentices and preapprentices per trade and occupation.

(d) The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.

(e) Information and resources related to applications for new apprenticeship programs and technical assistance and requirements for potential applicants.

(f) Documentation of activities conducted by the department to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives and the outcomes of such activities and their impact on establishing or expanding apprenticeship and preapprenticeship programs.

(g) Retention and completion rates of participants disaggregated by training provider, program, and occupation.

(h) Wage progression of participants as demonstrated by starting, exit, and postapprenticeship wages at 1 and 5 years after participants exit the program.

Section 9. Subsection (2) of section 447.203, Florida Statutes, is amended to read:

447.203 Definitions.—As used in this part:

(2) "Public employer" or "employer" means the state or any county, municipality, or special district or any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is deemed to be the public employer; and the Board of Governors of the State University System, or the board's designee, is deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is deemed to be the public employer with respect to all employees of the community college. The district school board is deemed to be the public employer with respect to all employees of the school district. The Board of Trustees of the Florida School for the Deaf and the Blind is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for the Deaf and the Blind. ~~The Board of Trustees of the Florida School for Competitive Academics is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for Competitive Academics.~~ The Governor is deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

Section 10. Subsection (7) of section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.—Florida's Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

~~(7) THE FLORIDA SCHOOL FOR COMPETITIVE ACADEMICS.—The Florida School for Competitive Academics is a component of the delivery of public education within Florida's Early Learning-20 education system.~~

Section 11. Paragraph (j) of subsection (5) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida Early Learning-20 Education Code:

(5) "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(j) Hillsborough ~~Community~~ College, which serves Hillsborough County.

Section 12. Effective upon this act becoming a law, section 1000.40, Florida Statutes, is amended to read:

1000.40 Future repeal of the Interstate Compact on Educational Opportunity for Military Children.—Sections 1000.36, 1000.361, 1000.38, and 1000.39 and this section shall stand repealed on July 1, *2028* ~~2025~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 13. Subsection (5) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(5) IDENTIFICATION OF *HIGH-DEMAND* ~~CRITICAL~~ TEACHER *NEEDS* ~~SHORTAGE~~ AREAS.—The State Board of Education shall identify *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas pursuant to s. 1012.07.

Section 14. Paragraph (e) of subsection (4) of section 1001.20, Florida Statutes, is amended to read:

1001.20 Department under direction of state board.—

(4) The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:

(e) Office of Inspector General.—Organized using existing resources and funds and responsible for promoting accountability, efficiency, and effectiveness and detecting fraud and abuse within school districts, the Florida School for the Deaf and the Blind, ~~the Florida School for Competitive Academics,~~ and Florida College System institutions in Florida. If the Commissioner of Education determines that a district school board, the Board of Trustees for the Florida School for the Deaf and the Blind, ~~the Board of Trustees for the Florida School for Competitive Academics,~~ or a Florida College System institution board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the school district, the Florida School for the Deaf and the Blind, ~~the Florida School for Competitive Academics,~~ or the Florida College System institution, the office must conduct, coordinate, or request investigations into such substantiated allegations. The office shall investigate allegations or reports of possible fraud or abuse against a district school board made by any member of the Cabinet; the presiding officer of either house of the Legislature; a chair of a substantive or appropriations committee with jurisdiction; or a member of the board for which an investigation is sought. The office may investigate allegations or reports of suspected violations of a student's, parent's, or teacher's rights. The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055.

Section 15. Subsections (1), (2), and (5) of section 1001.451, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1001.451 Regional consortium service organizations.—In order to provide a full range of programs to larger numbers of students, minimize duplication of services, and encourage the development of new programs and services:

(1) School districts with 20,000 or fewer unweighted full-time equivalent students, developmental research (laboratory) schools established pursuant to s. 1002.32, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall provide *any of* ~~, at a minimum, three of~~ the following services *determined necessary and appropriate by the board of directors*:

(a) Exceptional student education;

(b) Safe schools support ~~teacher education centers; environmental education~~;

(c) State and federal grant procurement and coordination;

(d) Data *services* ~~processing~~; ~~health~~

(e) Insurance *services*;

(f) Risk management ~~insurance~~;

(g) Professional learning;

(h) College, career, and workforce development;

(i) Business and operational services ~~staff development~~;

(j) Purchasing; or

(k) Planning and accountability.

(2)(a) Each regional consortium service organization that consists of four or more school districts is eligible to receive, through the Department of Education, subject to the funds provided in the General Appropriations Act, an *allocation* ~~incentive grant~~ of *$150,000* ~~$50,000~~ per school district and eligible member to be used for the delivery of services within ~~the~~ participating school districts. The determination of services and use of such funds *must* ~~shall~~ be established by the board of directors of the regional consortium service organization. The funds *must* ~~shall~~ be distributed to each regional consortium service organization no later than 30 days following the release of the funds to the department. *Each regional consortium service organization shall submit an annual report to the department regarding the use of funds for consortia services. Unexpended amounts in any fund in a consortium's current year operating budget must be carried forward and included as the balance forward for that fund in the approved operating budget for the following year. Each regional consortium service organization shall provide quarterly financial reports to member districts.*

(b) *Member districts shall designate a district that will serve as a fiscal agent for contractual and reporting purposes. Such fiscal agent district is entitled to reasonable compensation for accounting and other services performed. The regional consortium service organization shall retain all funds received from grants or contracted services to cover indirect or administrative costs associated with the provision of such services. The regional consortium service organization board of directors shall determine the products and services to be provided by the consortium; however, in all contractual matters, the school board of the fiscal agent district shall act on proposed actions of the regional consortium service organization.*

(c) The regional consortium service organization board of directors shall recommend establishment of positions and individuals for appointment to the fiscal agent district. Personnel must be employed under the personnel policies of the fiscal agent district and are deemed to be public employees of the fiscal agent district. The regional consortium service organization board of directors may recommend a salary schedule and job descriptions specific to its personnel.

(d) The regional consortium service organization may purchase or lease property and facilities essential for its operations and is responsible for their maintenance and associated overhead costs.

(e) If a regional consortium service organization is dissolved, any revenue from the sale of assets must be distributed among the member districts as determined by the board of directors ~~Application for incentive grants shall be made to the Commissioner of Education by July 30 of each year for distribution to qualifying regional consortium service organizations by January 1 of the fiscal year~~.

(5) The board of directors of a regional consortium service organization may use various means to generate revenue in support of its activities*, including, but not limited to, contracting for services to nonmember districts*. The board of directors may acquire, enjoy, use, and dispose of patents, copyrights, and trademarks and any licenses and *associated* ~~other~~ rights or interests ~~thereunder or therein~~. Ownership of all such patents, copyrights, trademarks, licenses, and *associated* rights or interests ~~thereunder or therein shall~~ vest in the state, with the board of directors having full right of use and full right to retain *associated* ~~the~~ revenues ~~derived therefrom~~. Any funds realized from *contracted services,* patents, copyrights, trademarks, or licenses *are* ~~shall be~~ considered internal funds as provided in s. 1011.07. *A fund balance must be established for maintaining or expanding services, facilities maintenance, terminal pay, and other liabilities* ~~Such funds shall be used to~~

~~support the organization's marketing and research and development activities in order to improve and increase services to its member districts~~.

(6) A regional consortium service organization is authorized to administer the Regional Consortia Service Organization Supplemental Services Program under s. 1001.4511.

Section 16. Section 1001.4511, Florida Statutes, is created to read:

1001.4511 Regional Consortia Service Organization Supplemental Services Program.—

(1) There is created the Regional Consortia Service Organization Supplemental Services Program to increase the ability of regional consortium service organizations under s. 1001.451 to provide programs and services to consortia members through cooperative agreements. Program funds may be used to supplement member needs related to transportation; district finance personnel services; property insurance, including property insurance obtained from any source; cybersecurity support; school safety; college, career, and workforce development; academic support; and behavior support within exceptional student education services.

(2) Each regional consortium service organization shall annually report to the President of the Senate and the Speaker of the House of Representatives the distribution of funds, including members awarded and services provided.

(3) Notwithstanding s. 216.301 and pursuant to s. 216.351, funds allocated for this purpose which are not disbursed by June 30 of the fiscal year in which the funds are allocated may be carried forward for up to 5 years after the effective date of the original appropriation.

Section 17. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of ss. 1001.42(18) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school district. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures to be used by schools in selecting business and community members *which* ~~that~~ include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board *must* ~~shall~~ appoint additional members to achieve proper representation. ~~The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.~~ Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or *less* ~~fewer~~ may establish a district advisory council which includes at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" includes classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, *the term* "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

Section 18. Section 1001.68, Florida Statutes, is created to read:

1001.68 State college regional consortium service organizations.—In order to create effectiveness and efficiency of small institutions in the Florida College System which serve rural communities:

(1) Colleges with 5,000 or fewer full-time equivalent students may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall, at a minimum, provide three of the following services: grant procurement; institutional research and reporting; risk management; professional development for faculty and staff; leadership support; information technology and cybersecurity training; faculty and staff recruitment; workforce development programs; cooperative purchasing; administrative services; or enrollment management services.

(2) Each regional consortium service organization must be governed by a board of directors composed of the presidents of the respective member colleges.

Section 19. Paragraph (d) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(d) The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Commerce pursuant to s. 445.07. ~~In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:~~

~~1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.~~

~~2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.~~

Section 20. Paragraph (a) of subsection (2) of section 1001.7065, Florida Statutes, is amended to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1200 or higher on a 1600-point scale or an average ACT score of 25 or higher on a 36 score scale, using the latest published national concordance table developed jointly by the College Board and ACT, Inc., *or an average Classic Learning Test score of 83 or higher on a 120 score scale,* for fall semester incoming freshmen, as reported annually.

Section 21. Paragraph (o) of subsection (3) and paragraph (c) of subsection (4) of section 1002.20, Florida Statutes, are amended to read:

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

(3) HEALTH ISSUES.—

(o) *Emergency opioid antagonist* ~~Naloxone~~ use and supply.—

1. A public school may purchase a supply of *an emergency* ~~the~~ opioid antagonist *approved by the United States Food and Drug Administration (FDA)* ~~naloxone~~ from a wholesale distributor as defined in s. 499.003 or may enter into an arrangement with a wholesale distributor or manufacturer as defined in s. 499.003 for *an FDA-approved emergency opioid antagonist* ~~naloxone~~ at fair-market, free, or reduced prices for use in the event that a student has an opioid overdose. The *FDA-approved emergency opioid antagonist* ~~naloxone~~ must be maintained in a secure location on the public school's premises.

2. A *public* school ~~district~~ employee who administers an approved emergency opioid antagonist to a student in compliance with ss. 381.887 and 768.13 is immune from civil liability under s. 768.13.

(4) DISCIPLINE.—

(c) Corporal punishment.—

1. In accordance with ~~the provisions of~~ s. 1003.32, corporal punishment of a public school student may only be administered by a teacher or school principal within guidelines of the school principal and according to district school board policy. Another adult must be present and must be informed in the student's presence of the reason for the punishment. Upon request, the teacher or school principal must provide the parent with a written explanation of the reason for the punishment and the name of the other adult who was present.

2. A district school board having a policy authorizing the use of corporal punishment as a form of discipline shall *include in such policy a requirement that a parent provide consent for the school to administer corporal punishment. The district school board policy may require such consent for the school year, or before each administration. The district school board shall* review its policy on corporal punishment once every 3 years during a district school board meeting held pursuant to s. 1001.372. The district school board shall take public testimony at the board meeting. If such board meeting is not held in accordance with this subparagraph, the portion of the district school board's policy authorizing corporal punishment expires.

Section 22. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.

7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

8. Section 1006.12, relating to safe-school officers.

9. Section 1006.07(7), relating to threat management teams.

10. Section 1006.07(9), relating to School Environmental Safety Incident Reporting.

11. Section 1006.07(10), relating to reporting of involuntary examinations.

12. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.

13. Section 1006.07(6)(d), relating to adopting an active assailant response plan.

14. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.

15. Section 1012.584, relating to youth mental health awareness and assistance training.

16. Section 1001.42(4)(f)2., relating to middle school and high school start times. A charter school-in-the-workplace is exempt from this requirement.

17. Section 1002.20(4)(c), relating to school corporal punishment.

Section 23. *Section 1002.351, Florida Statutes, is repealed.*

Section 24. Subsection (6) of section 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled full time in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, ~~the Florida School for Competitive Academics,~~ the Florida Virtual School, the Florida Scholars Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered to be a student enrolled in a public school;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (4)(a)2.;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i), unless he or she is eligible pursuant to paragraph (3)(b) and enrolled in the participating private school's transition-to-work program pursuant to subsection (16) or a home education program pursuant to s. 1002.41;

(e) Participating in a private tutoring program pursuant to s. 1002.43 unless he or she is determined eligible pursuant to paragraph (3)(b); or

(f) Participating in virtual instruction pursuant to s. 1002.455 that receives state funding pursuant to the student's participation.

Section 25. Subsection (4) of section 1002.395, Florida Statutes, is amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a scholarship while he or she is:

(a) Enrolled full time in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, ~~the Florida School for Competitive Academics,~~ the Florida Virtual School, the Florida Scholars Academy, a developmental research school authorized under s. 1002.32, or a charter school authorized under this chapter. For purposes of this paragraph, a 3- or 4-year-old child who receives services funded through the Florida Education Finance Program is considered a student enrolled full time in a public school;

(b) Enrolled in a school operating for the purpose of providing educational services to youth in a Department of Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to this chapter. However, an eligible public school student receiving a scholarship under s. 1002.411 may receive a scholarship for transportation pursuant to subparagraph (6)(d)4.;

(d) Not having regular and direct contact with his or her private school teachers pursuant to s. 1002.421(1)(i) unless he or she is enrolled in a personalized education program;

(e) Participating in a home education program as defined in s. 1002.01(1);

(f) Participating in a private tutoring program pursuant to s. 1002.43 unless he or she is enrolled in a personalized education program; or

(g) Participating in virtual instruction pursuant to s. 1002.455 that receives state funding pursuant to the student's participation.

Section 26. Paragraph (c) is added to subsection (19) of section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(19) FACILITIES.—

(c) A private school located in a county with four incorporated municipalities may construct new facilities, which may be temporary or permanent, on property purchased from or owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school; any land owned by a Florida College System institution or state university; and any land recently used to house a school or child care facility licensed under s. 402.305 under its preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change and without complying with any mitigation requirements or conditions. The new facility must be located on property used solely for purposes described in this paragraph and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

Section 27. Paragraphs (e), (m), and (p) of subsection (1) of section 1002.421, Florida Statutes, are amended to read:

1002.421 State school choice scholarship program accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01 in this state, be registered, and be in compliance with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools, and must:

(e) Annually complete and submit to the department a notarized scholarship compliance statement certifying that all school employees and contracted personnel with direct student contact have undergone background screening ~~pursuant to s. 435.12~~ and have met the screening standards as provided in *s. 1012.315* ~~s. 435.04~~.

(m) Require each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, to undergo ~~a state and national~~ background screening *under s. 1012.315*~~, pursuant to s. 943.0542, by electronically filing with the Department of Law Enforcement a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the private school, a school district, or a private company who is trained to take fingerprints~~ and deny employment to or terminate an employee if he or she fails to meet the screening standards under *s. 1012.315* ~~s. 435.04~~. ~~Results of the screening shall be provided to the participating private school.~~ For purposes of this paragraph:

1. An "employee or contracted personnel with direct student contact" means any employee or contracted personnel who has unsupervised access to a scholarship student for whom the private school is responsible.

2. The costs of fingerprinting and the background check shall not be borne by the state.

3. Continued employment of an employee or contracted personnel after notification that he or she has failed the background screening under this paragraph shall cause a private school to be ineligible for participation in a scholarship program.

4. An employee or contracted personnel holding a valid Florida teaching certificate who has been fingerprinted pursuant to s. 1012.32 is not required to comply with the provisions of this paragraph.

5. All fingerprints submitted to the Department of Law Enforcement as required by this section *must* ~~shall~~ be retained *in the Care Provider Background Screening Clearinghouse as provided in s. 435.12* ~~by the Department of Law Enforcement in a manner provided by rule and entered in the statewide automated biometric identification system authorized by s. 943.05(2)(b). Such fingerprints shall thereafter be available for all purposes and uses authorized for arrest fingerprints entered in the statewide automated biometric identification system pursuant to s. 943.051~~.

6. Employees, contracted personnel, owners, and operators must be rescreened as required by s. 435.12.

7. Persons who apply for employment are governed by the laws and rules in effect at the time of application for employment, provided that the person is continually employed by the same school.

~~6. The Department of Law Enforcement shall search all arrest fingerprints received under s. 943.051 against the fingerprints retained in the statewide automated biometric identification system under subparagraph 5. Any arrest record that is identified with the retained fingerprints of a person subject to the background screening under this section shall be reported to the employing school with which the person is affiliated. Each private school participating in a scholarship program is required to participate in this search process by informing the Department of Law Enforcement of any change in the employment or contractual status of its personnel whose fingerprints are retained under subparagraph 5. The Department of Law Enforcement shall adopt a rule setting the amount of the annual fee to be imposed upon each private school for performing these searches and establishing the procedures for the retention of private school employee and contracted personnel fingerprints and the dissemination of search results. The fee may be borne by the private school or the person fingerprinted.~~

~~7. Employees and contracted personnel whose fingerprints are not retained by the Department of Law Enforcement under subparagraphs 5. and 6. are required to be refingerprinted and must meet state and national background screening requirements upon reemployment or reengagement to provide services in order to comply with the requirements of this section~~.

~~8. Every 5 years following employment or engagement to provide services with a private school, employees or contracted personnel required to be screened under this section must meet screening standards under s. 435.04, at which time the private school shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for national processing. If the fingerprints of employees or contracted personnel are not retained by the Department of Law Enforcement under subparagraph 5., employees~~

~~and contracted personnel must electronically file a complete set of fingerprints with the Department of Law Enforcement. Upon submission of fingerprints for this purpose, the private school shall request that the Department of Law Enforcement forward the fingerprints to the Federal Bureau of Investigation for national processing, and the fingerprints shall be retained by the Department of Law Enforcement under subparagraph 5.~~

(p) Require each owner or operator of the private school, prior to employment or engagement to provide services, to undergo ~~level 2~~ background screening as provided *in s. 1012.315* ~~under chapter 435~~. For purposes of this paragraph, the term "owner or operator" means an owner, *an* operator, *a* superintendent, or *a* principal of, or a person with equivalent decisionmaking authority over, a private school participating in a scholarship program established pursuant to this chapter. The fingerprints for the background screening must be electronically submitted to the Department of Law Enforcement and may be taken by an authorized law enforcement agency or a private company who is trained to take fingerprints. However, the complete set of fingerprints of an owner or operator may not be taken by the owner or operator. ~~The owner or operator shall provide a copy of the results of the state and national criminal history check to the Department of Education.~~ The cost of the background screening may be borne by the owner or operator.

~~1. Every 5 years following employment or engagement to provide services, each owner or operator must meet level 2 screening standards as described in s. 435.04, at which time the owner or operator shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for level 2 screening. If the fingerprints of an owner or operator are not retained by the Department of Law Enforcement under subparagraph 2., the owner or operator must electronically file a complete set of fingerprints with the Department of Law Enforcement. Upon submission of fingerprints for this purpose, the owner or operator shall request that the Department of Law Enforcement forward the fingerprints to the Federal Bureau of Investigation for level 2 screening, and the fingerprints shall be retained by the Department of Law Enforcement under subparagraph 2.~~

~~2. Fingerprints submitted to the Department of Law Enforcement as required by this paragraph must be retained by the Department of Law Enforcement in a manner approved by rule and entered in the statewide automated biometric identification system authorized by s. 943.05(2)(b). The fingerprints must thereafter be available for all purposes and uses authorized for arrest fingerprints entered in the statewide automated biometric identification system pursuant to s. 943.051.~~

~~3. The Department of Law Enforcement shall search all arrest fingerprints received under s. 943.051 against the fingerprints retained in the statewide automated biometric identification system under subparagraph 2. Any arrest record that is identified with an owner's or operator's fingerprints must be reported to the owner or operator, who must report to the Department of Education. Any costs associated with the search shall be borne by the owner or operator.~~

~~4. An owner or operator who fails the level 2 background screening is not eligible to participate in a scholarship program under this chapter.~~

1.~~5.~~ In addition to the offenses listed in s. 435.04, a person required to undergo background screening pursuant to this part or authorizing statutes may not have an arrest awaiting final disposition for, must not have been found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, and must not have been adjudicated delinquent for, and the record must not have been sealed or expunged for, any of the following offenses or any similar offense of another jurisdiction:

a. Any authorizing statutes, if the offense was a felony.

b. This chapter, if the offense was a felony.

c. Section 409.920, relating to Medicaid provider fraud.

d. Section 409.9201, relating to Medicaid fraud.

e. Section 741.28, relating to domestic violence.

f. Section 817.034, relating to fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, or photooptical systems.

g. Section 817.234, relating to false and fraudulent insurance claims.

h. Section 817.505, relating to patient brokering.

i. Section 817.568, relating to criminal use of personal identification information.

j. Section 817.60, relating to obtaining a credit card through fraudulent means.

k. Section 817.61, relating to fraudulent use of credit cards, if the offense was a felony.

l. Section 831.01, relating to forgery.

m. Section 831.02, relating to uttering forged instruments.

n. Section 831.07, relating to forging bank bills, checks, drafts, or promissory notes.

o. Section 831.09, relating to uttering forged bank bills, checks, drafts, or promissory notes.

p. Section 831.30, relating to fraud in obtaining medicinal drugs.

q. Section 831.31, relating to the sale, manufacture, delivery, or possession with the intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense was a felony.

2.~~6.~~ At least 30 calendar days before a transfer of ownership of a private school, the owner or operator shall notify the parent of each scholarship student.

3.~~7.~~ The owner or operator of a private school that has been deemed ineligible to participate in a scholarship program pursuant to this chapter may not transfer ownership or management authority of the school to a relative in order to participate in a scholarship program as the same school or a new school. For purposes of this subparagraph, the term "relative" means father, mother, son, daughter, grandfather, grandmother, brother, sister, uncle, aunt, cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

The department shall suspend the payment of funds to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies. If a private school fails to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (q), the commissioner may determine that the private school is ineligible to participate in a scholarship program.

Section 28. Paragraph (e) of subsection (4) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(4)

(e) Subject to an appropriation, the department shall provide for a differential payment to a private prekindergarten provider and public school based on the provider's designation. The maximum differential payment may not exceed a total of 15 percent of the base student allocation per full-time equivalent student under s. 1002.71 attending in the consecutive program year for that program. A private prekindergarten provider or public school may not receive a differential payment if it receives a designation of "proficient" or lower. ~~Before the adoption of the methodology, the department shall confer with the Council for Early Grade Success under s. 1008.2125 before receiving approval from the State Board of Education for the final recommendations on the designation system and differential payments.~~

Section 29. Subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who~~, for any of the prekindergarten programs listed in s. 1002.53(3),~~ has not completed *any of the prekindergarten programs listed in s. 1002.53(3)* ~~more than 70 percent of the hours authorized to be reported for funding under subsection (2), or has not expended more than 70 percent of the funds authorized for the child under s. 1002.66,~~ may withdraw from the program for good cause and reenroll in one of the programs. The total funding for a child who reenrolls in one of the programs for good cause may not exceed one full-time equivalent student. Funding for a child who withdraws and reenrolls in one of the programs for good cause *must* ~~shall~~ be issued in accordance with the department's uniform attendance policy adopted pursuant to paragraph (6)(d).

(b) A child who has not ~~substantially~~ completed any of the prekindergarten programs listed in s. 1002.53(3) may withdraw from the program due to an extreme hardship that is beyond the child's or parent's control, reenroll in one of the summer programs, and be reported for funding purposes as a full-time equivalent student in the summer program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll, unless the child is granted a good cause exemption under this subsection. The department shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a)~~, whether a child has substantially completed a program under paragraph (b),~~ and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 30. Paragraph (d) of subsection (4) of section 1002.945, Florida Statutes, is amended to read:

1002.945 Gold Seal Quality Care Program.—

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family day care home must meet the following additional criteria:

~~(d) Notwithstanding paragraph (a), if the Department of Education determines through a formal process that a provider has been in business for at least 5 years and has no other class I violations recorded, the department may recommend to the state board that the provider maintain its Gold Seal Quality Care status. The state board's determination regarding such provider's status is final.~~

Section 31. Subsection (2) of section 1003.05, Florida Statutes, is amended to read:

1003.05 Assistance to transitioning students from military families.—

(2) The Department of Education shall facilitate the development and implementation of memoranda of agreement between school districts and military installations which address strategies for assisting students who are the children of active duty military personnel in the transition to Florida schools.

(a) The strategies developed by the department must include the development and implementation of a training module relating to facilitating and expediting the transfer of a K-12 student's education records from an out-of-state school.

(b) The department shall provide the training module required under paragraph (a) to each district school board to provide to each public and charter K-12 school within its district. The district school board shall make the training available to employees who work directly with military students and families.

Section 32. Subsection (3) of section 1003.41, Florida Statutes, is amended to read:

1003.41 State academic standards.—

(3) The Commissioner of Education shall, as deemed necessary, develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, a representative from the Department of Commerce, business and industry leaders for in-demand careers, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption. *New and revised standards documents submitted for approval to the state board must consist only of academic standards and benchmarks. The commissioner shall revise all currently approved standards documents based on the requirements of this subsection and submit all revised standards documents to the state board for approval no later than July 1, 2026.*

Section 33. Paragraph (j) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(j) The elementary principles of agriculture. *This component must include, but need not be limited to, the history of agriculture both nationally and specifically to this state, the economic and societal impact of agriculture, and the various agricultural industry sectors. The department, in collaboration with the Department of Agriculture and Consumer Services and the University of Florida's Institute of Food and Agricultural Sciences, shall prepare and offer standards and a curriculum for the instruction required by this paragraph and may seek input from state or nationally recognized agricultural educational organizations. The department may contract with state or nationally recognized agricultural educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.*

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (u).

Section 34. Paragraph (a) of subsection (2) of section 1003.4201, Florida Statutes, is amended to read:

1003.4201 Comprehensive system of reading instruction.—Each school district must implement a system of comprehensive reading instruction for students enrolled in prekindergarten through grade 12 and certain students who exhibit a substantial deficiency in early literacy.

(2)(a) Components of the reading instruction plan may include the following:

1. Additional time per day of evidence-based intensive reading instruction for kindergarten through grade 12 students, which may be delivered during or outside of the regular school day.

2. Highly qualified reading coaches, who must be endorsed in reading, to specifically support classroom teachers in making instructional decisions based on progress monitoring data collected pursuant to s. 1008.25(9) and improve classroom teacher delivery of effective reading instruction, reading intervention, and reading in the content areas based on student need.

3. Professional learning to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.

4. Summer reading camps, using only classroom teachers or other district personnel who possess a micro-credential as specified in s. 1003.485 or are certified or endorsed in reading consistent with s. 1008.25(8)(b)3., for all students in kindergarten through grade 5 ex-

hibiting a reading deficiency as determined by district and state assessments.

5. *Intensive reading interventions, which must be delivered by instructional personnel who possess a micro-credential as defined in s. 1003.485(1) or are certified or endorsed in reading as provided in s. 1012.586 and must incorporate evidence-based strategies identified by the Just Read, Florida! office pursuant to s. 1001.215(7). Instructional personnel who possess a micro-credential as defined in s. 1003.485(1) and are delivering intensive reading interventions must be supervised by an individual certified or endorsed in reading. For the purposes of this subparagraph, the term "supervised" means that instructional personnel with a micro-credential are able, through telecommunication or in person, to communicate and consult with, and receive direction from, certified or endorsed personnel.* Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification or endorsement *as specified in s. 1012.586* or micro-credential as specified in s. 1003.485 and provide educational support to improve student literacy.

6. Tutoring in reading.

7. A description of how the district prioritizes the assignment of highly effective teachers, as identified in s. 1012.34(2)(e), from kindergarten to grade 2.

Section 35. Paragraph (h) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

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

(h) One-half credit in personal financial literacy.—Beginning with students entering grade 9 in the 2023-2024 school year, each student must earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in all of the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

14. Costs of postsecondary education, including cost of attendance, completion of the Free Application for Federal Student Aid, scholarships and grants, and student loans.

Section 36. Paragraph (a) of subsection (4) of section 1004.04, Florida Statutes, is amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(4) CONTINUED PROGRAM APPROVAL.—Continued approval of a teacher preparation program shall be based upon evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.

(a) The criteria for continued approval must include each of the following:

1. Candidate readiness based on passage rates on educator certification examinations under s. 1012.56, as applicable.

2. Evidence of performance in each of the following areas:

a. Performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments using the results of the student learning growth formula adopted under s. 1012.34.

b. Results of program completers' annual evaluations in accordance with the timeline as set forth in s. 1012.34.

c. Workforce contributions, including placement of program completers in instructional positions in Florida public and private schools, with additional weight given to production of program completers in statewide *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas as identified in s. 1012.07.

3. Results of the program completers' survey measuring their satisfaction with preparation for the realities of the classroom.

4. Results of the employers' survey measuring satisfaction with the program and the program's responsiveness to local school districts.

Section 37. Paragraph (b) of subsection (1) of section 1004.0971, Florida Statutes, is amended to read:

1004.0971 Emergency opioid antagonists in Florida College System institution and state university housing.—

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

(b) "Emergency opioid antagonist" means *a* ~~naloxone hydrochloride or any similarly acting~~ drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

Section 38. Paragraph (b) of subsection (3) and paragraph (b) of subsection (4) of section 1004.933, Florida Statutes, are amended to read:

1004.933 Graduation Alternative to Traditional Education (GATE) Program.—

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

(b) "Institution" means *any* ~~a~~ school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21. *Any such institution may enter into an agreement with an online provider for the adult education or career instruction portion of the program if such provider offers instructional content and services that align with the state career and adult education curriculum frameworks.*

(4) PAYMENT WAIVER; ELIGIBILITY.—

(b) To be eligible for participation in the GATE Program, a student must:

1. Not have earned a standard high school diploma pursuant to s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 before enrolling in the GATE Program;

2. Have been withdrawn from high school *or met the requirements in s. 1003.4282(5)(c) or (8)(a)*;

3. Be a resident of this state as defined in s. 1009.21(1);

4. Be *at least* 16 ~~to 21~~ years of age at the time of initial enrollment, provided that a student who is 16 or 17 years of age has withdrawn from school enrollment pursuant to the requirements and safeguards in s. 1003.21(1)(c);

5. Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List under s. 445.004(4). *The student is not required to enroll in adult secondary and career education program coursework simultaneously.* The student may not change the requested pathway after enrollment, except that, if necessary for the student, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;

6. Maintain a 2.0 GPA for career and technical education coursework; and

7. Notwithstanding s. 1003.435(4), complete the programs under subparagraph 5. within 3 years after his or her initial enrollment unless the institution determines that an extension is warranted due to extenuating circumstances.

Section 39. Paragraphs (c) and (f) of subsection (1) of section 1005.06, Florida Statutes, are amended to read:

1005.06 Institutions not under the jurisdiction or purview of the commission.—

(1) Except as otherwise provided in law, the following institutions are not under the jurisdiction or purview of the commission and are not required to obtain licensure:

(c) Any institution that is under the jurisdiction of the Department of Education, eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees*, or an institution authorized under s. 1009.521*.

(f)*1.* A *nonpublic religious postsecondary educational institution* ~~religious college~~ may operate without *licensure* ~~governmental oversight~~ if the *institution* ~~college~~ annually verifies by sworn affidavit to the commission *each of the following affirmations* ~~that~~:

a.~~1.~~ The name of the institution includes a religious modifier or the name of a religious patriarch, saint, person, or symbol of the church.

b. An explanation of the religious modifier, religious name, or religious symbol used in the institution's name.

c.~~2.~~ The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work.

d.~~3.~~ The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications.

e. The titles and majors of every degree program offered by the institution as they appear on degrees and transcripts issued by the institution.

f.~~4.~~ The duration of all degree programs offered by the institution is consistent with the standards of the commission.

g.~~5.~~ The institution's consumer practices are consistent with those required by s. 1005.04.

2. If requested by the commission, the institution must submit documentation demonstrating compliance with the requirements of this paragraph and with s. 1005.04. The institution shall submit such documentation within 30 days after the request.

3. The commission shall review for approval or denial, in a public meeting, affidavits submitted pursuant to this paragraph. The commission shall approve an affidavit unless the affidavit is facially invalid, the affidavit is contradicted by the institution's public advertisements or by other evidence, or the institution has failed to comply with the requirements of subparagraph 2. The commission may provide such a religious institution a letter stating that the institution has met the requirements of state law and is not subject to *licensure by the commission* ~~governmental oversight~~.

a. If a nonpublic religious postsecondary educational institution that has been issued a written notice of exemption from licensure by the commission subsequently fails to comply with the requirements of this paragraph, the commission must revoke its approval of the institution's affidavit in a public meeting.

b. If an affidavit is denied by the commission, the commission may take any of the actions specified in s. 1005.38 unless the institution applies for a license pursuant to s. 1005.31(1)(a), ceases operating in this state, or submits documentation indicating compliance with this paragraph.

c. The commission may adopt rules to administer this paragraph.

Section 40. Paragraph (a) of subsection (1) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety.—

(1)(a)*1.* Subject to law and to the rules of the State Board of Education and the district school board, the principal in charge of the school or the principal's designee shall develop policies for delegating to any teacher or other member of the instructional staff or to any bus driver transporting students of the school responsibility for the control and direction of students. Each school principal shall fully support the authority of his or her teachers and school bus drivers to remove disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students from the classroom and the school bus and, when appropriate and available, place such students in an alternative educational setting. The principal or the principal's designee must give full consideration to the recommendation for discipline made by a teacher, other member of the instructional staff, or a bus driver when making a decision regarding student referral for discipline.

2. If the disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive behavior continues, the school principal must refer the case to the school's child study team to schedule a meeting with the parent to identify potential remedies.

3. If an initial meeting with the student's parent does not resolve the behavioral issues, the child study team must implement the following:

a. Frequent attempts by the school, including the student's teacher and a school administrator, at communicating with the student's family. The attempts may be made in writing or by telephone, but must be documented.

b. A student evaluation for alternative education programs.

c. Behavior contracts.

The child study team may, but is not required to, implement other interventions, including referral to other agencies for family services or a recommendation for filing a petition for a child in need of services pursuant to s. 984.15.

Section 41. Subsection (3) of section 1006.13, Florida Statutes, is amended to read:

1006.13 Policy of zero tolerance for crime and victimization.—

(3)*(a)* Zero-tolerance policies must require students found to have committed one of the following offenses to be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year, and to be referred to the criminal justice or juvenile justice system.

1.~~(a)~~ Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

2.~~(b)~~ Making a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

(b) District school boards may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system. If a student committing any of the offenses in this subsection is a student who has a disability, the district school board shall comply with applicable State Board of Education rules.

(c) Before the expiration of an expulsion period, the district school superintendent shall determine, based upon the determination of the threat management team, whether the expulsion period should be extended and, if the expulsion period is extended, what educational services will be provided. A recommendation to extend the expulsion period must be provided to the student and his or her parents in accordance with s. 1006.08(1).

Section 42. Subsections (5) and (7) of section 1006.73, Florida Statutes, are amended to read:

1006.73 Florida Postsecondary Academic Library Network.—

(5) REPORTING.—

~~(a)~~ By December 31 each year, the host entity shall submit a report to the Chancellors of the State University System and the Florida College System regarding the implementation and operation of all components described in this section, including, but not limited to, all of the following:

(a)~~1.~~ Usage information collected under paragraph (2)(c).

(b)~~2.~~ Information and associated costs relating to the services and functions of the program.

(c)~~3.~~ The implementation and operation of the automated library services.

(d)~~4.~~ The number and value of grants awarded under paragraph (4)(d) and the distribution of those funds.

~~5. The number and types of courses placed in the Student Open Access Resources Repository.~~

~~6. Information on the utilization of the Student Open Access Resources Repository and utilization of open educational resources in course sections, by Florida College System institution and state university.~~

~~(b) The Chancellors will provide an annual report on the performance of the host entity in delivering the services and any recommendations for changes needed to this section to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education. The Board of Governors and the Department of Education shall include any necessary funding increases in their annual legislative budget requests.~~

~~(7) RECOMMENDATION ON OTHER EDUCATIONAL INSTITUTIONS TO BE INCLUDED WITHIN THE FLORIDA POSTSECONDARY ACADEMIC LIBRARY NETWORK. By June 1, 2022, the Commissioner of Education and the Chancellor of the Board of Governors shall provide a joint recommendation for a process by which school district career centers operated under s. 1001.44 and charter technical career centers under s. 1002.34 would access appropriate postsecondary distance learning, student support services and library assets described in this section. The recommendation must include an analysis of the resources necessary to expand access and assets to centers and their students.~~

Section 43. Effective upon becoming a law, paragraph (b) of subsection (1) of section 1007.27, Florida Statutes, is amended, and paragraph (d) is added to subsection (2) of that section, to read:

1007.27 Articulated acceleration mechanisms.—

(1)

(b) The State Board of Education and the Board of Governors shall identify Florida College System institutions*,* ~~and~~ state universities*, and national consortia* to develop courses that align with s. 1007.25 for students in secondary education and ~~,~~ provide the training required under s. 1007.35(6).

(2)

(d) The department may join or establish a national consortium as an alternative method to develop and implement advanced placement courses that align with s. 1007.25.

Section 44. Subsection (5), paragraph (j) of subsection (6), and subsection (8) of section 1007.35, Florida Statutes, are amended to read:

1007.35 Florida Partnership for Minority and Underrepresented Student Achievement.—

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), *Classic Learning Test (CLT10),* or ~~the~~ PreACT to all enrolled 10th grade students. However, a written notice *must* ~~shall~~ be provided to each parent which must include the opportunity to exempt his or her child from taking the PSAT/NMSQT*, CLT10,* or ~~the~~ PreACT.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in advanced high school courses.

(b) Funding for the PSAT/NMSQT*, CLT10,* or ~~the~~ PreACT for all 10th grade students *is* ~~shall be~~ contingent upon annual funding in the General Appropriations Act.

(c) Public school districts *shall* ~~must~~ choose either the PSAT/NMSQT*, CLT10,* or ~~the~~ PreACT for districtwide administration.

(6) The partnership shall:

(j) Provide information to students, parents, teachers, counselors, administrators, districts, Florida College System institutions, and state universities regarding *the* PSAT/NMSQT*, CLT10,* or ~~the~~ PreACT administration, including, but not limited to:

1. Test administration dates and times.

2. That participation in the PSAT/NMSQT*, CLT10,* or ~~the~~ PreACT is open to all 10th grade students.

3. The value of such tests in providing diagnostic feedback on student skills.

4. The value of student scores in predicting the probability of success on advanced course examinations.

(8)(a) By September 30 of each year, the partnership shall submit to the department a report that contains an evaluation of the effectiveness of the delivered services and activities. Activities and services must be evaluated on their effectiveness at raising student achievement and increasing the number of AP or other advanced course examinations in low-performing middle and high schools. Other indicators that must be addressed in the evaluation report include the number of middle and high school teachers trained; the effectiveness of the training; measures of postsecondary readiness of the students affected by the program; levels of participation in *the* 10th grade PSAT/NMSQT*, CLT10,* or ~~the~~ PreACT testing; and measures of student, parent, and teacher awareness of and satisfaction with the services of the partnership.

(b) The department shall contribute to the evaluation process by providing access, consistent with s. 119.071(5)(a), to student and teacher information necessary to match against databases containing teacher professional learning data and databases containing assessment data for the PSAT/NMSQT, SAT, ACT, PreACT, *CLT, CLT10,* AP,

and other appropriate measures. The department shall also provide student-level data on student progress from middle school through high school and into college and the workforce, if available, in order to support longitudinal studies. The partnership shall analyze and report student performance data in a manner that protects the rights of students and parents as required in 20 U.S.C. s. 1232g and s. 1002.22.

Section 45. Subsections (1) and (5) of section 1008.36, Florida Statutes, are amended to read:

1008.36 Florida School Recognition Program.—

(1) The Legislature finds that there is a need for a performance incentive program for outstanding *instructional personnel* ~~faculty and staff~~ in highly productive schools. The Legislature further finds that performance-based incentives are commonplace in the private sector and should be infused into the public sector as a reward for productivity.

(5) School recognition awards must be used for the following:

(a) Nonrecurring bonuses to the *instructional personnel as defined in s. 1012.01(2)* ~~faculty and staff~~;

(b) Nonrecurring expenditures for educational equipment or materials to assist in maintaining and improving student performance; or

(c) Temporary personnel for the school to assist in maintaining and improving student performance.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 46. Paragraph (c) of subsection (8) of section 1008.365, Florida Statutes, is amended to read:

1008.365 Reading Achievement Initiative for Scholastic Excellence Act.—

(8) As part of the RAISE Program, the department shall establish a tutoring program and develop training in effective reading tutoring practices and content, based on evidence-based practices grounded in the science of reading and aligned to the English Language Arts standards under s. 1003.41, which prepares eligible high school students to tutor students in kindergarten through grade 3 in schools identified under this section, instilling in those students a love of reading and improving their literacy skills.

(c) Tutoring may be part of a service-learning course adopted pursuant to s. 1003.497. Students may earn up to three elective credits for high school graduation based on the verified number of hours the student spends tutoring under the program. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and an administrator or designee of the school in which the tutoring occurred. *The* ~~Unpaid~~ hours that a high school student devotes to tutoring may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program as provided in s. 1003.497(3)(b). The department shall designate a high school student who provides at least 75 verified hours of tutoring under the program as a New Worlds Scholar and award the student with a pin indicating such designation.

Section 47. Subsection (2) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, no later than *May 31* ~~April 30~~ of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the summer, fall, or spring term of the previous academic year~~, indicating the number of students whose scores on the common placement test indicated the need for developmental education under s. 1008.30 or for applied academics for adult education under s. 1004.91~~.

Section 48. Present paragraph (g) of subsection (20) of section 1009.26, Florida Statutes, is redesignated as paragraph (h), a new paragraph (g) is added to that subsection, and paragraphs (a) and (c) of that subsection are amended, to read:

1009.26 Fee waivers.—

(20)(a) Beginning with the 2022-2023 academic year, a state university shall waive the out-of-state fee for a student who:

1. Has a grandparent who *has established a domicile in this state pursuant to s. 222.17 for at least 5 years preceding an application for the fee waiver* ~~is a legal resident as defined in s. 1009.21(1)~~. For purposes of this subsection, the term "grandparent" means a person who has a legal relationship to a student's parent as the natural or adoptive parent or legal guardian of the student's parent.

2. Earns a high school diploma comparable to a Florida standard high school diploma, or its equivalent, or completes a home education program.

3.a. Achieves an SAT combined score no lower than the 89th national percentile on the SAT;

b. Achieves an ACT score concordant to the required SAT score in sub-subparagraph a., using the latest published national concordance table developed jointly by the College Board and ACT, Inc.; or

c. If a state university accepts the Classic Learning Test (CLT) for admission purposes, achieves a CLT score concordant to the required SAT score specified in sub-subparagraph a., using the latest published scoring comparison developed by Classic Learning Initiatives.

4. Beginning with students who initially enroll in the 2022 fall academic term and thereafter, enrolls as a full-time undergraduate student at a state university in the fall academic term immediately following high school graduation.

(c) Before waiving the out-of-state fee, the state university shall require the student or the student's parent, if the student is a dependent child, to provide a written declaration pursuant to s. 92.525(2) attesting to the student's familial relationship to a grandparent who *meets the residency requirement of subparagraph (a)1.* ~~is a legal resident~~ and any other corroborating documentation required by regulation of the Board of Governors. A state university is not required to independently verify the statements contained in each declaration if the signatory declares it to be true under the penalties of perjury as required by s. 92.525(2). However, the state university may refer any signed declaration suspected of containing fraudulent representations to law enforcement.

(g) A state university student granted an out-of-state fee waiver under this subsection shall be considered a resident student for purposes of calculating the systemwide total enrollment of nonresident students as limited by regulation of the Board of Governors.

Section 49. Subsection (2) of section 1009.536, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(2) A student is eligible for a Florida Gold Seal CAPE Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program, and the student:

(a) Earns a minimum of *3* ~~5~~ postsecondary credit hours through CAPE industry certifications approved pursuant to s. 1008.44 which articulate for college credit; ~~and~~

(b) *Earns a minimum cumulative weighted grade point average of 2.5, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses; and*

(c) Completes at least 30 hours of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, 100 hours of paid work, approved by the district school

board, the administrators of a nonpublic school, or the Department of Education for home education program students, or 100 hours of a combination of both. Eligible paid work completed on or after June 27, 2022, shall be included in a student's total required paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(6) Before or within 3 months after completion of the GATE Program as provided in s. 1004.933, a student may apply for the Florida Gold Seal CAPE Scholars award.

Section 50. Section 1009.635, Florida Statutes, is created to read:

1009.635 Rural Incentive for Professional Educators.—

(1) ESTABLISHMENT.—The Rural Incentive for Professional Educators (RIPE) Program is established within the Department of Education to support the recruitment and retention of qualified instructional personnel in rural communities. The program shall provide financial assistance for the repayment of student loans for eligible participants who establish permanent residency and employment in rural areas of opportunity.

(2) ELIGIBILITY.—An individual is eligible to participate in the RIPE Program if he or she does all of the following:

(a) Establishes permanent residency on or after July 1, 2025, in a rural area of opportunity as designated pursuant to s. 288.0656. The address on an individual's state-issued identification card or driver license is evidence of residence.

(b) Secures full-time employment as a teacher or administrator in a private school as defined in s. 1002.01, or as instructional or administrative personnel as those terms are defined in s. 1012.01(2) and (3), respectively, in the public school district located within the same rural area of opportunity as he or she resides.

(c) Holds an associate degree, bachelor's degree, postgraduate degree, or certificate from an accredited institution earned before establishing residency.

(d) Has an active student loan balance incurred for the completion of the qualifying degree or certificate.

(3) LOAN REPAYMENT.—Eligible participants may receive up to $15,000 in total student loan repayment assistance over 5 years, disbursed in annual payments not to exceed $3,000 per year. Payments shall be made directly to the lender servicing the participant's student loan.

(4) AWARD DISTRIBUTION.—Before disbursement of an award, the department shall verify that the participant:

(a) Has maintained continuous employment with the school district in an instructional or administrative position;

(b) Has received a rating of effective or highly effective pursuant to s. 1012.34; and

(c) Has not been placed on probation, had his or her certificate suspended or revoked, or been placed on the disqualification list pursuant to s. 1012.796.

(5) ADMINISTRATION.—The program shall be administered by the Office of Student Financial Assistance within the Department of Education, which shall:

(a) Develop application procedures requiring documentation, including proof of residency, verification of employment, official academic transcripts, and details of outstanding student loans; and

(b) Monitor compliance with program requirements.

(6) RULEMAKING.—The State Board of Education shall adopt rules no later than January 31, 2026, to administer this section.

Section 51. Paragraph (b) of subsection (3) of section 1009.8962, Florida Statutes, is amended to read:

1009.8962 Linking Industry to Nursing Education (LINE) Fund.—

(3) As used in this section, the term:

(b) "Institution" means a school district career center under s. 1001.44; a charter technical career center under s. 1002.34; a Florida College System institution; a state university; an independent nonprofit college or university located and chartered in this state and accredited by an agency or association that is recognized by the database created and maintained by the United States Department of Education to grant baccalaureate degrees; or an independent school, college, or university with an accredited program as defined in s. 464.003 which is located in this state and licensed by the Commission for Independent Education pursuant to s. 1005.31, *or an institution authorized under s. 1009.521,* which has a nursing education program that meets or exceeds the following:

1. For a certified nursing assistant program, a completion rate of at least 70 percent for the prior year.

2. For a licensed practical nurse, associate of science in nursing, and bachelor of science in nursing program, a first-time passage rate on the National Council of State Boards of Nursing Licensing Examination of at least 75 percent for the prior year based on a minimum of 10 testing participants.

Section 52. Present subsection (4) of section 1009.897, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

1009.897 Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund.—

(4) Each institution that receives funds through the PIPELINE Fund shall allocate the funds to its health care industry-related programs.

Section 53. *Section 1011.58, Florida Statutes, is repealed.*

Section 54. *Section 1011.59, Florida Statutes, is repealed.*

Section 55. Paragraph (b) of subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) A school district may expend, subject to s. 200.065, up to $200 per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in *s. 624.605(1)(b), (d), (f), (g), (h), and (m)* ~~s. 624.605(1)(d), (f), (g), (h), and (m)~~. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 56. Subsections (3) and (6) of section 1011.804, Florida Statutes, are amended to read:

1011.804 GATE Startup Grant Program.—

(3) The department may solicit proposals from institutions without programs that meet the requirements of s. 1004.933(2). Such institutions must be located in or serve a rural area of opportunity as designated by the Governor. *Additionally, institutions that meet program requirements and are located in or serve a rural area of opportunity may apply for grant funds specifically for marketing and outreach efforts to expand student participation in the GATE Program.*

(6) Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, ~~and~~ student services*, and outreach and marketing efforts to recruit and enroll eligible students. Institutions with existing programs that meet the requirements of s. 1004.933(2) and that are located in or serve a rural area of opportunity may apply for grant funds exclusively for marketing and outreach purposes to expand student participation in the GATE Program*. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department. The department shall consolidate such annual reports and include the reports in the report required by s. 1004.933(5).

Section 57. Section 1012.07, Florida Statutes, is amended to read:

1012.07 Identification of *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas.—The term "*high-demand* ~~critical~~ teacher *needs* ~~shortage~~ area" means high-need content areas and high-priority location areas identified by the State Board of Education. The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to annually identify *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas. The state board must consider current and emerging educational requirements and workforce demands in determining *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas. School grade levels may also be designated critical teacher shortage areas. Individual district school boards may identify and submit other *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas. Such submissions must be aligned to current and emerging educational requirements and workforce demands in order to be approved by the State Board of Education. High-priority location areas must be in high-density, low-economic urban schools; low-density, low-economic rural schools; and schools that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34. The State Board of Education shall develop strategies to address *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas.

Section 58. Paragraph (c) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(c) Compensation and salary schedules.—

1. Definitions.—As used in this paragraph:

a. "Adjustment" means an addition to the base salary schedule that is not a bonus and becomes part of the employee's permanent base salary and shall be considered compensation under s. 121.021(22).

b. "Grandfathered salary schedule" means the salary schedule or schedules adopted by a district school board before July 1, 2014, pursuant to subparagraph 4.

c. "Instructional personnel" means instructional personnel as defined in s. 1012.01(2)(a)-(d), excluding substitute teachers.

d. "Performance salary schedule" means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. "Salary schedule" means the schedule or schedules used to provide the base salary for district school board personnel.

f. "School administrator" means a school administrator as defined in s. 1012.01(3)(c).

g. "Supplement" means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee's continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:

a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.

b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may use advanced degrees in setting a salary schedule for instructional personnel or school administrators if the advanced degree is held in the individual's area of certification.

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 5. Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, *high-demand teacher needs* ~~critical shortage~~ areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule shall be compensated pursuant to the performance salary schedule once they have received the appropriate performance evaluation for this purpose.

a. Base salary.—The base salary shall be established as follows:

(I) The base salary for instructional personnel or school administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

b. Salary adjustments.—Salary adjustments for highly effective or effective performance shall be established as follows:

(I) The annual salary adjustment under the performance salary schedule for an employee rated as highly effective must be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.

(II) The annual salary adjustment under the performance salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

(III) A salary schedule shall not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.

c. Salary supplements.—In addition to the salary adjustments, each district school board shall provide for salary supplements for activities that must include, but are not limited to:

(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas. Statewide *high-demand* ~~critical~~ teacher *needs* ~~shortage~~ areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of *high-demand needs* ~~critical shortage~~ within the school district for purposes of this sub-sub-subparagraph and may remove areas identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board's ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

Section 59. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Screening standards.—

(1) A person is ineligible for educator certification or employment in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002 if the person *which includes being an owner or operator of a private school that participates in a scholarship program under chapter 1002*:

(a)~~(1)~~ Is on the disqualification list maintained by the department under s. 1001.10(4)(b);

(b)~~(2)~~ Is registered as a sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C);

(c)~~(3)~~ Is ineligible based on a security background investigation under s. 435.04(2). ~~Beginning January 1, 2025, or a later date as determined by the Agency for Health Care Administration,~~ The Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a district school system, a charter school, or a private school that participates in a state scholarship program under chapter 1002;

(d)~~(4)~~ Would be ineligible for an exemption under s. 435.07(4)(c); or

(e)~~(5)~~ Has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to:

1.~~(a)~~ Any criminal act committed in another state or under federal law which, if committed in this state, constitutes a disqualifying offense under s. 435.04(2).

2.~~(b)~~ Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(h)1.d.

(2) Notwithstanding ss. 435.01 and 435.07, a person who undergoes screening pursuant to this chapter or s. 1002.421 may not seek an exemption.

(3) Persons who apply for certification or employment are governed by the law and rules in effect at the time of application for issuance of the initial certificate or employment, provided that continuity of certificates or employment is maintained.

Section 60. Section 1012.77, Florida Statutes, is amended to read:

1012.77 Christa McAuliffe Ambassador for Education Program.—

(1) ~~The Legislature recognizes that Florida continues to face teacher shortages and that fewer young people consider teaching as a career.~~ It is the intent of the Legislature to promote the positive and rewarding aspects of being a teacher, to encourage more individuals to become teachers, and to provide annual sabbatical support for outstanding Florida teachers to serve as goodwill ambassadors for education. The Legislature further wishes to honor the memory of Christa McAuliffe, who epitomized the challenge and inspiration that teaching can be.

(2) The Christa McAuliffe Ambassador for Education Program is established to provide salary, travel, and other related expenses annually for an outstanding Florida teacher to promote the positive aspects of teaching as a career. The goals of the program are to:

(a) Enhance the stature of teachers and the teaching profession.

(b) Promote the importance of quality education and teaching for our future.

(c) Inspire and attract talented people to become teachers.

(d) Provide information regarding Florida's scholarship and loan programs related to teaching.

(e) Promote the teaching profession within community and business groups.

(f) Provide information to retired military personnel and other individuals who might consider teaching as a second career.

(g) Work with and represent the Department of Education, as needed.

(h) Work with and encourage the efforts of school and district teachers of the year.

(i) Support the activities of the Florida Future Educator of America Program.

(j) Represent Florida teachers at business, trade, education, and other conferences and meetings.

(k) Promote the teaching profession in other ways related to the teaching responsibilities, background experiences, and aspirations of the Ambassador for Education.

(3) The Teacher of the Year shall serve as the Ambassador for Education. If the Teacher of the Year is unable to serve as the Ambassador for Education, the first runner-up shall serve in his or her place. The Department of Education shall establish application and selection procedures for determining an annual teacher of the year. Applications and selection criteria shall be developed and distributed annually by the Department of Education to all *eligible entities identified in subsection (4)* ~~school districts~~. The Commissioner of Education shall establish a selection committee which assures representation from teacher organizations, administrators, and parents to select the Teacher of the Year and Ambassador for Education from among the district teachers of the year.

(4) Eligible entities to submit to the Department of Education a nominee for the Teacher of the Year and Ambassador for Education are:

(a) Florida school districts, including lab schools as defined in s. 1002.32.

(b) Charter school consortia with at least 30 member schools and an approved professional learning system on file with the department.

(5)(a)~~(4)(a)~~ The Commissioner of Education shall pay an annual salary, fringe benefits, travel costs, and other costs associated with administering the program.

(b) The Ambassador for Education shall serve for 1 year, from July 1 to June 30, and shall be assured of returning to his or her teaching position upon completion of the program. The ambassador will not have a break in creditable or continuous service or employment for the period of time in which he or she participates in the program.

Section 61. Subsection (3) of section 1013.30, Florida Statutes, is amended to read:

1013.30 University campus master plans and campus development agreements.—

(3) Each university board of trustees shall prepare and adopt a campus master plan for the university and maintain a copy of the plan on the university's website. The master plan must identify general land uses and address the need for and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The plans must contain elements relating to future land use, intergovernmental coordination, capital improvements, recreation and open space, general infrastructure, housing, and conservation. Each element must address compatibility with the surrounding community. The master plan must identify specific land uses, general location of structures, densities and intensities of use, and contain standards for onsite development, site design, environmental management, and the preservation of historic and archaeological resources. The transportation element must address reasonable transportation demand management techniques to minimize offsite impacts where possible. Data and analyses on which the elements are based must include, at a minimum: the characteristics of vacant lands; projected impacts of development on onsite and offsite infrastructure, public services, and natural resources; student enrollment projections; student housing needs; and the need for academic and support facilities. Master plans must be updated at least every *10* ~~5~~ years.

Section 62. Subsection (3) of section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(3) If the school board levies the discretionary millage authorized in s. 1011.71(2), the department *must* ~~shall~~ use the following calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school:

(a) Reduce the total discretionary millage revenue by the school district's annual debt service obligation incurred as of March 1, 2017, which has not been subsequently retired, and*:*

1. Beginning in the 2025-2026 fiscal year, for any district with an active project or an outstanding participation requirement balance, any amount of participation requirement pursuant to s. 1013.64(2)(a)8. that is being satisfied by revenues raised by the discretionary millage*; or*

2. For construction projects for which Special Facilities Construction Account funding is sought beginning in the 2025-2026 fiscal year, the value of 1 mill from the revenue generated pursuant to s. 1013.64(2)(a) 8.b.

(b) Divide the school district's adjusted discretionary millage revenue by the district's total capital outlay full-time equivalent membership and the total number of full-time equivalent students of each eligible charter school to determine a capital outlay allocation per full-time equivalent student.

(c) Multiply the capital outlay allocation per full-time equivalent student by the total number of full-time equivalent students of each eligible charter school to determine the capital outlay allocation for each charter school.

(d) If applicable, reduce the capital outlay allocation identified in paragraph (c) by the total amount of state funds allocated to each eligible charter school in subsection (2) to determine the maximum calculated capital outlay allocation. The amount of funds a school district must distribute to charter schools shall be as follows:

1. For fiscal year 2023-2024, the amount is 20 percent of the amount calculated under this paragraph.

2. For fiscal year 2024-2025, the amount is 40 percent of the amount calculated under this paragraph.

3. For fiscal year 2025-2026, the amount is 60 percent of the amount calculated under this paragraph.

4. For fiscal year 2026-2027, the amount is 80 percent of the amount calculated under this paragraph.

5. For fiscal year 2027-2028, and each fiscal year thereafter, the amount is 100 percent of the amount calculated under this paragraph.

(e) School districts shall distribute capital outlay funds to eligible charter schools no later than February 1 of each year, as required by this subsection, based on the amount of funds received by the district school board. School districts shall distribute any remaining capital outlay funds, as required by this subsection, upon the receipt of such funds until the total amount calculated pursuant to this subsection is distributed.

By October 1 of each year, each school district shall certify to the department the amount of debt service *that* ~~and participation requirement that complies with the requirement of paragraph (a) and~~ can be reduced from the total discretionary millage revenue. *Each school district shall also certify the amount of the participation requirement that complies with paragraph (a), or certify the value of 1 mill from revenue generated pursuant to s. 1013.64(2)(a)8.b. which can be reduced from the total discretionary millage revenue, as applicable.* The Auditor General shall verify compliance with the requirements of paragraph (a) and s. 1011.71(2)(e) during scheduled operational audits of school districts.

Section 63. Paragraph (a) of subsection (2) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. A district may not receive funding for more than one approved project in any 3-year period ~~or while any portion of the district's participation requirement is outstanding~~. The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. Before developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1. Within 90 days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district's pattern of student growth; the

district's existing and projected capital outlay full-time equivalent student enrollment as determined by the demographic, revenue, and education estimating conferences established in s. 216.136; the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or survey amendment cooperatively prepared by the district and the department, and approved by the department under the rules of the State Board of Education. If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) unless approved by the Special Facility Construction Committee. At the discretion of the committee, costs that exceed the cost per student station for special facilities may include legal and administrative fees, the cost of site improvements or related offsite improvements, the cost of complying with public shelter and hurricane hardening requirements, cost overruns created by a disaster as defined in s. 252.34(2), costs of security enhancements approved by the school safety specialist, and unforeseeable circumstances beyond the district's control.

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8.*a.(I)* For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district's participation requirement, levy the maximum millage against its nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6).

(II) Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6).

(III) Beginning with the 2025-2026 fiscal year, any district with *an* ~~a new or~~ active project *or an outstanding participation requirement balance*, funded under ~~the provisions of~~ this subsection, shall be required to budget no more than the value of 1 mill per year to the project until the district's participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied.

b. For construction projects for which Special Facilities Construction Account funding is sought beginning in the 2025-2026 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for the initial year of the appropriation and the 2 years following the initial appropriation, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). The district is not required to budget the funds toward the project, but must use the funds as authorized pursuant to s. 1011.71 or s. 212.055(6), as applicable.

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project *must* ~~shall~~ revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11.*a. For projects funded before the 2025-2026 fiscal year,* the district shall have on file with the department an adopted resolution acknowledging its commitment to satisfy its participation requirement, which is equivalent to all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.

b. For projects funded during the 2025-2026 fiscal year and thereafter, the district shall have on file with the department an adopted resolution acknowledging its commitment to comply with the requirements of this paragraph.

12. Phase I plans must be approved by the district school board as being in compliance with the building and life safety codes before June 1 of the year the application is made.

Section 64. Paragraph (b) of subsection (1) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) In order to be eligible for an initial award from any of the scholarships under the Florida Bright Futures Scholarship Program, a student must:

(b) Earn a standard Florida high school diploma pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41;

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on*, or, within 12 months before the student's high school graduation, has retired from,* military or public service assignment away from Florida; or

3. The student earns a high school diploma from a Florida private school operating pursuant to s. 1002.42.

Section 65. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 11.45, F.S.; deleting the Florida School for Competitive Academics from the list of entities subject to certain audit requirements; amending s. 11.51, F.S.; authorizing the Office of Program Policy Analysis and Government Accountability to develop contracts or agreements with institutions in the State University System for a specified purpose; amending s. 110.211, F.S.; authorizing recruiting within the career service system to include the use of certain apprenticeship programs; providing that open competition is not required under certain circumstances relating to the career service system; amending s. 125.901, F.S.; revising the composition and terms of membership of certain councils; amending s. 216.251, F.S.; deleting the Florida School for Competitive Academics from specified classification and pay plans; amending s. 288.036, F.S.; revising the duties of the Office of Ocean Economy; amending s. 435.12,

F.S.; revising the dates for a screening schedule; amending s. 446.032, F.S.; revising the date by which the Department of Education is required to publish an annual report on apprenticeship and preapprenticeship programs; amending s. 447.203, F.S.; deleting the Florida School for Competitive Academics from the definition of a public employer; amending s. 1000.04, F.S.; deleting the Florida School for Competitive Academics from the components of Florida's Early Learning-20 education system; amending s. 1000.21, F.S.; renaming Hillsborough Community College as "Hillsborough College"; amending s. 1000.40, F.S.; revising the scheduled repeal date of the Interstate Compact on Educational Opportunity for Military Children; amending s. 1001.03, F.S.; renaming critical teacher shortage areas as "high-demand teacher needs areas"; amending s. 1001.20, F.S.; deleting oversight of the Florida School for Competitive Academics from the duties of the Office of Inspector General within the department; requiring the state board to adopt rules; amending s. 1001.451, F.S.; revising the services required to be provided by regional consortium service organizations when such services are found to be necessary and appropriate by such organizations' boards of directors; revising the allocation that certain regional consortium service organizations are eligible to receive from the General Appropriations Act; requiring each regional consortium service organization to submit an annual report to the Department of Education; requiring that unexpended amounts in certain funds be carried forward; requiring each regional consortium service organization to provide quarterly financial reports to member districts; requiring member districts to designate a district to serve as a fiscal agent for certain purposes; providing for compensation of the fiscal agent district; requiring regional consortium service organizations to retain all funds received from grants or contracted services to cover indirect or administrative costs associated with the provision of such services; requiring the regional consortium service organization board of directors to determine products and services provided by the organization; requiring a regional consortium service organization board of directors to recommend the establishment of positions and appointments to a fiscal agent district; requiring that personnel be employed under specified personnel policies; authorizing the regional consortium service organization board of directors to recommend a salary schedule for personnel; authorizing regional consortium service organizations to purchase or lease property and facilities essential to their operations; providing for the distribution of revenue if a regional consortium service organization is dissolved; deleting a provision requiring applications for incentive grants; authorizing regional consortium service organization boards of directors to contract to provide services to nonmember districts; requiring that a fund balance be established for specified purposes; deleting a requirement for the use of certain funds; authorizing a regional consortium service organization to administer a specified program; creating s. 1001.4511, F.S.; creating the Regional Consortia Service Organization Supplemental Services Program; providing the purpose of the program; authorizing funds to be used for specified purposes; requiring each regional consortium service organization to report the distribution of funds annually to the Legislature; providing for the carryforward of funds; amending s. 1001.452, F.S.; deleting a provision requiring the Commissioner of Education to determine whether school districts have maximized efforts to include minority persons and persons of lower socioeconomic status on their school advisory councils; creating s. 1001.68, F.S.; authorizing Florida College System institutions with a certain number of full-time equivalent students to enter into cooperative agreements to form a state college regional consortium service organization; requiring such organizations to provide at least a specified number of certain services; requiring that regional consortium service organizations be governed by a board of directors consisting of specified members; amending s. 1001.706, F.S.; deleting a requirement that state universities provide student access to certain information; amending s. 1001.7065, F.S.; revising academic standards for the preeminent state research university program to include a specified average Classic Learning Test score; amending s. 1002.20, F.S.; authorizing public schools to purchase or enter into arrangements for certain emergency opioid antagonists, rather than only for naloxone; requiring that district school board policies authorizing corporal punishment include a requirement that parental consent be provided before the administration of corporal punishment; amending s. 1002.33, F.S.; requiring a charter school to comply with provisions relating to corporal punishment; repealing s. 1002.351, F.S., relating to the Florida School for Competitive Academics; amending s. 1002.394, F.S.; deleting the Florida School for Competitive Academics from Family Empowerment Scholarship prohibitions; amending s. 1002.395, F.S.; deleting the Florida School for Competitive Academics from Florida Tax Credit Scholarship prohibitions; amending s. 1002.42, F.S.; authorizing certain private schools to construct new facilities on property that meets specified criteria; amending s. 1002.421, F.S.; revising the background screening requirements for certain private school personnel; amending s. 1002.68, F.S.; deleting a provision requiring the department to confer with the Council for Early Grade Success before receiving a certain approval; amending s. 1002.71, F.S.; revising the conditions under which a student may withdraw from a prekindergarten program and reenroll in another program; amending s. 1002.945, F.S.; revising the criteria required for a child care facility, large family child care home, or family day care home to obtain and maintain a designation as a Gold Seal Quality Care provider; amending s. 1003.05, F.S.; requiring that strategies addressed in specified memoranda of agreement between school districts and military installations include the development and implementation of a specified training module; requiring the Department of Education to provide the training module to each district school board; requiring each district school board to provide such module to each public and charter K-12 school in its district; requiring district school boards to make certain training available to certain employees; amending s. 1003.41, F.S.; requiring that certain standards documents contain only academic standards and benchmarks; requiring the Commissioner of Education to revise currently approved standards documents and submit them to the state board by a specified date; amending s. 1003.42, F.S.; revising required instruction on the principles of agriculture; requiring the department to collaborate with specified entities to develop associated standards and a curriculum; authorizing the department to contract with certain agricultural education organizations; amending s. 1003.4201, F.S.; authorizing the inclusion of intensive reading interventions in a school district comprehensive reading instruction plan; requiring that intensive reading interventions be delivered by instructional personnel who possess a micro-credential or are certified or endorsed in reading; requiring that such interventions incorporate certain strategies; requiring that instructional personnel with a micro-credential be supervised by an individual certified or endorsed in reading; defining the term "supervised"; authorizing the inclusion in the reading instruction plans of a description of how school districts prioritize the assignment of highly effective teachers; amending s. 1003.4282, F.S.; adding components to required instruction on financial literacy; amending s. 1004.04, F.S.; conforming provisions to changes made by the act; amending s. 1004.0971, F.S.; revising the definition of the term "emergency opioid antagonist"; amending s. 1004.933, F.S.; authorizing an institution to enter into an agreement with an online provider for the adult education or career instruction portion of the Graduation Alternative to Traditional Education (GATE) Program; deleting the age limit for enrollment in the program; clarifying that students are not required to enroll in adult secondary and career education coursework simultaneously; amending s. 1005.06, F.S.; authorizing certain institutions to operate without licensure; specifying affirmations required as a part of an affidavit; requiring submission of requested documentation in a specified timeframe; requiring the Commission for Independent Education to review such affidavit in a public meeting; specifying commission actions for noncompliance; authorizing the commission to adopt rules; amending s. 1006.09, F.S.; expanding the duties of school principals relating to student discipline and school safety; amending s. 1006.13, F.S.; requiring district school superintendents to provide a determination to extend the expulsion period for students; providing requirements for such determination; requiring such determination be provided to students and parents; amending s. 1006.73, F.S.; revising reporting requirements relating to the Florida Postsecondary Academic Library Network; amending s. 1007.27, F.S.; requiring the state board to identify national consortia to develop certain courses; authorizing the department to join or establish a national consortium as an additional alternative method to develop and implement advanced placement courses; amending s. 1007.35, F.S.; revising which examinations public high schools are required to administer; revising the examinations about which a partnership must provide information to specified individuals and entities; revising the examinations for which the department must provide the learning data from to a certain partnership; amending s. 1008.36, F.S.; revising the recipients of school recognition bonus funds; amending s. 1008.365, F.S.; revising the types of tutoring hours that may be counted toward meeting the community service requirements for the Bright Futures Scholarship Program; amending s. 1008.37, F.S.; revising the date by which the Commissioner of Education must deliver a report to specified entities; revising the requirements of the report; amending s. 1009.26, F.S.; revising the residency requirement for a grandparent for a student's out-of-state fee waiver; revising the residency criteria for a grandparent in a

specified attestation; providing applicability; amending s. 1009.536, F.S.; clarifying the required minimum cumulative weighted grade point average for the Florida Gold Seal CAPE Scholars award; authorizing students to apply for a Florida Gold Seal CAPE Scholars award within a specified timeframe before or after completing the GATE Program; creating s. 1009.635, F.S.; establishing the Rural Incentive for Professional Educators Program within the Department of Education; requiring the program to provide financial assistance for the repayment of student loans to eligible participants who establish permanent residency and employment in rural communities; providing that eligible participants may receive up to a certain amount in total student loan repayment assistance over a certain timeframe; requiring the department to verify certain information of participants in the program before it disburses awards; providing that the program is administered through the Office of Student Financial Assistance within the department; requiring the department to develop procedures and monitor compliance; requiring the State Board of Education to adopt rules by a certain date; amending s. 1009.8962, F.S.; revising the definition of the term "institution"; amending s. 1009.897, F.S.; requiring institutions receiving funds through the Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education Fund to allocate funding to health care-related programs; repealing s. 1011.58, F.S., relating to legislative budget requests of the Florida School for Competitive Academics; repealing s. 1011.59, F.S., relating to funds for the Florida School for Competitive Academics; amending s. 1011.71, F.S.; revising the types of casualty insurance premiums that may be paid by a district school tax; amending s. 1011.804, F.S.; authorizing certain institutions to apply for and use grant funds under the GATE Startup Grant Program for specified purposes; amending ss. 1012.07 and 1012.22, F.S.; conforming provisions to changes made by the act; amending s. 1012.315, F.S.; revising the background screening requirements for certain private school personnel; providing that certain background screening requirements remain in place for a specified period of time for certain personnel; amending s. 1012.77, F.S.; conforming a provision to a change made by the act; specifying entities eligible to submit nominees for the Teacher of the Year and Ambassador for Education awards; amending s. 1013.30, F.S.; revising the timeframe for updates to state university campus master plans; amending s. 1013.62, F.S.; revising the calculation methodology to determine the amount of revenue that a school district must distribute to each eligible charter school; amending s. 1013.64, F.S.; revising conditions under which a school district may receive funding on an approved construction project; providing appropriations for specified purposes; amending s. 1009.531, F.S.; revising eligibility requirements for students who earn a high school diploma from a non-Florida school under certain circumstances; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 1255**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1590—A bill to be entitled An act relating to educator preparation; providing legislative intent; requiring the Department of Education to establish a workgroup to update and revise the Florida Educator Accomplished Practices; requiring the department to submit workgroup findings to the Governor and the Legislature by a certain date; requiring the State Board of Education to consider certain revisions and a specified rule by a certain date; requiring the department to develop a teacher examination; requiring the department to submit to the Governor and the Legislature an implementation plan for teacher preparation programs; creating s. 1012.551, F.S.; establishing guidelines for teacher preparation program uniform core curricula; creating s. 1012.552, F.S.; requiring the department to create a specified alternative certification pathway for teachers; amending s. 1012.98, F.S.; updating a reference to educational leadership standards; requiring training on instructional materials; requiring the department to develop criteria for certain mentors' training; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1590**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 875** was withdrawn from the Committee on Rules.

On motion by Senator Burgess, the rules were waived and—

CS for CS for HB 875—A bill to be entitled An act relating to educator preparation; amending s. 1004.04, F.S.; providing for the future repeal of provisions relating to the uniform core curricula for certain teacher preparation programs; revising requirements for certain teacher preparation programs; revising the criteria for continued approval of such programs; revising the term "field experience" to "clinical experience"; revising the requirements for such experience; revising the requirements certain personnel must meet; creating s. 1004.0982, F.S.; requiring the Department of Education to reduce the number of required internship hours for specified students under certain circumstances; requiring the department to establish specified guidelines and programs to provide specified flexibility to students enrolled in postsecondary school counseling programs; providing requirements for such guidelines and programs; requiring the State Board of Education to adopt rules and the Board of Governors to adopt regulations for such guidelines and programs; amending s. 1004.85, F.S.; revising the purpose of postsecondary educator preparation institutes; revising requirements for such institutes; revising requirements for the continued approval of such programs; amending s. 1012.39, F.S.; providing requirements for the hiring of certain nondegreed teachers of fine and performing arts; creating s. 1012.551, F.S.; providing for the uniform core curricula for certain teacher preparation programs; providing requirements for such curricula; providing requirements for teacher candidates beginning in a specified school year; providing reporting requirements for certain teacher preparation programs; requiring the State Board of Education to approve or reject certain courses for such programs; prohibiting such programs from requiring students to take a specified additional course; creating s. 1012.552, F.S.; establishing the Coaching for Educator Readiness and Teaching Certification Program; providing the intent for the program; providing program requirements; providing requirements for approval and continued approval of such programs; requiring the state board to adopt rules; amending s. 1012.555, F.S.; revising the requirements for teachers serving as mentors through a teacher apprenticeship program; amending s. 1012.56, F.S.; providing for the future repeal of professional learning certification programs and professional education competency programs; revising requirements relating to meeting the mastery of general knowledge and mastery of professional preparation and education competence for certification as an educator; removing a requirement for a passing score on a specified examination for certain candidates for certification as an educator beginning on a certain date; revising requirements for a professional and temporary educator certificates; amending s. 1012.585, F.S.; revising requirements for the renewal of a professional certificate; amending s. 1012.98, F.S.; revising requirements for specified professional learning systems; removing obsolete language; creating s. 1012.981, F.S.; establishing the Florida Institute for Teaching Excellence at Miami Dade College, subject to an appropriation; providing the purpose and duties of the institute; authorizing the institute to submit a professional learning system for approval and seek specified funding; providing for the supervision, administration, and governance of the institute; amending ss. 1012.55, 1012.57, and 1012.98, F.S.; conforming cross-references to changes made by the act; providing effective dates.

—a companion measure, was substituted for **CS for SB 1590** and read the second time by title.

Senator Burgess moved the following amendment which was adopted:

Amendment 1 (208910) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *(1) It is the intent of the Legislature to ensure all students have access to a well-qualified and prepared teacher at all grade levels. In order to prepare all teachers for success in the classroom, the Legislature intends to revise educator preparation programs, educator certification, and professional learning to modernize teacher training and properly prepare educators to meet the challenges of educating students in the 21st century.*

(2) No later than September 1, 2025, the Department of Education shall establish a workgroup to update and revise the Florida Educator Accomplished Practices. The workgroup must include, at a minimum, representatives from state-approved initial teacher preparation programs under s. 1004.04, Florida Statutes, educator preparation institutes under s. 1004.85, Florida Statutes, school district personnel, classroom teachers, and other education stakeholders.

(a) The department shall submit the workgroup's findings and recommendations, including the final version of the revised practices, to the

Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2026.

(b) The revised Florida Educator Accomplished Practices and rule to implement the uniform core curricula pursuant to s. 1012.551, Florida Statutes, must be considered by the State Board of Education by August 1, 2026.

(3) No later than July 1, 2027, the Department of Education shall begin development of the Florida Teacher Excellence Examination, which must align with the revised Florida Educator Accomplished Practices and serve as a measure of educator readiness for professional certification.

(4) Upon approval of the Florida Educator Accomplished Practices and rule implementing the uniform core-curricula, the Department of Education shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes an implementation plan and schedule for aligning initial teacher preparation programs under s. 1004.04, Florida Statutes, educator preparation institutes under s. 1004.85, Florida Statutes, teacher preparation core courses, and Coaching for Educator Readiness and Teaching (CERT) programs under s. 1012.552, Florida Statutes, to the revised Florida Educator Accomplished Practices and the Florida Teacher Excellence Examination. The report must include any recommended changes to existing statutes necessary to implement such alignment.

Section 2. Section 1004.0982, Florida Statutes, is created to read:

1004.0982 Flexible education pathway for school counselors.—To better enable students enrolled in postsecondary school counseling programs to enter the workforce as certified school counselors, the Department of Education shall:

(1) Reduce the 600-hour internship requirement to a 300-hour internship requirement if a candidate:

(a) Is a current full-time teacher who has been employed as a teacher for at least 5 years; and

(b) Has earned an effective or highly effective rating on his or her performance evaluation for the past 3 years under s. 1012.34.

(2) Establish, and the State Board of Education shall adopt rules and the Board of Governors shall adopt regulations, guidelines and programs to provide flexibility in meeting the internship requirements for students enrolled in a postsecondary school counseling program.

(a) The guidelines may include any of the following:

1. Establishing acceptable internship settings and supervision requirements.

2. Establishing criteria for adjustments to internship requirements based on the student's personal circumstances.

3. Establishing credit equivalencies that count toward internship hours for such students.

4. Flexibility in meeting the internship hours for such students.

(b) The programs may include, subject to legislative funding, any of the following:

1. Scholarship programs.

2. Tuition reimbursement programs.

3. Other incentive programs.

Section 3. Section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists *and nondegreed teachers of fine and performing arts*; students performing clinical field experience.—

(1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and 1012.57, or any other provision of law or rule to the contrary, each district school board shall establish the minimal qualifications for:

(a) Substitute teachers to be employed pursuant to s. 1012.35. The qualifications shall require the filing of a complete set of fingerprints in the same manner as required by s. 1012.32; documentation of a minimum education level of a high school diploma or equivalent; and completion of an initial orientation and training program in district policies and procedures addressing school safety and security procedures, educational liability laws, professional responsibilities, and ethics.

(b) Part-time and full-time teachers in adult education programs. The qualifications shall require the filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.

(c) Part-time and full-time nondegreed teachers of career programs. Qualifications must be established for nondegreed teachers of career and technical education courses for program clusters that are recognized in the state and are based primarily on successful occupational experience rather than academic training. The qualifications for such teachers must require:

1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.

2. Documentation of education and successful occupational experience including documentation of:

a. A high school diploma or the equivalent.

b. Completion of 3 years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.

c. For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students. This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program, or the local school district inservice master plan.

d. Documentation of industry certification when state or national industry certifications are available and applicable.

(d) Part-time, nondegreed teachers of fine and performing arts. Qualifications must be established for nondegreed teachers of fine and performing arts courses in the course code directory. The qualifications for such teachers must require:

1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32.

2. Documentation of education and successful experience, including documentation of:

a. A high school diploma or the equivalent.

b. Completion of 3 years of full-time successful experience or the equivalent of part-time experience in the teaching specialization area.

(2) Substitute, adult education, and nondegreed career education teachers who are employed pursuant to this section shall have the same rights and protection of laws as certified teachers.

(3) A student who is enrolled in a state-approved teacher preparation program in a postsecondary educational institution that is approved by rules of the State Board of Education and who is jointly assigned by the postsecondary educational institution and a district school board to perform a clinical field experience under the direction of a regularly employed and certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the district school board. The district school board providing the clinical field experience shall notify the student electronically or in writing of the availability of educator liability insurance under s. 1012.75. A postsecondary educational institution or district school board may not require a student enrolled in a

state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.

Section 4. Section 1012.551, Florida Statutes, is created to read:

1012.551 Teacher preparation core principles, standards, and content.–

(1) Beginning August 1, 2027, each teacher preparation program approved pursuant to ss. 1004.04, 1004.85, and 1012.552 must provide uniform core curricula courses aligned with the Florida Educator Accomplished Practices that establish the foundational standards and expectations for evidence-based instruction and professional responsibility. The State Board of Education shall establish in rule the uniform core curricula.

(2) The uniform core curricula for each state-approved teacher preparation program must meet, at a minimum, the following standards:

(a) May not distort significant historical events or include curriculum or instruction that teaches identity politics, violates s. 1000.05, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

(b) Must afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

(c) Must use state-approved academic standards to guide instruction.

(d) Must provide training on the use of evidence-based instructional materials included on the state-adopted instructional materials list pursuant to s. 1006.28, materials evaluated and identified pursuant to s. 1001.215(4), materials developed pursuant to s. 1006.39, and materials posted online by the department, including when and how to use intervention materials.

(e) Must include scientifically researched and evidence-based reading instructional strategies grounded in the science of reading which improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies. The primary instructional strategy for teaching word reading is phonics instruction for decoding and encoding. Instructional strategies for foundational skills may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies may include visual information and strategies that improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

(f) Must include content literacy and mathematics practices.

(g) Must include strategies for differentiated instruction to meet student needs, including English language learners and students with disabilities, while maintaining grade-level expectations.

(h) Must include strategies and practices to support effective, evidence-based assessment and grading practices aligned to the state's academic standards.

(i) Must require the completion of a mastery-based clinical experience in classroom settings to provide direct application of program content and instruction and mastery of the components of teaching as outlined in the Florida Educator Accomplished Practices. These clinical experiences must allow candidates to demonstrate mastery of curriculum and pedagogy through observable performance evaluations aligned with instructional personnel evaluation systems approved pursuant to s. 1012.34. Mastery must be assessed through in-classroom performance, with candidate feedback provided for growth and refinement, rather than solely through written assignments or project-based assessments. Clinical experience may only be provided by individuals who meet the requirements of s. 1012.56(7).

Section 5. Section 1012.552, Florida Statutes, is created to read:

1012.552 The Coaching for Educator Readiness and Teaching Certification (CERT) Program.—

(1) OBJECTIVE.—The Department of Education shall create the Coaching for Educator Readiness and Teaching (CERT) Certification Program as an alternative pathway for teachers to enter the teaching profession. School districts, charter schools, and charter management organizations may implement the CERT program to provide a cohesive, competency-based training and certification pathway for teachers who have a state-issued temporary certificate to earn their professional certificate through an on-the-job mentorship and learning program.

(2) PROGRAM REQUIREMENTS.—A CERT program must include all of the following:

(a) A teacher mentorship and induction component. Mentors must meet the requirements of s. 1012.56(7).

(b) An assessment of teaching performance aligned to the district, charter school, or charter management organization system for personnel evaluation under s. 1012.34 which provides for:

1. An initial evaluation of each educator's competencies to determine an appropriate individualized professional learning plan.

2. A summative evaluation to assure successful completion of the program.

(c) Professional learning, in accordance with s. 1012.98, tailored to each educator's growth and learning needs, according to observational data and feedback.

(d) Required achievement of passing scores on the subject area examination required by State Board of Education rule.

(e) Required successful completion of all competencies for a reading endorsement, including completion of the endorsement practicum, for a candidate certification in a coverage area identified pursuant to s. 1012.585(3)(f).

(f) Provide guidance and on-the-job training in the classroom on mastering Florida Educator Accomplished Practices.

Section 6. Paragraphs (a) and (c) of subsection (2) and subsection (3) of section 1012.555, Florida Statutes, are amended to read:

1012.555 Teacher Apprenticeship Program.—

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

1. Have received an associate degree from an accredited postsecondary institution.

2. Have earned a cumulative grade point average of 2.5 in that degree program.

3. Have successfully passed a background screening as provided in s. 1012.32.

4. Have received a temporary apprenticeship certificate as provided in *s. 1012.56(6)(d)* ~~s. 1012.56(7)(d)~~.

(c) An apprentice teacher must do both of the following:

1. Complete at least 2 years in an apprenticeship before being eligible to apply for a professional certificate established in *s. 1012.56(6)(a)* ~~s. 1012.56(7)(a)~~. Completion of the Teacher Apprenticeship Program does not exempt an apprentice teacher from the requirements of s. 1012.56(2)(c).

2. Receive related instruction as provided in s. 446.051.

(3) A teacher who serves as a mentor in the apprenticeship program shall mentor his or her apprentice teacher using team teaching strategies and must, at a minimum, meet ~~all of~~ the ~~following~~ requirements *of s. 1012.56(7)*~~:~~

~~(a) Have at least 5 years of teaching experience in this state.~~

~~(b) Have received an aggregate score of highly effective on the three most recent available value added model (VAM) scores, as used by the department, or have received an aggregate score of highly effective on the three most recent available performance evaluations if the teacher does not generate a state VAM score.~~

~~(c) Satisfy any other requirements established by the department.~~

Section 7. Paragraph (b) of subsection (1), paragraphs (d), (g), (h), and (i) of subsection (2), subsection (6), paragraph (b) of subsection (7), paragraph (a) of subsection (8), and paragraph (f) of subsection (10) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(1) APPLICATION.—Each person seeking certification pursuant to this chapter shall submit a completed application containing the applicant's social security number to the Department of Education and remit the fee required pursuant to s. 1012.59 and rules of the State Board of Education. Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement is limited to the purpose of administration of the Title IV-D program of the Social Security Act for child support enforcement.

(b) The department shall issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer with a professional education competence demonstration program pursuant to paragraph *(5)(f)* ~~(6)(f)~~ and subsection *(8)* ~~(9)~~. The temporary certificate must cover the classification, level, and area for which the applicant is deemed qualified. The department shall electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the certificate is issued.

The statement of status of eligibility must be provided electronically and must advise the applicant of any qualifications that must be completed to qualify for certification. Each method by which an applicant can complete the qualifications for a professional certificate must be included in the statement of status of eligibility. Each statement of status of eligibility is valid for 5 years after its date of issuance, except as provided in paragraph (2)(d).

(2) ELIGIBILITY CRITERIA.—To be eligible to seek certification, a person must:

(d) Submit to background screening in accordance with subsection *(10)* ~~(11)~~. If the background screening indicates a criminal history or if the applicant acknowledges a criminal history, the applicant's records shall be referred to the investigative section in the Department of Education for review and determination of eligibility for certification. If the applicant fails to provide the necessary documentation requested by the department within 90 days after the date of the receipt of the certified mail request, the statement of eligibility and pending application shall become invalid.

~~(g) Demonstrate mastery of general knowledge pursuant to subsection (3).~~

(h) Demonstrate mastery of subject area knowledge, pursuant to subsection *(4)* ~~(5)~~.

(i) Demonstrate mastery of professional preparation and education competence, pursuant to subsection *(5)* ~~(6)~~, if the person serves as a classroom teacher or school administrator as classified in s. 1012.01(2)(a) and (3)(c), respectively.

~~(3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:~~

~~(a) Achievement of passing scores on the general knowledge examination required by state board rule;~~

~~(b) Documentation of a valid professional standard teaching certificate issued by another state;~~

~~(c) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;~~

~~(d) Documentation of two semesters of successful, full time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program;~~

~~(e) Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test. Passing scores identified in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations; or~~

~~(f) Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the Department of Education has identified as having a quality program resulting in a baccalaureate degree or higher.~~

~~A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions. The requirement of mastery of general knowledge shall be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective under s. 1012.34 for each of the last 3 years.~~

(5)~~(6)~~ MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION COMPETENCE.—Acceptable means of demonstrating mastery of professional preparation and education competence are:

(a) Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule;

(b) Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule;

(c) Documentation of a valid professional standard teaching certificate issued by another state;

(d) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

(e) Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education as having a quality program and achievement of a passing score on the professional education competency examination required by state board rule;

(f) Successful completion of professional preparation courses as specified in state board rule, successful completion of a professional education competence program pursuant to subsection (9), and documentation of 3 years of being rated effective or highly effective under s. 1012.34 while holding a temporary certificate;

(g) Successful completion of a professional learning certification program, outlined in subsection *(7)* ~~(8)~~; or

(h) Successful completion of a competency-based certification program pursuant to s. 1004.85 and achievement of a passing score on the

professional education competency examination required by rule of the State Board of Education.

The State Board of Education shall adopt rules to implement this subsection, including rules to approve specific teacher preparation programs that are not identified in this subsection which may be used to meet requirements for mastery of professional preparation and education competence.

(6)~~(7)~~ TYPES AND TERMS OF CERTIFICATION.—

(b) The department shall issue a temporary certificate to any applicant who:

1. Completes the requirements outlined in paragraphs (2)(a)-(f) and completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection *(4)* ~~(5)~~ and holds an accredited degree or a degree approved by the Department of Education at the level required for the subject area specialization in state board rule;

2. For a subject area specialization for which the state board otherwise requires a bachelor's degree, documents 48 months of active-duty military service with an honorable discharge or a medical separation; completes the requirements outlined in paragraphs (2)(a), (b), and (d)-(f); completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection *(4)* ~~(5)~~; and documents completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale, as provided by one or more accredited institutions of higher learning or a nonaccredited institution of higher learning identified by the Department of Education as having a quality program resulting in a bachelor's degree or higher; or

3. Is enrolled in a state-approved teacher preparation program under s. 1004.04; is actively completing the required program field experience or internship at a public school; completes the requirements outlined in paragraphs (2)(a), (b), and (d)-(f); completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection *(4)* ~~(5)~~; and documents completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale, as provided by one or more accredited institutions of higher learning or a nonaccredited institution of higher learning identified by the Department of Education as having a quality program resulting in a bachelor's degree or higher.

At least 1 year before an individual's temporary certificate is set to expire, the department shall electronically notify the individual of the date on which his or her certificate will expire and provide a list of each method by which the qualifications for a professional certificate can be completed.

(7)~~(8)~~ PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional learning certification program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection *(5)* ~~(6)~~ and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. These entities may collaborate with other supporting agencies or educational entities for implementation. The program shall include the following:

1. A teacher mentorship and induction component.

a. Each individual selected by the district, charter school, or charter management organization as a mentor:

(I) Must hold a valid professional certificate issued pursuant to this section;

(II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;

(III) Must have completed training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional learning under s. 1012.98(4);

(IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation; and

(V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.

b. The teacher mentorship and induction component must, at a minimum, provide routine opportunities for mentoring and induction activities, including ongoing professional learning as described in s. 1012.98 targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and *follow-up* ~~followup~~ discussions. Professional learning must meet the criteria established in s. 1012.98(3). Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section.

2. An assessment of teaching performance aligned to the district's, charter school's, or charter management organization's system for personnel evaluation under s. 1012.34 which provides for:

a. An initial evaluation of each educator's competencies to determine an appropriate individualized professional learning plan.

b. A summative evaluation to assure successful completion of the program.

3. Professional education preparation content knowledge, which must be included in the mentoring and induction activities under subparagraph 1., that includes, but is not limited to, the following:

a. The state academic standards provided under s. 1003.41, including scientifically researched and evidence-based reading instructional strategies grounded in the science of reading, content literacy, and mathematical practices, for each subject identified on the temporary certificate. Reading instructional strategies for foundational skills shall include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

b. The educator-accomplished practices approved by the state board.

4. Required achievement of passing scores on the subject area and professional education competency examination required by State Board of Education rule. Mastery of general knowledge must be demonstrated as described in subsection (3).

5. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum.

(9)~~(10)~~ EXAMINATIONS.—

(f) The examinations used for demonstration of ~~mastery of general knowledge,~~ professional education competence~~,~~ and subject area knowledge shall be aligned with student standards approved by the state board. The delivery system for these examinations shall provide for overall efficiency, user-friendly application, reasonable accessibility to prospective teachers, and prompt attainment of examination results. The examination of competency for demonstration of subject area knowledge shall be sufficiently comprehensive to assess subject matter expertise for individuals who have acquired subject knowledge either through college credit or by other means.

Section 8. Subsection (3) of section 1012.59, Florida Statutes, is amended to read:

1012.59 Certification fees.—

(3) The State Board of Education shall waive initial ~~general knowledge,~~ professional education~~,~~ and subject area examination fees and certification fees for:

(a) A member of the United States Armed Forces or a reserve component thereof who is serving or has served on active duty or the spouse of such a member.

(b) The surviving spouse of a member of the United States Armed Forces or a reserve component thereof who was serving on active duty at the time of death.

(c) An honorably discharged veteran of the United States Armed Forces or a veteran of a reserve component thereof and the spouse or surviving spouse of such a veteran.

(d) A retired first responder, which includes a law enforcement officer as defined in s. 943.10(1), a firefighter as defined in s. 633.102(9), or an emergency medical technician or paramedic as defined in s. 401.23.

Section 9. Subsections (3) and (4) and paragraph (b) of subsection (5) of section 1012.98, Florida Statutes, are amended to read:

1012.98 School Community Professional Learning Act.—

(3) Professional learning activities *must be* linked to student learning*, provide* ~~and~~ professional growth for instructional and administrative staff*, and* meet the following criteria:

(a) For instructional personnel, utilize materials aligned to the state's academic standards.

(b) For school administrators, utilize materials aligned to the *Florida Educational Leadership Standards adopted in rule by the State Board of Education* ~~state's educational leadership standards~~.

(c) Have clear, defined, and measurable outcomes for both individual inservice activities and multiple day sessions.

(d) Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.

(e) Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.

(f) Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.

(g) Create opportunities for collaboration.

(h) Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on instructional personnel and school administrator needs.

(i) Provide opportunities for instructional personnel and school administrators to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.

(j) Provide sustained duration with *follow-up* ~~followup~~ for instructional personnel and school administrators to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

(k) Provide training, when such training is available, on the use of instructional materials included on the state-adopted instructional materials list pursuant to s. 1006.28, materials evaluated and identified pursuant to s. 1001.215(4), materials developed pursuant to s. 1006.39, and materials posted online by the department, including when and how to use intervention materials.

(4) The *inservice* activities designed to implement this section must:

(a) Support and increase the success of educators through collaboratively developed school improvement plans that focus on:

1. Enhanced and differentiated instructional strategies to engage students in a rigorous and *knowledge-based* ~~relevant~~ curriculum based on *the Florida Educator Accomplished Practices* ~~state and local educational standards, goals, and initiatives~~; *and*

~~2. Increased opportunities to provide meaningful relationships between teachers and all students; and~~

2.~~3.~~ Increased opportunities for professional collaboration among and between teachers, certified school counselors, instructional leaders, postsecondary educators engaged in preservice training for new teachers, and the workforce community.

(b) Assist the school community in providing stimulating, scientific research-based educational activities that encourage and motivate students to achieve at the highest levels and to participate as active learners and that prepare students for success at subsequent educational levels and the workforce.

(c) Provide continuous support for all education professionals as well as temporary intervention for education professionals who need improvement in knowledge, skills, and performance.

(d) Provide instructional personnel and school administrators with the knowledge, skills, and best practices necessary to support excellence in classroom instruction and educational leadership.

(e) Provide training to *individuals who serve as mentors or clinical educators* ~~teacher mentors as part of the professional learning certification program under s. 1012.56(8) and the professional education competency program under s. 1012.56(9)~~. The *department shall develop criteria for the initial review and continued approval of clinical educator and mentor* training *that* must include*, at a minimum:*

1. Instruction and assessment in the Florida Educator Accomplished Practices.

2. Effective communication strategies to guide reflection and personal growth.

3. Effective modeling of evidence-based teaching practices and skills.

4. Fostering resilience in educators ~~components on teacher development, peer coaching, time management, and other related topics as determined by the Department of Education~~.

(5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:

1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning systems. A professional learning system must be reviewed and approved every 5 years. Any substantial revisions to the system must be submitted to the department for review and approval. The department shall establish a format for the review and approval of a professional learning system.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional learning system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance

indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with *follow-up* ~~followup~~ support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data; ongoing formal and informal assessments of student achievement; identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas; enhancement of subject content expertise; integrated use of classroom technology that enhances teaching and learning; classroom management; parent involvement; and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning certification and education competency program under *s. 1012.56(7)(a)* ~~s. 1012.56(8)(a)~~.

5. Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards shall submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional learning plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, which address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning programs.

8. Provide for delivery of professional learning by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 shall include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

Section 10. Subsection (4) of section 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(4) AUTHORIZED USES OF PROGRAM FUNDS.—

(a) Program funds awarded to a student determined eligible pursuant to paragraph (3)(a) may be used for:

1. Tuition and fees at an eligible private school.

2. Instructional materials, including digital materials and Internet resources.

3. Curriculum as defined in subsection (2).

4. Tuition and fees associated with full-time or part-time enrollment in an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or reimbursed pursuant to s. 1009.30; an approved preapprenticeship program as defined in s. 446.021(5) which is not subject to s. 1009.25 and complies with all applicable requirements of the department pursuant to chapter 1005; a private tutoring program authorized under s. 1002.43; a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a); the Florida Virtual School as a private paying student; or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

5. Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

6. Contracted services provided by a public school or school district, including classes. A student who receives contracted services under this subparagraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (6) but rather attending a public school on a part-time basis as authorized under s. 1002.44.

7. Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has de-

monstrated a mastery of subject area knowledge pursuant to *s. 1012.56(4)* ~~s. 1012.56(5)~~, or a person certified by a nationally or internationally recognized research-based training program as approved by the department. As used in this subparagraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(16)(e).

(b) Program funds awarded to a student with a disability determined eligible pursuant to paragraph (3)(b) may be used for the following purposes:

1. Instructional materials, including digital devices, digital periphery devices, and assistive technology devices that allow a student to access instruction or instructional content and training on the use of and maintenance agreements for these devices.

2. Curriculum as defined in subsection (2).

3. Specialized services by approved providers or by a hospital in this state which are selected by the parent. These specialized services may include, but are not limited to:

a. Applied behavior analysis services as provided in ss. 627.6686 and 641.31098.

b. Services provided by speech-language pathologists as defined in s. 468.1125(8).

c. Occupational therapy as defined in s. 468.203.

d. Services provided by physical therapists as defined in s. 486.021(8).

e. Services provided by listening and spoken language specialists and an appropriate acoustical environment for a child who has a hearing impairment, including deafness, and who has received an implant or assistive hearing device.

4. Tuition and fees associated with full-time or part-time enrollment in a home education program; an eligible private school; an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or reimbursed pursuant to s. 1009.30; an approved preapprenticeship program as defined in s. 446.021(5) which is not subject to s. 1009.25 and complies with all applicable requirements of the department pursuant to chapter 1005; a private tutoring program authorized under s. 1002.43; a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a); the Florida Virtual School as a private paying student; or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

5. Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

6. Contributions to the Stanley G. Tate Florida Prepaid College Program pursuant to s. 1009.98 or the Florida College Savings Program pursuant to s. 1009.981 for the benefit of the eligible student.

7. Contracted services provided by a public school or school district, including classes. A student who receives services under a contract under this paragraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (6) but rather attending a public school on a part-time basis as authorized under s. 1002.44.

8. Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge pursuant to *s. 1012.56(4)* ~~s. 1012.56(5)~~, or a person certified by a nationally or internationally recognized research-based training program as approved by the department. As used in this subparagraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(16)(e).

9. Fees for specialized summer education programs.

10. Fees for specialized after-school education programs.

11. Transition services provided by job coaches. Transition services are a coordinated set of activities which are focused on improving the academic and functional achievement of a student with a disability to facilitate the student's movement from school to postschool activities and are based on the student's needs.

12. Fees for an annual evaluation of educational progress by a state-certified teacher under s. 1002.41(1)(f), if this option is chosen for a home education student.

13. Tuition and fees associated with programs offered by Voluntary Prekindergarten Education Program providers approved pursuant to s. 1002.55, school readiness providers approved pursuant to s. 1002.88, and prekindergarten programs offered by an eligible private school.

14. Fees for services provided at a center that is a member of the Professional Association of Therapeutic Horsemanship International.

15. Fees for services provided by a therapist who is certified by the Certification Board for Music Therapists or credentialed by the Art Therapy Credentials Board, Inc.

Section 11. Paragraph (d) of subsection (6) of section 1002.395, Florida Statutes, is amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(d)1. For the 2023-2024 school year, may fund no more than 20,000 scholarships for students who are enrolled pursuant to paragraph (7)(b). The number of scholarships funded for such students may increase by 40,000 in each subsequent school year. This subparagraph is repealed July 1, 2027.

2. Shall establish a process for parents who are in compliance with paragraph (7)(a) to renew their students' scholarships. Renewal applications for the 2025-2026 school year and thereafter must provide for a renewal timeline beginning February 1 of the prior school year and ending April 30 of the prior school year. A student's renewal is contingent upon an eligible private school providing confirmation of admission pursuant to subsection (8). The process must require that parents confirm that the scholarship is being renewed or declined by May 31.

3. Shall establish a process that allows a parent to apply for a new scholarship. The process must be in a manner that creates a written or electronic record of the application request and the date of receipt of the application request. The process must require that parents confirm that the scholarship is being accepted or declined by a date set by the organization.

4. Must establish and maintain separate scholarship accounts from eligible contributions for each eligible student. For each account, the organization must maintain a record of accrued interest retained in the student's account. The organization must verify that scholarship funds are used for:

a. Tuition and fees for full-time or part-time enrollment in an eligible private school.

b. Instructional materials, including digital materials and Internet resources.

c. Curriculum as defined in s. 1002.394(2).

d. Tuition and fees associated with full-time or part-time enrollment in a home education instructional program; an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, unless the program is subject to s. 1009.25 or reimbursed pursuant to s. 1009.30; an approved preapprenticeship program as defined in s. 446.021(5) which is not subject to s. 1009.25 and complies with all applicable requirements of the Department of

Education pursuant to chapter 1005; a private tutoring program authorized under s. 1002.43; a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a); the Florida Virtual School as a private paying student; or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

e. Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.

f. Contracted services provided by a public school or school district, including classes. A student who receives contracted services under this sub-subparagraph is not considered enrolled in a public school for eligibility purposes as specified in subsection (11) but rather attending a public school on a part-time basis as authorized under s. 1002.44.

g. Tuition and fees for part-time tutoring services or fees for services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge pursuant to *s. 1012.56(4)* ~~s. 1012.56(5)~~, or a person certified by a nationally or internationally recognized research-based training program as approved by the Department of Education. As used in this paragraph, the term "part-time tutoring services" does not qualify as regular school attendance as defined in s. 1003.01(16)(e).

Information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

Section 12. Paragraph (a) of subsection (3) of section 1002.411, Florida Statutes, is amended to read:

1002.411 New Worlds Scholarship Accounts.—

(3) PARENT AND STUDENT RESPONSIBILITIES FOR PARTICIPATION.—

(a) For an eligible student to receive a scholarship account, the student's parent must:

1. Submit an application to an eligible nonprofit scholarship-funding organization by the deadline established by such organization; and

2. If available, utilize the administrator's system to make direct purchases of qualifying expenditures, which may include:

a. Instructional materials.

b. Curriculum. As used in this sub-subparagraph, the term "curriculum" means a complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction.

c. Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate pursuant to s. 1012.56, a person who holds a baccalaureate or graduate degree in the subject area, a person who holds an adjunct teaching certificate pursuant to s. 1012.57, a person who has demonstrated a mastery of subject area knowledge pursuant to *s. 1012.56(4)* ~~s. 1012.56(5)~~, a person who holds a micro-credential under s. 1003.485, or, for a prekindergarten student, a person who holds a credential under s. 1002.55(3)(c)1. or an educational credential under s. 1002.55(4)(a) or (b).

d. Fees for summer education programs designed to improve reading, literacy, or mathematics skills.

e. Fees for after-school education programs designed to improve reading, literacy, or mathematics skills.

A provider of any services receiving payments pursuant to this subparagraph may not share any moneys from the scholarship with, or provide a refund or rebate of any moneys from such scholarship to, the parent or participating student in any manner. A parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using scholarship funds.

Section 13. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.

2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in *s. 1012.56(6)(a)3.* ~~s. 1012.56(7)(a)3.~~, achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 14. Paragraphs (d) and (e) of subsection (1), and subsection (5) of section 1012.55, Florida Statutes, are amended to read:

1012.55 Positions for which certificates required.—

(1)

(d) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to allow an individual who meets the following criteria to be eligible for a temporary certificate in educational leadership under *s. 1012.56(6)* ~~s. 1012.56(7)~~:

1. Earning a passing score on the Florida Educational Leadership Examination;

2. Documenting 3 years of successful experience in an executive management or leadership position; and

3. Documenting receipt of a bachelor's degree or higher from an accredited institution of higher learning.

A person operating under a temporary certificate must be under the mentorship of a state-certified school administrator during the term of the temporary certificate.

(e)1. The department shall issue a 3-year temporary certificate in educational leadership under *s. 1012.56(6)* ~~s. 1012.56(7)~~ to an individual who:

a. Earned a passing score on the Florida Educational Leadership Examination.

b. Served as a commissioned or noncommissioned military officer in the United States Armed Forces for at least 3 years.

c. Was honorably discharged or has retired from the United States Armed Forces.

d. Is employed full time in a position for which an educator certificate is required in a Florida public school, state-supported school, or nonpublic school that has a Level II program under s. 1012.562.

2. A Level II program under s. 1012.562 must accept an applicant who holds a temporary certificate under subparagraph 1. The department shall issue a permanent certification as a school principal to an individual who holds a temporary certificate under subparagraph 1. and successfully completes the Level II program.

(5) Notwithstanding this section and ss. 1012.32 and 1012.56, or any other provision of law or rule to the contrary, the State Board of Education shall adopt rules to allow for the issuance of a classical education teaching certificate, upon the request of a classical school, to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and *(10)* ~~(11)~~ and any other criteria established by the department. Such certificate is only valid at a classical school. For the purposes of this subsection, the term "classical school" means a school that implements and provides professional learning in a classical education school model that emphasizes the development of students in the principles of moral character and civic virtue through a well-rounded education in the liberal arts and sciences that is based on the classical trivium stages of grammar, logic, and rhetoric.

Section 15. Subsection (1) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the contrary, district school boards and charter school governing boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and *(10)* ~~(11)~~ and who has expertise in the subject area to be taught. An applicant is considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test or has achieved an industry certification in the subject area to be taught.

Section 16. Paragraph (a) of subsection (3) of section 1012.585, Florida Statutes, is amended to read:

1012.585 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must earn a minimum of 6 college credits or 120 inservice points or a combination thereof. For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to *s. 1012.56(7)(a)* ~~s. 1012.56(8)(a)~~; and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6. Each district school board shall include in its inservice master plan the ability for teachers to receive inservice points for supporting students in extracurricular career and technical education activities, such as career and technical student organization activities outside of regular school hours and training related to supervising students participating in a career and technical student organization. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph.

Section 17. Paragraph (a) of subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates; reading endorsement pathways.—

(1) A school district may process via a Department of Education website certificates for the following applications of public school employees:

(a) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

1. To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

2. At least once every 5 years, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates and requirements for demonstrating competency in the reading instruction professional learning topics listed in s. 1012.98(5)(b)11. The review must also consider the award of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a postsecondary program that is accredited by such organization. Any such certificate or program must require an individual who completes the certificate or program to demonstrate competence in reading intervention strategies through clinical experience. At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements based upon any identified instruction or intervention strategies proven to improve student reading performance. This subparagraph does not authorize the state board to establish any new certification subject coverage.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 18. Paragraph (c) of subsection (2) of section 1012.715, Florida Statutes, is amended to read:

1012.715 Heroes in the classroom sign-on bonus.—

(2) ELIGIBILITY.—To be eligible to receive a sign-on bonus, an applicant must be an honorably discharged or retired military veteran or retired first responder and provide the following to the department:

(c) A copy of his or her professional certificate or temporary certificate issued pursuant to *s. 1012.56(6)* ~~s. 1012.56(7)~~.

Section 19. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to educator preparation; providing legislative intent; requiring the Department of Education to establish a workgroup to update and revise the Florida Educator Accomplished Practices; requiring the department to submit workgroup findings to the Governor and the Legislature by a certain date; requiring the State Board of Education to consider certain revisions and a specified rule by a certain

date; requiring the department to develop a teacher examination; requiring the department to submit to the Governor and the Legislature an implementation plan for teacher preparation programs; creating s. 1004.0982, F.S.; requiring the department to reduce the number of required internship hours for specified students under certain circumstances; requiring the department to establish specified guidelines and programs to provide specified flexibility to students enrolled in postsecondary school counseling programs; providing requirements for such guidelines and programs; requiring the State Board of Education to adopt rules and the Board of Governors to adopt regulations for such guidelines and programs; amending s. 1012.39, F.S.; providing requirements for the hiring of certain nondegreed teachers of fine and performing arts; creating s. 1012.551, F.S.; establishing guidelines for teacher preparation program uniform core curricula; creating s. 1012.552, F.S.; requiring the department to create a specified alternative certification pathway for teachers; amending s. 1012.555, F.S.; revising the requirements for teachers serving as mentors through a teacher apprenticeship program; conforming cross-references; amending s. 1012.56, F.S.; deleting an educator certification requirement to demonstrate mastery of general knowledge; amending s. 1012.59, F.S.; conforming a provision to changes made by the act; amending s. 1012.98, F.S.; updating a reference to educational leadership standards; requiring training on instructional materials; requiring the department to develop criteria for certain mentors' training; amending ss. 1002.394, 1002.395, 1002.411, 1004.85, 1012.55, 1012.57, 1012.585, 1012.586, and 1012.715, F.S.; conforming cross-references; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 875**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1150—A bill to be entitled An act relating to school social workers; amending s. 1012.55, F.S.; providing that persons employed as school social workers are exempt from certain teacher certification requirements; providing an exception; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1150**, pursuant to Rule 3.11(3), there being no objection, **HB 809** was withdrawn from the Committee on Rules.

On motion by Senator Calatayud—

HB 809—A bill to be entitled An act relating to school social workers; amending s. 1012.55, F.S.; providing that persons employed as school social workers are exempt from specified educator certification requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 1150** and read the second time by title.

On motion by Senator Calatayud, by two-thirds vote, **HB 809** was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

RECONSIDERATION OF BILL

Senator Yarborough moved that the Senate reconsider the vote by which **HB 6017** was placed on the calendar of Bills on Third Reading this day.

There being no objection, the motion was adopted.

On motion by Senator Yarborough, further consideration of **HB 6017** was deferred.

Consideration of **CS for CS for SB 736** was deferred.

CS for CS for CS for SB 1702—A bill to be entitled An act relating to education; amending s. 810.097, F.S.; defining the term "school bus"; specifying sufficient notice and prior warning for immediate arrest and prosecution for school bus trespassing; amending s. 901.15, F.S.; providing that a law enforcement officer may arrest a person without a warrant when there is probable cause to believe that the person has trespassed upon school grounds or facilities; amending s. 1002.42, F.S.; authorizing a private school in a county that meets certain criteria to construct new facilities on certain property; specifying that such construction is not subject to certain zoning or land use conditions; requiring such construction to meet certain health and safety requirements; amending s. 1002.33, F.S.; requiring a charter school sponsor to use a standard monitoring tool to monitor and review a charter school; amending s. 1002.84, F.S.; authorizing the Redlands Christian Migrant Association to use certain school readiness reimbursement rates; requiring school districts to provide public charter schools with specified information relating to public school funding by specified dates; requiring school districts to provide a report of shared revenues to the Department of Education; requiring that such report be published on a school district's website; amending s. 1003.4282, F.S.; specifying that certain participation in marching band satisfies the physical education or performing arts credit requirement for a standard high school diploma; amending s. 1006.15, F.S.; authorizing a student in a full-time virtual instruction program to participate on an interscholastic athletic team at a public school in the school district in which the student resides or to develop an agreement to participate at a private school; specifying requirements for such participation; amending s. 1006.195, F.S.; conforming a cross-reference; amending s. 1011.71, F.S.; authorizing the use of certain school district tax revenue for liability insurance; requiring the Commissioner of Education to coordinate with school districts selected by the department to implement a policy for a specified school year prohibiting the use of cell phones while on school grounds or engaged in certain activities off school grounds; requiring the department to provide a report to the Legislature before a specified date; providing requirements for the report; requiring that the report include a model policy that school districts and charter schools may adopt; requiring that the report and model policy address the authorized use of cell phones and electronic devices during the school day by certain students; requiring that the report include specified student code of conduct provisions; requiring the department, by a specified date, to establish competencies for a mathematics endorsement aligned with certain strategies; providing requirements for the competencies; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1702**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1115** was withdrawn from the Committee on Rules.

On motion by Senator Burgess, the rules were waived and—

CS for CS for HB 1115—A bill to be entitled An act relating to education; amending s. 212.055, F.S.; requiring that certain surtax revenues which are shared with school districts must also be shared with charter schools on a proportionate basis in accordance with certain provisions; providing applicability; amending s. 1002.33, F.S.; requiring a charter school sponsor to use a standard monitoring tool to monitor and review a charter school; requiring school districts to provide charter schools with specified information relating to public school funding by a specified date annually; requiring school districts to provide a summary report of specified revenues to the Department of Education and post such report on their websites by a specified date annually; amending s.

1002.333, F.S.; defining the term "sponsoring entity"; providing that a hope operator must submit a notice of intent to open a school of hope to the sponsoring entity, rather than the school district; requiring the sponsoring entity, rather than the school district, to enter into a performance-based agreement with a hope operator; requiring a school of hope to provide the sponsoring entity, rather than the school district, with a financial statement summary sheet; providing that specified provisions relating to performance-based agreements and disputes apply to sponsoring entities, rather than district school boards and school districts; amending s. 1002.394, F.S.; conforming a provision to changes made by the act; amending s. 1003.4282, F.S.; deleting provisions providing for the award of a certificate of completion to certain students; conforming provisions to changes made by the act; amending s. 1003.433, F.S.; conforming a provision to changes made by the act; amending s. 1007.263, F.S.; revising the student eligibility criteria for enrollment in certificate career education programs; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1702** and read the second time by title.

Senator Burgess moved the following amendment which was adopted:

Amendment 1 (151760) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 16.615, Florida Statutes, is transferred, redesignated as section 1001.216, Florida Statutes, and amended to read:

1001.216 ~~16.615~~ Council on the Social Status of Black Men and Boys.—

(1) The Council on the Social Status of Black Men and Boys is established within *Florida Memorial University* ~~the Department of Legal Affairs~~ and shall *be composed* ~~consist~~ of 19 members appointed as follows:

(a) Two members of the Senate who are not members of the same political party, appointed by the President of the Senate with the advice of the Minority Leader of the Senate.

(b) Two members of the House of Representatives who are not members of the same political party, appointed by the Speaker of the House of Representatives with the advice of the Minority Leader of the House of Representatives.

(c) The Secretary of Children and Families*,* or his or her designee.

(d) The director of the Mental Health Program Office within the Department of Children and Families*,* or his or her designee.

(e) The State Surgeon General*,* or his or her designee.

(f) The Commissioner of Education*,* or his or her designee.

(g) The Secretary of Corrections*,* or his or her designee.

(h) The Attorney General*,* or his or her designee.

(i) The Secretary of Management Services*,* or his or her designee.

(j) The Secretary of Commerce*,* or his or her designee.

(k) A businessperson who is an African American, as defined in s. 760.80(2)(a), appointed by the Governor.

(l) Two persons appointed by the President of the Senate who are not members of the Legislature or employed by state government. One of the appointees must be a clinical psychologist.

(m) Two persons appointed by the Speaker of the House of Representatives who are not members of the Legislature or employed by state government. One of the appointees must be an Africana studies professional.

(n) The deputy secretary for Medicaid in the Agency for Health Care Administration*,* or his or her designee.

(o) The Secretary of Juvenile Justice*,* or his or her designee.

(2) Each member of the council shall be appointed to a 4-year term; however, for the purpose of providing staggered terms, of the initial appointments, 9 members shall be appointed to 2-year terms and 10 members shall be appointed to 4-year terms. A member of the council may be removed at any time by the member's appointing authority who shall fill the vacancy on the council.

(3)(a) At the first meeting of the council each year, the members shall elect a chair and a vice chair.

(b) A vacancy in the office of chair or vice chair *must* ~~shall~~ be filled by vote of the remaining members.

(4)(a) The council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

(b) The council shall propose measures to alleviate and correct the underlying causes of the conditions described in paragraph (a). These measures may consist of changes to the law or systematic changes that can be implemented without legislative action.

(c) The council may study other topics suggested by the Legislature or as directed by the chair of the council.

(d) The council shall receive suggestions or comments pertinent to the applicable issues from members of the Legislature, governmental agencies, public and private organizations, and private citizens.

(e) The council shall develop a strategic program and funding initiative to establish local Councils on the Social Status of Black Men and Boys.

(5) The council may:

(a) Access data held by any state departments or agencies, which data is otherwise a public record.

(b) Make requests directly to the Joint Legislative Auditing Committee for assistance with research and monitoring of outcomes by the Office of Program Policy Analysis and Government Accountability.

(c) Request, through council members who are also legislators, research assistance from the Office of Economic and Demographic Research within the Florida Legislature.

(d) Request information and assistance from the state or any political subdivision, municipal corporation, public officer, or governmental department thereof.

(e) Apply for and accept funds, grants, gifts, and services from the state, the Federal Government or any of its agencies, or any other public or private source for the purpose of defraying clerical and administrative costs as may be necessary for carrying out its duties under this section.

(f) Work directly with, or request information and assistance on issues pertaining to education from, Florida's historically black colleges and universities.

(6) *Florida Memorial University* ~~The Office of the Attorney General~~ shall provide staff and administrative support to the council.

(7) The council shall meet quarterly and at other times at the call of the chair or as determined by a majority of council members and approved by the *president of Florida Memorial University* ~~Attorney General~~.

(8) *Nine* ~~Eleven~~ of the members of the council constitute a quorum, and an affirmative vote of a majority of the members present is required for final action. *Members may appear by communications media technology as defined in s. 120.54(5)(b)2. Members who appear by communications media technology are considered present and may be counted toward the quorum requirement. A notice for a public meeting or workshop must state whether the meeting or workshop will be conducted using communications media technology, how an interested person may*

participate, and the location of facilities where communications media technology will be available during the meeting or workshop.

(9) The council shall issue its annual report by December 15 each year, stating the findings, conclusions, and recommendations of the council. The council shall submit the report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the standing committees of jurisdiction in each chamber.

(10) Members of the council shall serve without compensation. Members are entitled to reimbursement for per diem and travel expenses as provided in s. 112.061. State officers and employees shall be reimbursed from the budget of the agency through which they serve. Other members may be reimbursed by *Florida Memorial University* ~~the Department of Legal Affairs~~.

(11) The council and any subcommittees it forms are subject to the provisions of chapter 119, related to public records, and the provisions of chapter 286, related to public meetings.

(12) Each member of the council who is not otherwise required to file a financial disclosure statement pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, must file a disclosure of financial interests pursuant to s. 112.3145.

Section 2. Paragraph (a) of subsection (1) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(a) *District school boards are not subject to the requirements for rules in this chapter when making and adopting rules with public input at a public meeting.* Notwithstanding s. 120.536(1) and the flush left provisions of s. 120.52(8), district school boards may adopt rules to implement their general powers under s. 1001.41.

Section 3. Paragraphs (c) and (d) of subsection (2) of section 212.055, Florida Statutes, are amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(c) Pursuant to s. 212.054(4), the proceeds of the surtax levied under this subsection shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to:

1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population, which agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; or

2. If there is no interlocal agreement, according to the formula provided in s. 218.62.

Any change in the distribution formula must take effect on the first day of any month that begins at least 60 days after written notification of that change has been made to the department. *Any interlocal agreement that includes a school district must require the surtax revenues allocated to the school district to be shared with eligible charter schools, as determined pursuant to s. 1013.62(1), based on the charter school's proportionate share of the total school district enrollment, subject to the requirements of, and for purposes provided in, subparagraph (d)4.*

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term "public facilities" means facilities as defined in s. 163.3164(41), s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.

2. For the purposes of this paragraph, the term "energy efficiency improvement" means any energy conservation and efficiency improvement that reduces consumption through conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property, including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; installation of systems for natural gas fuel as defined in s. 206.9951; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

4. Surtax revenues that are shared with eligible charter schools pursuant to paragraph (c) shall be allocated among such schools based on each school's proportionate share of total school district capital outlay full-time equivalent enrollment as adopted by the education estimating conference established in s. 216.136. Surtax revenues must be expended by the charter school in a manner consistent with the allowable uses provided in s. 1013.62(4). All revenues and expenditures shall be accounted for in a charter school's monthly or quarterly financial statement pursuant to s. 1002.33(9). If a school's charter is not renewed or is terminated and the school is dissolved under the provisions of law under which the school was organized, any unencumbered funds received under this paragraph shall revert to the sponsor.

Section 4. *The amendment made by this act to s. 212.055(2), Florida Statutes, which amends the allowable uses of the local government infrastructure surtax, applies to levies authorized by vote of the electors on or after July 1, 2025.*

Section 5. Subsection (5) of section 810.097, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

810.097 Trespass upon grounds or facilities of a school; penalties; arrest.—

(5) As used in this section, the term*:*

(a) "School" means the grounds or any facility, including school buses, of any kindergarten, elementary school, middle school, junior high school, or secondary school, whether public or nonpublic.

(b) "School bus" means any vehicle operated, owned, or contracted by a school district for student transportation.

(6) For purposes of this section, a clearly posted sign or a verbal warning provided by the school bus operator, the principal, a school district employee, or law enforcement personnel, indicating that unauthorized boarding or remaining on a school bus is prohibited and violators will be prosecuted, constitutes sufficient notice and satisfies the prior warning requirement necessary for immediate arrest and prosecution of any person who boards, enters, or remains upon a school bus without authorization.

Section 6. Paragraph (g) is added to subsection (9) of section 901.15, Florida Statutes, to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(9) There is probable cause to believe that the person has committed:

(g) Trespass upon school grounds or facilities, including school buses as defined in s. 810.097(5)(b), in violation of that section.

Section 7. Subsections (5) and (6) are added to section 1001.23, Florida Statutes, to read:

1001.23 Specific powers and duties of the Department of Education.—In addition to all other duties assigned to it by law or by rule of the State Board of Education, the department shall:

(5) Annually by August 1, inform district school superintendents that pursuant to s. 120.565, the superintendents may receive a declaratory statement, within 90 days after submitting a petition to receive such statement, regarding the department's opinion as to the applicability of a statutory or rule provision to a school district as it applies to the district's particular set of circumstances.

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

Section 8. Paragraph (l) of subsection (12) of section 1001.42, Florida Statutes, is amended to read:

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

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

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

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

~~a. The adequacy of internal controls designed to prevent and detect fraud, waste, and abuse as defined in s. 11.45(1).~~

~~b. Compliance with applicable laws, rules, contracts, grant agreements, district school board approved policies, and best practices.~~

~~c. The efficiency of operations.~~

~~d. The reliability of financial records and reports.~~

~~e. The safeguarding of assets.~~

~~f. Financial solvency.~~

~~g. Projected revenues and expenditures.~~

~~h. The rate of change in the general fund balance.~~

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

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

Section 9. Subsection (16) of section 1002.20, Florida Statutes, is amended to read:

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

(16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING REPORTS; FISCAL TRANSPARENCY.—Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable under s. 1008.341, the school's improvement rating, and the school's accountability report, including the school financial report as required under s. 1010.215. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school~~, which must also be included in the student handbook or a similar publication~~. *The department shall produce the reports required under this subsection and make the reports for each school available on the department's website in a prominent location. Each public school district must provide a link on its website to such reports for parent access.*

Section 10. Paragraph (b) of subsection (5) and paragraph (g) of subsection (18) of section 1002.33, Florida Statutes, are amended, and paragraph (i) is added to subsection (17) of that section, to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter school*, using the standard monitoring tool,* in its progress toward the goals established in the charter.

b. The sponsor shall monitor the revenues and expenditures of the charter school and perform the duties provided in s. 1002.345.

c. The sponsor may approve a charter for a charter school before the applicant has identified space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

d. The sponsor may not apply its policies to a charter school unless mutually agreed to by both the sponsor and the charter school. If the sponsor subsequently amends any agreed-upon sponsor policy, the version of the policy in effect at the time of the execution of the charter, or any subsequent modification thereof, shall remain in effect and the sponsor may not hold the charter school responsible for any provision of a newly revised policy until the revised policy is mutually agreed upon.

e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s. 1000.03(5).

f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor is not liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor is not liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school do not constitute the basis for a private cause of action.

j. The sponsor may not impose additional reporting requirements on a charter school as long as the charter school has not been identified as having a deteriorating financial condition or financial emergency pursuant to s. 1002.345.

k. The sponsor shall submit an annual report to the Department of Education in a web-based format to be determined by the department.

(I) The report shall include the following information:

(A) The number of applications received during the school year and up to August 1 and each applicant's contact information.

(B) The date each application was approved, denied, or withdrawn.

(C) The date each final contract was executed.

(II) Annually, by November 1, the sponsor shall submit to the department the information for the applications submitted the previous year.

(III) The department shall compile an annual report, by sponsor, and post the report on its website by January 15 of each year.

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. This paragraph does not waive a sponsor's sovereign immunity.

4. A Florida College System institution may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. If a Florida College System institution operates an approved teacher preparation program under s. 1004.04 or s. 1004.85, the institution may operate charter schools that serve students in kindergarten through grade 12 in any school district within the service area of the institution. District school boards shall cooperate with and assist the Florida College System institution on the charter application. Florida College System institution applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Florida College System institutions may not report FTE for any students participating under this subparagraph who receive FTE funding through the Florida Education Finance Program.

5. For purposes of assisting the development of a charter school, a school district may enter into nonexclusive interlocal agreements with federal and state agencies, counties, municipalities, and other governmental entities that operate within the geographical borders of the school district to act on behalf of such governmental entities in the inspection, issuance, and other necessary activities for all necessary permits, licenses, and other permissions that a charter school needs in order for development, construction, or operation. A charter school may use, but may not be required to use, a school district for these services. The interlocal agreement must include, but need not be limited to, the identification of fees that charter schools will be charged for such services. The fees must consist of the governmental entity's fees plus a fee for the school district to recover no more than actual costs for providing such services. These services and fees are not included within the services to be provided pursuant to subsection (20). Notwithstanding any other provision of law, an interlocal agreement or ordinance that imposes a greater regulatory burden on charter schools than school districts or that prohibits or limits the creation of a charter school is void and unenforceable. An interlocal agreement entered into by a school district for the development of only its own schools, including provisions relating to the extension of infrastructure, may be used by charter schools.

6. The board of trustees of a sponsoring state university or Florida College System institution under paragraph (a) is the local educational agency for all charter schools it sponsors for purposes of receiving federal funds and accepts full responsibility for all local educational agency requirements and the schools for which it will perform local educational agency responsibilities. A student enrolled in a charter school that is sponsored by a state university or Florida College System institution may not be included in the calculation of the school district's grade under s. 1008.34(5) for the school district in which he or she resides.

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded based upon the applicable program pursuant to s. 1011.62(1)(c), the same as students enrolled in other public schools in a school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(i)1. By July 1 of each year, school districts shall provide charter schools the following information pertaining to shared revenues gener-

ated by a discretionary half-cent sales surtax, voted district school operating millage, and nonvoted district school capital improvement millage:

a. The estimated total revenue to be received from each tax.

b. The estimated per-student allocation to charter schools from each tax and the methodology used to determine the estimate.

c. The estimated timeframe within which the charter school will receive funds from each tax.

d. A detailed explanation for each revenue transmission at the time funds are transferred.

2. By March 31 of each year, each school district shall provide to the department a summary report, by charter school, of distributed revenues, by revenue source, and shall post the report on its website.

(18) FACILITIES.—

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

Section 11. Subsection (4), paragraphs (k), (l), and (m) of subsection (5), paragraphs (a) and (h) of subsection (6), and paragraphs (b) and (c) of subsection (11) of section 1002.333, Florida Statutes, are amended, and paragraph (e) is added to subsection (1) of that section, to read:

1002.333 Persistently low-performing schools.—

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

(e) "Sponsoring entity" has the same meaning as in s. 1002.33(5), provided that a state university and Florida College System institution has been approved by the Department of Education and has solicited applications and accepted a notice of intent for a school of hope.

(4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator seeking to open a school of hope must submit a notice of intent to *the sponsoring entity to operate a school of hope in a* ~~the school~~ district in which a persistently low-performing school has been identified by the State Board of Education pursuant to subsection (10) or in which a Florida Opportunity Zone is located.

(a) The notice of intent must include:

1. An academic focus and plan.

2. A financial plan.

3. Goals and objectives for increasing student achievement for the students from low-income families.

4. A completed or planned community outreach plan.

5. The organizational history of success in working with students with similar demographics.

6. The grade levels to be served and enrollment projections.

7. The proposed location or geographic area proposed for the school consistent with the requirements of sub-subparagraphs (1)(d)1.a. and b.

8. A staffing plan.

(b) Notwithstanding the requirements of s. 1002.33, a *sponsoring entity* ~~school district~~ shall enter into a performance-based agreement with a hope operator to open schools to serve students from persistently low-performing schools and students residing in a Florida Opportunity Zone.

(5) PERFORMANCE-BASED AGREEMENT.—The following shall comprise the entirety of the performance-based agreement:

(k) A requirement that any arrangement entered into to borrow or otherwise secure funds for the school of hope from a source other than the state or a *sponsoring entity* ~~school district~~ shall indemnify the state and the *sponsoring entity* ~~school district~~ from any and all liability, including, but not limited to, financial responsibility for the payment of the principal or interest.

(l) A provision that any loans, bonds, or other financial agreements are not obligations of the state or the *sponsoring entity* ~~school district~~ but are obligations of the school of hope and are payable solely from the sources of funds pledged by such agreement.

(m) A prohibition on the pledge of credit or taxing power of the state or the *sponsoring entity* ~~school district~~.

(6) STATUTORY AUTHORITY.—

(a) A school of hope or a nonprofit entity that operates more than one school of hope through a performance-based agreement with a *sponsoring entity* ~~school district~~ may be designated as a local education agency by the department, if requested, for the purposes of receiving federal funds and, in doing so, accepts the full responsibility for all local education agency requirements and the schools for which it will perform local education agency responsibilities.

1. A nonprofit entity designated as a local education agency may *directly* report its students to the department in accordance with the definitions in s. 1011.61 and pursuant to the department's procedures and timelines.

2. Students enrolled in a school established by a hope operator designated as a local educational agency are not eligible students for purposes of calculating the district grade pursuant to s. 1008.34(5).

(h)1. A school of hope shall provide the *sponsoring entity* ~~school district~~ with a concise, uniform, quarterly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental fund format prescribed by the Governmental Accounting Standards Board. Additionally, a school of hope shall comply with the annual audit requirement for charter schools in s. 218.39.

2. A school of hope is in compliance with subparagraph 1. if it is operated by a nonprofit entity designated as a local education agency and if the nonprofit submits to *the sponsoring entity* ~~each school district in which it operates a school of hope~~:

a. A concise, uniform, quarterly financial statement summary sheet that contains a balance sheet summarizing the revenue, expenditures, and changes in fund balance for the entity and for its schools of hope ~~within the school district~~.

b. An annual financial audit of the nonprofit which includes all schools of hope it operates within this state and which complies with s. 218.39 regarding audits of a school board.

(11) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.—Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise the public school system, the State Board of Education shall:

(b) Adopt a standard notice of intent and performance-based agreement that must be used by hope operators and *sponsoring entities* ~~district school boards~~ to eliminate regulatory and bureaucratic barriers that delay access to high quality schools for students in persistently low-performing schools and students residing in Florida Opportunity Zones.

(c) Resolve disputes between a hope operator and a *sponsoring entity* ~~school district~~ arising from a performance-based agreement or a contract between a charter operator and a school district under the requirements of s. 1008.33. The Commissioner of Education shall appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The special magistrate shall hold hearings to determine facts relating to the dispute and to render a recommended decision for resolution to the State Board of Education. The recommendation may not alter in any way the provisions of the performance-based agreement under subsection (5). The special magistrate may administer oaths and issue sub-

poenas on behalf of the parties to the dispute or on his or her own behalf. Within 15 calendar days after the close of the final hearing, the special magistrate shall transmit a recommended decision to the State Board of Education and to the representatives of both parties by registered mail, return receipt requested. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The decision by the State Board of Education is a final agency action that may be appealed to the District Court of Appeal, First District in accordance with s. 120.68. A charter school may recover attorney fees and costs if the State Board of Education determines that the *sponsoring entity* ~~school district~~ unlawfully implemented or otherwise impeded implementation of the performance-based agreement pursuant to this paragraph.

Section 12. Subsection (16) of section 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(16) TRANSITION-TO-WORK PROGRAM.—A student with a disability who is determined eligible pursuant to paragraph (3)(b) who is at least 17 years, but not older than 22 years of age and who has not received a high school diploma ~~or certificate of completion~~ is eligible for enrollment in his or her participating private school's transition-to-work program. A transition-to-work program shall consist of academic instruction, work skills training, and a volunteer or paid work experience.

(a) To offer a transition-to-work program, a participating private school must:

1. Develop a transition-to-work program plan, which must include a written description of the academic instruction and work skills training students will receive and the goals for students in the program.

2. Submit the transition-to-work program plan to the Office of Independent Education and Parental Choice and consider any guidance provided by the department pursuant to paragraph (8)(d) relating to the plan.

3. Develop a personalized transition-to-work program plan for each student enrolled in the program. The student's parent, the student, and the school principal must sign the personalized plan. The personalized plan must be submitted to the Office of Independent Education and Parental Choice upon request by the office.

4. Provide a release of liability form that must be signed by the student's parent, the student, and a representative of the business offering the volunteer or paid work experience.

5. Assign a case manager or job coach to visit the student's job site on a weekly basis to observe the student and, if necessary, provide support and guidance to the student.

6. Provide to the parent and student a quarterly report that documents and explains the student's progress and performance in the program.

7. Maintain accurate attendance and performance records for the student.

(b) A student enrolled in a transition-to-work program must, at a minimum:

1. Receive 15 instructional hours at the participating private school's physical facility, which must include academic instruction and work skills training.

2. Participate in 10 hours of work at the student's volunteer or paid work experience.

(c) To participate in a transition-to-work program, a business must:

1. Maintain an accurate record of the student's performance and hours worked and provide the information to the participating private school.

2. Comply with all state and federal child labor laws.

Section 13. Paragraph (c) is added to subsection (19) of section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(19) FACILITIES.—

(c) A private school located in a county with four incorporated municipalities may construct new facilities, which may be temporary or permanent, on property purchased from or owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school; any land owned by a Florida College System institution or university; and any land recently used to house a school or child care facility licensed under s. 402.305, under its preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements or conditions. Any new facility must be located on property used solely for purposes described in this paragraph, and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

Section 14. Paragraph (a) of subsection (5) of section 1002.451, Florida Statutes, is amended to read:

1002.451 District innovation school of technology program.—

(5) EXEMPTION FROM STATUTES.—

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

1. Laws pertaining to the following:

a. Schools of technology, including this section.

b. Student assessment program and school grading system.

c. Services to students who have disabilities.

d. Civil rights, including s. 1000.05, relating to discrimination.

e. Student health, safety, and welfare.

2. Laws governing the election and compensation of district school board members and election or appointment and compensation of district school superintendents.

3. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.

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

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

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual *or instructional multiyear* contracts for instructional personnel. This subparagraph does not apply to at-will employees.

7. Section 1012.34, relating to requirements for performance evaluations of instructional personnel and school administrators.

Section 15. Paragraph (a) of subsection (10) of section 1002.61, Florida Statutes, is amended to read:

1002.61 Summer prekindergarten program delivered by public schools and private prekindergarten providers.—

(10)(a) Each early learning coalition shall verify that each private prekindergarten provider ~~and public school~~ delivering the Voluntary

Prekindergarten Education Program within the coalition's county or multicounty region complies with this part.

Section 16. Subsection (9) of section 1002.63, Florida Statutes, is amended to read:

1002.63 School-year prekindergarten program delivered by public schools.—

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

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

Section 17. Paragraph (b) of subsection (6) and subsection (7) of section 1002.71, Florida Statutes, are amended to read:

1002.71 Funding; financial and attendance reporting.—

(6)

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

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

VERIFICATION OF STUDENT'S ATTENDANCE
AND CERTIFICATION OF PARENTAL CHOICE

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

____(Signature of Parent)____

____(Date)____

3. The private prekindergarten provider ~~or public school~~ must keep each original signed form for at least 2 years. Each private prekindergarten provider must permit the early learning coalition~~, and each public school must permit the school district,~~ to inspect the original signed forms during normal business hours. The department shall adopt procedures for early learning coalitions ~~and school districts~~ to review the original signed forms against the certified student attendance. The review procedures *must* ~~shall~~ provide for the use of selective inspection techniques, including, but not limited to, random sampling. Each early learning coalition ~~and the school districts~~ must comply with the review procedures.

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

Section 18. Subsection (17) of section 1002.84, Florida Statutes, is amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

(17)(a) Distribute the school readiness program funds as allocated in the General Appropriations Act to each eligible provider based upon the reimbursement rate by county, by provider type, and by care level. All instructions to early learning coalitions for distributing the school readiness program funds to eligible providers shall emanate from the department in accordance with the policies of the Legislature.

(b) All provider reimbursement rates shall be charged as direct services pursuant to s. 1002.89.

Each early learning coalition *and the Redlands Christian Migrant Association* with approved *2023-2024* ~~prior year~~ provider reimbursement rates for the infant to age 5 care levels that are higher than the provider reimbursement rates established in this subsection may continue to implement its approved prior year provider reimbursement rates until the rates established in this subsection exceed its prior year rates.

Section 19. Subsection (4) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

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

Section 20. Paragraph (b) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(b) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, *or a period of time less than 90 days as*

determined by the district school board, the student's primary teacher *must* ~~shall~~ report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies, and the principal *must* ~~shall~~ notify the district school superintendent and the school district contact for home education programs that the referred student is exhibiting a pattern of nonattendance.

Section 21. Effective upon becoming a law, paragraphs (a), (b), and (f) of subsection (3), paragraph (c) of subsection (5), subsection (6), and paragraphs (a) and (d) of subsection (8) of section 1003.4282, Florida Statutes, are amended to read:

1003.4282 Requirements for a standard high school diploma.—

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

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

(b) Four credits in mathematics.—

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

2. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry. A student may earn two mathematics credits by successfully completing Algebra I through two full-year courses. A certified school counselor or the principal's designee *shall* ~~must~~ advise the student that admission to a state university may require the student to earn 3 additional mathematics credits that are at least as rigorous as Algebra I.

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

(f) One credit in physical education.—Physical education must include the integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. *Completion of 2 years of marching band shall satisfy the one-credit requirement in physical education or the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan.* Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an *IEP* ~~individual education plan (IEP)~~ or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan.

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

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

2. No later than January 1, 2026, the department shall develop a document detailing options available to a student who fails to earn a standard diploma under this paragraph. The document must include, but is not limited to, career education or credit programs at a career center or Florida College System institution, adult education to earn a standard diploma or high school equivalency diploma, apprenticeship programs, and the Graduation Alternative to Traditional Education (GATE) Program. A school district shall provide this document to each such student along with his or her official transcript. The school district may add to the document information related to district-specific graduation and postsecondary options.

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

(8) STUDENTS WITH DISABILITIES.—Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability.

(a) A parent of the student with a disability shall, in collaboration with the individual education plan (IEP) team during the transition planning process pursuant to s. 1003.5716, declare an intent for the student to graduate from high school with ~~either~~ a standard high school diploma *If a student with a disability has declared an intent to earn a certificate of completion in the IEP, a school district must revise the student's declared intent at the annual review of the IEP. A school district must provide the form referenced in subparagraph (5)(c)2. to a student with a disability who has not earned a standard high school diploma* ~~or a certificate of completion~~. ~~A student with a disability who does not satisfy the standard high school diploma requirements pursuant to this section shall be awarded a certificate of completion.~~

(d) A student with a disability who ~~receives a certificate of completion and~~ has an individual education plan that prescribes special education, transition planning, transition services, or related services through 21 years of age may continue to receive the specified instruction and services.

The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to implement this subsection, including rules that establish the minimum requirements for students described in this subsection to earn a standard high school diploma. The State Board of Education shall adopt emergency rules pursuant to ss. 120.536(1) and 120.54.

Section 22. Effective upon becoming a law, section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

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

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

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

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

~~(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. A student attending an adult general education program shall have the opportunity to take any must-pass assessment under s. 1003.4282 or s. 1008.22 an unlimited number of times in order to receive a standard high school diploma.~~

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

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

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

Section 23. Present paragraphs (h) and (i) of subsection (3) of section 1006.15, Florida Statutes, are redesignated as paragraphs (i) and (j), respectively, a new paragraph (h) is added to that subsection, and paragraph (c) of that subsection is amended, to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3)

(c)*1.* An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to s. 1002.31, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

a.~~1.~~ The home education student must meet the requirements of the home education program pursuant to s. 1002.41.

b.~~2.~~ During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a Florida College System institution, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.

c.~~3.~~ The home education student must meet the same residency requirements as other students in the school at which he or she participates.

d.~~4.~~ The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.

e.~~5.~~ The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.

f.~~6.~~ A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to *sub-subparagraph b.* ~~subparagraph 2.~~

g.~~7.~~ Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to *sub-subparagraph b.* ~~subparagraph 2.~~ to become eligible to participate as a home education student.

2. An individual home education student is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, provided the student meets the conditions specified in sub-subparagraphs 1.a.-g.

(h) A student in a full-time virtual instruction program under s. 1002.45, including the full-time Florida Virtual School program, a full-time school district virtual instruction program, or a full-time virtual charter school, is eligible to participate on an interscholastic athletic team at any public school in the school district in which the student resides, or may develop an agreement to participate at a private school, provided the student:

1. During the period of participation in the interscholastic extracurricular activity, meets the requirements in paragraph (a);

2. Meets any additional requirements as determined by the board of trustees of the Florida Virtual School, the district school board, or the governing board of the virtual charter school, as applicable;

3. Meets the same residency requirements as other students in the school at which he or she participates;

4. Meets the same standards of athletic team acceptance, behavior, and performance which are required of other students in extracurricular activities; and

5. Registers his or her intent to participate in interscholastic extracurricular activities with the school before participation.

Section 24. Paragraph (a) of subsection (1) of section 1006.195, Florida Statutes, is amended to read:

1006.195 District school board, charter school authority and responsibility to establish student eligibility regarding participation in interscholastic and intrascholastic extracurricular activities.—Notwithstanding any provision to the contrary in ss. 1006.15, 1006.18, and

1006.20, regarding student eligibility to participate in interscholastic and intrascholastic extracurricular activities:

(1)(a) A district school board must establish, through its code of student conduct, student eligibility standards and related student disciplinary actions regarding student participation in interscholastic and intrascholastic extracurricular activities. The code of student conduct must provide that:

1. A student not currently suspended from interscholastic or intrascholastic extracurricular activities, or suspended or expelled from school, pursuant to a district school board's suspension or expulsion powers provided in law, including ss. 1006.07, 1006.08, and 1006.09, is eligible to participate in interscholastic and intrascholastic extracurricular activities.

2. A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets the criteria in *s. 1006.15(3)(j)* ~~s. 1006.15(3)(i)~~.

3. A student's eligibility to participate in any interscholastic or intrascholastic extracurricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to s. 1006.20(2)(b).

Section 25. Subsection (2) of section 1006.40, Florida Statutes, is amended to read:

1006.40 Purchase of instructional materials.—

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

Section 26. Subsection (4) of section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(4) A student who has *earned the required 24 credits under s. 1003.4282, or the required 18 credits under s. 1002.3105(5), for the standard high school diploma, except for achievement of a 2.0 GPA,* ~~been awarded a certificate of completion under s. 1003.4282~~ is eligible to enroll in certificate career education programs.

Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses, adult basic education, adult secondary education, or private provider instruction.

Section 27. Subsections (2) and (3) of section 1008.212, Florida Statutes, are amended to read:

1008.212 Students with disabilities; extraordinary exemption.—

(2) A student with a disability for whom the individual education plan (IEP) team determines is prevented by a circumstance or condition from physically demonstrating the mastery of skills that have been acquired and are measured by the statewide standardized assessment, a statewide standardized end-of-course assessment, or an alternate assessment pursuant to s. 1008.22(3)(d) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with rule 6A-6.03020, Florida Administrative Code, is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption. *The first two administrations of the coordinated screening and progress monitoring system under s. 1008.25(9) or any alternate assessments used in lieu of such administrations are not subject to the requirements of this section.*

(3) The IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption *from the end-of-year or end-of-course statewide, standardized assessment* at any time during the school year, but not later than 60 days before the current year's assessment administration for which the request is made. A request must include all of the following:

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

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

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

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

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

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

(g) Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of the statewide standardized assessment, an end-of-course assessment, or an alternate assessment in prior assessments.

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

Section 28. Paragraphs (a), (b), and (d) of subsection (7) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(a) The Commissioner of Education shall establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedules. *By January 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment schedule for, at a minimum, the next 2 school years.* The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for the statewide, standardized ELA and Mathematics assessments and all statewide, standardized EOC assessments must be made available no later than June 30, except for results for the grade 3 statewide, standardized ELA assessment, which must be made available no later than May 31. Beginning with the 2023-2024 school year, assessment results for the statewide, standardized ELA and Mathematics assessments must be available no later than May 31. School districts shall administer statewide, standardized assessments in accordance with the schedule established by the commissioner.

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

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

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

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

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

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

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

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

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

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

(c)~~(d)~~ Each school district shall*, by November 1 of each year,* establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a district school board meeting. Each school district shall publish ~~the~~ testing schedules on its website *which specify whether an assessment is a state-required or district-required assessment and the grade bands or subject areas associated with the assessments* ~~using the uniform calendar, including all information required under paragraph (b), and submit the schedules to the Department of Education by October 1 of each year~~. Each public school shall publish schedules for statewide, standardized assessments and district-required assessments on its website ~~using the uniform calendar, including all information required under paragraph (b)~~. The *school board-approved assessment* ~~uniform~~ calendar must be included in the parent guide required by s. 1002.23(5).

Section 29. Paragraph (b) of subsection (7) and paragraphs (b), (c), and (d) of subsection (9) of section 1008.25, Florida Statutes, are amended to read:

1008.25 Public school student progression; student support; coordinated screening and progress monitoring; reporting requirements.—

(7) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(c), for good cause. A student promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Upon the request of the parent, the teacher or school administrator shall meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification. Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. Students who demonstrate through a student portfolio that they are performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

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

7. Students who have scored a level 2 or higher on both the initial and midyear administrations of the coordinated screening and progress monitoring system.

(9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

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

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

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

3. For grades 3 through 10 English Language Arts and grades 3 through 8 Mathematics, the coordinated screening and progress monitoring system must be administered at the beginning, middle, and end of the school year pursuant to state board rule. The end-of-year administration of the coordinated screening and progress monitoring system must be a comprehensive progress monitoring assessment administered in accordance with the scheduling requirements under *s. 1008.22(7)(b)* ~~s. 1008.22(7)(c)~~.

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

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

2. In addition to the information under subparagraph (a)5., the report must also include parent resources that explain the purpose of progress monitoring, assist the parent in interpreting progress monitoring results, and support informed parent involvement. Parent resources may include personalized video formats.

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

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

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

Section 30. Paragraph (c) of subsection (3) and subsection (5) of section 1008.33, Florida Statutes, are amended to read:

1008.33 Authority to enforce public school improvement.—

(3)

(c) The state board shall adopt by rule a differentiated matrix of intervention and support strategies for assisting traditional public schools identified under this section and rules for implementing s. 1002.33(9)(n), relating to charter schools. The intervention and support strategies must address student performance and may include improvement planning; leadership quality improvement; educator quality improvement; professional learning; curriculum review, pacing, and alignment across grade levels to improve background knowledge in social studies, science, and the arts; and the use of continuous improvement and monitoring plans and processes. In addition, the state board may prescribe reporting requirements to review and monitor the progress of the schools. The rule must define the intervention and support strategies for school improvement for schools earning a grade of "D" or "F" and the roles for the district and department. *A school may not be required to use the measure of student learning growth in s. 1012.34(7) as the sole determinant to recruit instructional personnel. The rule must create a timeline for a school district's school improvement plan or district-managed turnaround plan to be approved and for the school improvement funds under Title I to be released to the school district. The timeline established in rule for the release of school improvement funding under Title I may not exceed 20 calendar days after the approval of the school improvement plan or district-managed turnaround plan.*

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

Section 31. Paragraph (e) is added to subsection (2) of section 1010.20, Florida Statutes, to read:

1010.20 Cost accounting and reporting for school districts.—

(2) COST REPORTING.—

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

Section 32. Subsections (2) and (4) of section 1011.035, Florida Statutes, are amended to read:

1011.035 School district fiscal transparency.—

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

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

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

~~1. Summary financial efficiency data.~~

~~2. Fiscal trend information for the previous 3 years on:~~

~~a. The ratio of full-time equivalent students to full-time equivalent instructional personnel.~~

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

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

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

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

~~f. The rate of change in the general fund's ending fund balance not classified as restricted~~.

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

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

(4) The website should contain links to~~:~~

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

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

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

Section 33. Subsection (1) of section 1011.14, Florida Statutes, is amended to read:

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

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

Section 34. Subsection (2) of section 1011.60, Florida Statutes, is amended to read:

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

(2) MINIMUM TERM.—Operate all schools for a term of 180 actual teaching days or the equivalent on an hourly basis as specified by rules of the State Board of Education each school year. The State Board of Education may prescribe procedures for altering, and, upon written application, may alter, this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts *if the district school board certifies to the Commissioner of Education that* ~~if, in the opinion of the board,~~ it is not *necessary* ~~feasible~~ to make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools. A strike, as defined in s. 447.203(6), by employees of the school district may not be considered an emergency.

Section 35. Paragraph (o) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

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

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

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

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

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not rely solely on the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

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

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

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

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

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

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

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

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

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

Section 36. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

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

(3) EXEMPTION FROM LAWS.—

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

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of

district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

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

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

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

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

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

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

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

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

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

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

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

13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).

Section 37. Subsection (4) of section 1011.69, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

1011.69 Equity in School-Level Funding Act.—

(4) After providing Title I, Part A, Basic funds to schools above the 75 percent poverty threshold, which may include high schools above the 50 percent threshold as permitted by federal law, school districts shall provide any remaining Title I, Part A, Basic funds directly to all eligible schools as provided in this subsection. For purposes of this subsection, an eligible school is a school that is eligible to receive Title I funds, including a charter school. ~~The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.~~

(a) Prior to the allocation of Title I funds to eligible schools, a school district may withhold funds only as follows:

1. One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

2. A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of 10 percent;

3. A reasonable and necessary amount to provide:

a. Homeless programs;

b. Delinquent and neglected programs;

c. Prekindergarten programs and activities;

d. Private school equitable services; and

e. Transportation for foster care children to their school of origin or choice programs;

4. Up to 5 percent to provide financial incentives and rewards to teachers who serve students in eligible schools, including charter schools, identified for comprehensive support and improvement activities or targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a measurement under s. 1012.34(7) or a state-approved Alternative Student Growth Model is unavailable; and

5. ~~4.~~ A necessary and reasonable amount~~, not to exceed 1 percent,~~ for eligible schools*, including charter schools,* to provide educational services in accordance with the approved Title I plan. *Such educational services may include the provision of STEM curricula, instructional materials, and related learning technologies that support academic achievement in science, technology, engineering, and mathematics in Title I schools, including, but not limited to, technologies related to drones, coding, animation, artificial intelligence, cybersecurity, data science, the engineering design process, mobile development, and robotics. Funds may be reserved under this subparagraph only to the extent that all required reservations under federal law have been met and that such reservation does not reduce school-level allocations below the levels required under federal law.*

(b) All remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation. An eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district. Any funds provided by an eligible school to participate in discretionary educational services provided by the school district are not subject to the requirements of this subsection.

(c) Any funds carried forward by the school district are not subject to the requirements of this subsection.

(5) The Department of Education shall make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal law.

Section 38. Paragraphs (c), (e), and (h) of subsection (2) and paragraph (b) of subsection (5) of section 1011.71, Florida Statutes, are amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. 1013.62(1) and (3) and for district schools to fund:

(c) The purchase, lease-purchase, or lease of school buses *or other motor vehicles regularly used for the transportation of prekindergarten disability program and K-12 public school students to and from school or to and from school activities, and owned, operated, rented, contracted, or leased by any district school board*.

(e) Payments for educational *plants, ancillary plants, and auxiliary* facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. The three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this paragraph. If payments under lease-purchase agreements in the aggregate, including lease-purchase agreements entered into before June 30, 2009, exceed three-fourths of the proceeds from the millage levied pursuant to this subsection, the district school board may not withhold the administrative fees authorized by s. 1002.33(20) from any charter school operating in the school district.

(h) Payment of costs of leasing relocatable educational *plants, ancillary plants, and auxiliary* facilities, of renting or leasing educational *plants, ancillary plants, and auxiliary* facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

(5) A school district may expend, subject to s. 200.065, up to $200 per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1)*(b),* (d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 39. Paragraph (c) of subsection (1) and paragraph (a) of subsection (3) of section 1012.22, Florida Statutes, are amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(c) Compensation and salary schedules.—

1. Definitions.—As used in this paragraph:

a. "Adjustment" means an addition to the base salary schedule that is not a bonus and becomes part of the employee's permanent base salary and shall be considered compensation under s. 121.021(22).

b. "Grandfathered salary schedule" means the salary schedule or schedules adopted by a district school board before July 1, 2014, pursuant to subparagraph 4.

c. "Instructional personnel" means instructional personnel as defined in s. 1012.01(2)(a)-(d), excluding substitute teachers.

d. "Performance salary schedule" means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

e. "Salary schedule" means the schedule or schedules used to provide the base salary for district school board personnel.

f. "School administrator" means a school administrator as defined in s. 1012.01(3)(c).

g. "Supplement" means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee's continuing base salary but shall be considered compensation under s. 121.021(22).

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:

a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.

b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may use advanced degrees in setting a salary schedule for instructional personnel or school administrators if the advanced degree is held in the individual's area of certification*, a field related to their teaching assignment, or a related field of study. For the purposes of the salary schedule, an advanced degree may include a master's degree or higher in the area of certification or teaching assignment, or an advanced degree in another field with a minimum of 18 graduate semester hours related to the area of certification or teaching assignment*.

4. Grandfathered salary schedule.—

a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph *4.* ~~5.~~ Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.

b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee's compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

5. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule shall be compensated pursuant to the performance salary schedule once they have received the appropriate performance evaluation for this purpose.

a. Base salary.—The base salary shall be established as follows:

(I) The base salary for instructional personnel or school administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a position in the district in the capacity of instructional personnel or school administrator shall be placed on the performance salary schedule.

b. Salary adjustments.—Salary adjustments for highly effective or effective performance shall be established as follows:

(I) The annual salary adjustment under the performance salary schedule for an employee rated as highly effective must be at least 25 percent greater than the highest annual salary adjustment available to an employee of the same classification through any other salary schedule adopted by the district.

(II) The annual salary adjustment under the performance salary schedule for an employee rated as effective must be equal to at least 50 percent and no more than 75 percent of the annual adjustment provided for a highly effective employee of the same classification.

(III) A salary schedule *may* ~~shall~~ not provide an annual salary adjustment for an employee who receives a rating other than highly effective or effective for the year.

c. Salary supplements.—In addition to the salary adjustments, each district school board shall provide for salary supplements for activities that must include, but are not limited to:

(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of "F" or three consecutive grades of "D" pursuant to s. 1008.34 such that the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in critical teacher shortage areas. Statewide critical teacher shortage areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of critical shortage within the school district for purposes of this sub-sub-subparagraph and may remove areas

identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities.

If budget constraints in any given year limit a district school board's ability to fully fund all adopted salary schedules, the performance salary schedule *may* ~~shall~~ not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by sub-subparagraph b.

(3)(a) Collective bargaining.—Notwithstanding provisions of chapter 447 related to district school board collective bargaining, collective bargaining may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

1. Providing incentives to effective and highly effective teachers.

2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.

3. Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.

4. Implementing school safety plans and requirements.

5. Implementing staff and student recognition programs.

6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.

7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.

8. The school district's calendar.

9. Providing salary supplements pursuant to sub-sub-subparagraph (1)(c)5.c.(III).

Section 40. Present paragraphs (b) and (c) of subsection (1) of section 1012.335, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, a new paragraph (b) is added to that subsection, paragraphs (d), (e), and (f) are added to subsection (2) of that section, and subsections (3) and (4) of that section are amended, to read:

1012.335 Contracts with instructional personnel hired on or after July 1, 2011.—

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

(b) "Instructional multiyear contract," beginning July 1, 2026, means an employment contract for a period not to exceed 3 years which the district school board may choose to award upon completion of a probationary contract and at least one annual contract.

(2) EMPLOYMENT.—

(d) An instructional multiyear contract may be awarded, beginning July 1, 2026, only if the employee:

1. Holds an active professional certificate or temporary certificate issued pursuant to s. 1012.56 and rules of the State Board of Education;

2. Has been recommended by the district school superintendent for the instructional multiyear contract based upon the individual's evaluation under s. 1012.34 and approved by the district school board; and

3. Has not received an annual performance evaluation rating of unsatisfactory or needs improvement under s. 1012.34.

(e) An employee awarded an instructional multiyear contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement under s. 1012.34 must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause under s. 1012.33.

(f) The award of an instructional multiyear contract does not remove the authority of the district school superintendent to reassign a teacher during the term of the contract.

(3) VIOLATION OF ANNUAL *OR INSTRUCTIONAL MULTIYEAR* CONTRACT.—Instructional personnel who accept a written offer from the district school board and who leave their positions without prior release from the district school board are subject to the jurisdiction of the Education Practices Commission.

(4) SUSPENSION OR DISMISSAL OF INSTRUCTIONAL PERSONNEL ON ANNUAL *OR INSTRUCTIONAL MULTIYEAR* CONTRACT.—Any instructional personnel with an annual *or instructional multiyear* contract may be suspended or dismissed at any time during the term of the contract for just cause as provided in subsection (5). The district school board shall notify the employee in writing whenever charges are made and may suspend such person without pay. However, if the charges are not sustained, the employee *must* ~~shall~~ be immediately reinstated and his or her back pay *must* ~~shall~~ be paid. If the employee wishes to contest the charges, he or she must, within 15 days after receipt of the written notice, submit a written request for a hearing to the district school board. A direct hearing *must* ~~shall~~ be conducted by the district school board or a subcommittee thereof within 60 days after receipt of the written appeal. The hearing *must* ~~shall~~ be conducted in accordance with ss. 120.569 and 120.57. A majority vote of the membership of the district school board shall be required to sustain the district school superintendent's recommendation. The district school board's determination is final as to the sufficiency or insufficiency of the grounds for suspension without pay or dismissal. Any such decision adverse to the employee may be appealed by the employee pursuant to s. 120.68.

Section 41. Paragraph (c) of subsection (1) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and 1012.57, or any other provision of law or rule to the contrary, each district school board shall establish the minimal qualifications for:

(c) Part-time and full-time nondegreed teachers of career programs. Qualifications must be established for nondegreed teachers of career and technical education courses for program clusters that are recognized in the state and are based primarily on successful occupational experience rather than academic training. The qualifications for such teachers must require:

1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.

2. Documentation of education and successful occupational experience, including documentation of:

a. A high school diploma or the equivalent.

b. Completion of *a minimum level, established by the district school board,* ~~3 years~~ of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.

c. ~~For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students. This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program, or the local school district inservice master plan.~~

~~d.~~ Documentation of industry certification when state or national industry certifications are available and applicable.

Section 42. Paragraphs (a), (b), (d), and (e) of subsection (2) of section 1012.555, Florida Statutes, are amended to read:

1012.555 Teacher Apprenticeship Program.—

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

1. *Be enrolled in or have completed* ~~Have received~~ an associate degree *program at* ~~from~~ an accredited postsecondary institution.

2. Have earned a cumulative grade point average of 2.5 in that degree program.

3. Have successfully passed a background screening as provided in s. 1012.32.

4. Have received a temporary apprenticeship certificate as provided in s. 1012.56(7)(d).

(b) As a condition of participating in the program, an apprentice teacher must commit to spending at least the first 2 years in the classroom of a mentor teacher using team teaching strategies identified in *s. 1003.03(4)(b)* ~~s. 1003.03(5)(b)~~ and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.

(d) An apprentice teacher must be appointed by the district school board *or work in the district* as an education paraprofessional and must be paid in accordance with s. 446.032 and rules adopted by the State Board of Education.

(e) An apprentice teacher may change schools or districts after the first year of his or her apprenticeship if the *receiving* ~~hiring~~ school or district has agreed to fund the remaining year of the apprenticeship.

Section 43. Paragraph (g) of subsection (2) and paragraph (a) of subsection (8) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(2) ELIGIBILITY CRITERIA.—To be eligible to seek certification, a person must:

(g) Demonstrate mastery of general knowledge pursuant to subsection (3)*, if the person serves as a classroom teacher as defined in s. 1012.01(2)(a)*.

(8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—

(a) The Department of Education shall develop and each school district, charter school, and charter management organization may provide a cohesive competency-based professional learning certification program by which instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in subsection (6) and rules of the State Board of Education. Participants must hold a state-issued temporary certificate. A school district, charter school, or charter management organization that implements the program shall provide a competency-based certification program developed by the Department of Education or developed by the district, charter school, or charter management organization and approved by the Department of Education. These entities may collaborate with other supporting agencies or educational entities for implementation. The program shall include the following:

1. A teacher mentorship and induction component.

a. Each individual selected by the district, charter school, or charter management organization as a mentor:

(I) Must hold a valid professional certificate issued pursuant to this section;

(II) Must have earned at least 3 years of teaching experience in prekindergarten through grade 12;

(III) Must have completed training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional learning under s. 1012.98(4);

(IV) Must have earned an effective or highly effective rating on the prior year's performance evaluation; and

(V) May be a peer evaluator under the district's evaluation system approved under s. 1012.34.

b. The teacher mentorship and induction component must, at a minimum, provide routine opportunities for mentoring and induction activities, including ongoing professional learning as described in s. 1012.98 targeted to a teacher's needs, opportunities for a teacher to observe other teachers, co-teaching experiences, and reflection and *follow-up* ~~followup~~ discussions. Professional learning must meet the criteria established in s. 1012.98(3). Mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate in accordance with this section.

2. An assessment of teaching performance aligned to the district's, charter school's, or charter management organization's system for personnel evaluation under s. 1012.34 which provides for:

a. An initial evaluation of each educator's competencies to determine an appropriate individualized professional learning plan.

b. A summative evaluation to assure successful completion of the program.

3. Professional education preparation content knowledge, which must be included in the mentoring and induction activities under subparagraph 1., that includes, but is not limited to, the following:

a. The state academic standards provided under s. 1003.41, including scientifically researched and evidence-based reading instructional strategies grounded in the science of reading, content literacy, and mathematical practices, for each subject identified on the temporary certificate. Reading instructional strategies for foundational skills shall include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

b. The educator-accomplished practices approved by the state board.

4. Required achievement of passing scores on the subject area and professional education competency examination required by State Board of Education rule. Mastery of general knowledge must be demonstrated as described in subsection (3).

5. Beginning with candidates entering a program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum.

Section 44. Paragraph (a) of subsection (2), subsection (3), and paragraph (b) of subsection (5) of section 1012.585, Florida Statutes, are amended to read:

1012.585 Process for renewal of professional certificates.—

(2)(a) All professional certificates, except a nonrenewable professional certificate, *are* ~~shall be~~ renewable for successive periods not to exceed *10* ~~5~~ years after the date of submission of documentation of completion of the requirements for renewal provided in subsection (3). Only one renewal may be granted during each 5-year *or 10-year* validity period of a professional certificate.

1. An applicant who is rated highly effective, pursuant to s. 1012.34, in the first 4 years of the 5-year validity period of his or her professional certificate is eligible for a professional certificate valid for 10 years. An applicant must be issued at least one 5-year professional certificate to be eligible for a 10-year professional certificate. An applicant who does not meet the requirement of this subparagraph is eligible only to renew his or her 5-year professional certificate.

2. An applicant who is rated effective or highly effective, pursuant to s. 1012.34, for the first 9 years of the 10-year validity period of his or her professional certificate is eligible to renew a professional certificate valid for 10 years. An applicant issued a 10-year professional certificate who does not meet the requirement of this subparagraph is eligible only for renewal of a professional certificate valid for 5 years.

(3) For the renewal of a professional certificate, the following requirements must be met:

(a) The applicant must*:*

1. Earn a minimum of 6 college credits or 120 inservice points or a combination thereof *for a certificate valid for 5 years*.

2. Earn a minimum of 12 college credits or 240 inservice points or a combination thereof for a professional certificate valid for 10 years. A minimum of 5 college credits or 100 inservice points or a combination thereof must be earned within the first 5 years of a professional certificate valid for 10 years.

(b) For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 1004.04(5)(b); participation in mentorship and induction activities, including as a mentor, pursuant to s. 1012.56(8)(a); and credits or points that provide training in the area of scientifically researched, knowledge-based reading literacy grounded in the science of reading, including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies, and computational skills acquisition, exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be applied toward any specialization area, except specialization areas identified by State Board of Education rule that include reading instruction or intervention for any students in kindergarten through grade 6. Each district school board shall include in its inservice master plan the ability for teachers to receive inservice points for supporting students in extracurricular career and technical education activities, such as career and technical student organization activities outside of regular school hours and training related to supervising students participating in a career and technical student organization. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph.

(c)~~(b)~~ In lieu of college course credit or inservice points, the applicant may renew a subject area specialization by passage of a state board approved Florida-developed subject area examination or, if a Florida subject area examination has not been developed, a standardized examination specified in state board rule.

(d)~~(c)~~ If an applicant wishes to retain more than two specialization areas on the certificate, the applicant *must* ~~shall~~ be permitted two successive validity periods for renewal of all specialization areas, but must earn no fewer than 6 college course credit hours or the equivalent *inservice points* in any one validity period.

(e)~~(d)~~ The State Board of Education shall adopt rules for the expanded use of training for renewal of the professional certificate for educators who are required to complete training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading as follows:

1. A teacher who holds a professional certificate may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading in excess of 6 semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods.

2. A teacher who holds a temporary certificate may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in the teaching of reading toward renewal of the teacher's first professional certificate. Such training must not have been included within the degree program, and the teacher's temporary and professional certificates must be issued for consecutive school years.

(f)~~(e)~~ Beginning July 1, 2014, an applicant for renewal of a professional certificate must earn a minimum of one college credit or the equivalent inservice points in the area of instruction for teaching students with disabilities. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(g)~~(f)~~ An applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or the equivalent inservice points in evidence-based instruction and interventions grounded in the science of reading specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional learning systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(h)~~(g)~~ An applicant for renewal of a professional certificate in educational leadership from a Level I program under s. 1012.562(2) or Level II program under s. 1012.562(3), with a beginning validity date of July 1, 2025, or thereafter, must earn a minimum of 1 college credit or 20 inservice points in Florida's educational leadership standards, as established in rule by the State Board of Education. The requirement in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

(i)~~(h)~~ A teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth.

(5) The State Board of Education shall adopt rules to allow the reinstatement of expired professional certificates. The department may reinstate an expired professional certificate if the certificateholder:

(b) Documents completion of 6 college credits during the 5 years immediately preceding reinstatement of the expired certificate, completion of 120 inservice points, or a combination thereof, in an area specified in paragraph *(3)(b)* ~~(3)(a)~~ to include the credit required under paragraph *(3)(f)* ~~(3)(e)~~.

The requirements of this subsection may not be satisfied by subject area examinations or college credits completed for issuance of the certificate that has expired.

Section 45. Section 1013.19, Florida Statutes, is amended to read:

1013.19 Purchase, conveyance, or encumbrance of property interests above surface of land; joint-occupancy structures.—For the purpose of implementing jointly financed construction project agreements, or for the construction of combined occupancy structures, any board may purchase, own, convey, sell, lease, or encumber airspace or any other interests in property above the surface of the land, provided the lease of airspace for nonpublic use is for such reasonable rent, length of term, and conditions as the board in its discretion may determine. All proceeds from such sale or lease shall be used by *a* ~~the~~ board *of trustees for a Florida College System institution or state university* ~~or boards~~ receiving the proceeds solely for fixed capital outlay purposes. These purposes may include the renovation or remodeling of existing facilities owned by the board or the construction of new facilities; however, for a Florida College System institution board or university board, such new

facility must be authorized by the Legislature. It is declared that the use of such rental by the board for public purposes in accordance with its statutory authority is a public use. Airspace or any other interest in property held by the Board of Trustees of the Internal Improvement Trust Fund or the State Board of Education may not be divested or conveyed without approval of the respective board. Any building, including any building or facility component that is common to both nonpublic and educational portions thereof, constructed in airspace that is sold or leased for nonpublic use pursuant to this section is subject to all applicable state, county, and municipal regulations pertaining to land use, zoning, construction of buildings, fire protection, health, and safety to the same extent and in the same manner as such regulations would be applicable to the construction of a building for nonpublic use on the appurtenant land beneath the subject airspace. Any educational facility constructed or leased as a part of a joint-occupancy facility is subject to all rules and requirements of the respective boards or departments having jurisdiction over educational facilities. Any contract executed by a university board of trustees pursuant to this section is subject to the provisions of s. 1010.62.

Section 46. Section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

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

~~(a) "Adopted educational facilities plan" means the comprehensive planning document that is adopted annually by the district school board as provided in subsection (2) and that contains the educational plant survey.~~

~~(b) "District facilities work program" means the 5-year listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, which is required in order to:~~

~~1. Properly maintain the educational plant and ancillary facilities of the district.~~

~~2. Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs.~~

~~(c) "Tentative educational facilities plan" means the comprehensive planning document prepared annually by the district school board and submitted to the Office of Educational Facilities and the affected general-purpose local governments.~~

~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.—~~

~~(a)~~ Annually, *before* ~~prior to~~ the adoption of the district school budget, each district school board shall prepare a tentative district educational facilities plan that includes long-range planning for facilities needs ~~over 5-year, 10-year, and 20-year periods~~. *The district school board shall submit the tentative facilities plan to the department* ~~The plan must be developed in coordination with the general-purpose local governments and be consistent with the local government comprehensive plans. The school board's plan for provision of new schools must meet the needs of all growing communities in the district, ranging from small rural communities to large urban cities. The plan must include:~~

~~1. Projected student populations apportioned geographically at the local level. The projections must be based on information produced by the demographic, revenue, and education estimating conferences pursuant to s. 216.136, where available, as modified by the district based on development data and agreement with the local governments and the Office of Educational Facilities. The projections must be apportioned geographically with assistance from the local governments using local development trend data and the school district student enrollment data.~~

~~2. An inventory of existing school facilities. Any anticipated expansions or closures of existing school sites over the 5-year, 10-year, and 20-year periods must be identified. The inventory must include an assessment of areas proximate to existing schools and identification of the need for improvements to infrastructure, safety, including safe access routes, and conditions in the community. The plan must also provide a listing of major repairs and renovation projects anticipated over the period of the plan.~~

~~3. Projections of facilities space needs, which may not exceed the norm space and occupant design criteria established in the State Requirements for Educational Facilities.~~

~~4. Information on leased, loaned, and donated space and relocatables used for conducting the district's instructional programs.~~

~~5. The general location of public schools proposed to be constructed over the 5-year, 10-year, and 20-year time periods, including a listing of the proposed schools' site acreage needs and anticipated capacity and maps showing the general locations. The school board's identification of general locations of future school sites must be based on the school siting requirements of s. 163.3177(6)(a) and policies in the comprehensive plan which provide guidance for appropriate locations for school sites.~~

~~6. The identification of options deemed reasonable and approved by the school board which reduce the need for additional permanent student stations. Such options may include, but need not be limited to:~~

~~a. Acceptable capacity;~~

~~b. Redistricting;~~

~~c. Busing;~~

~~d. Year-round schools;~~

~~e. Charter schools;~~

~~f. Magnet schools; and~~

~~g. Public private partnerships.~~

~~7. The criteria and method, jointly determined by the local government and the school board, for determining the impact of proposed development to public school capacity.~~

~~(b) The plan must also include a financially feasible district facilities work program for a 5-year period. The work program must include:~~

~~1. A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.~~

~~2. A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs. This schedule shall consider:~~

~~a. The locations, capacities, and planned utilization rates of current educational facilities of the district. The capacity of existing satisfactory facilities, as reported in the Florida Inventory of School Houses must be compared to the capital outlay full-time-equivalent student enrollment as determined by the department, including all enrollment used in the calculation of the distribution formula in s. 1013.64.~~

~~b. The proposed locations of planned facilities, whether those locations are consistent with the comprehensive plans of all affected local governments, and recommendations for infrastructure and other improvements to land adjacent to existing facilities. The provisions of ss. 1013.33(6), (7), and (8) and 1013.36 must be addressed for new facilities planned within the first 3 years of the work plan, as appropriate.~~

~~c. Plans for the use and location of relocatable facilities, leased facilities, and charter school facilities.~~

~~d. Plans for multitrack scheduling, grade level organization, block scheduling, or other alternatives that reduce the need for additional permanent student stations.~~

~~e. Information concerning average class size and utilization rate by grade level within the district which will result if the tentative district facilities work program is fully implemented.~~

~~f. The number and percentage of district students planned to be educated in relocatable facilities during each year of the tentative district facilities work program. For determining future needs, student capacity may not be assigned to any relocatable classroom that is scheduled for elimination or replacement with a permanent educational facility in the current year of the adopted district educational facilities~~

~~plan and in the district facilities work program adopted under this section. Those relocatable classrooms clearly identified and scheduled for replacement in a school board adopted, financially feasible, 5-year district facilities work program shall be counted at zero capacity at the time the work program is adopted and approved by the school board. However, if the district facilities work program is changed and the relocatable classrooms are not replaced as scheduled in the work program, the classrooms must be reentered into the system and be counted at actual capacity. Relocatable classrooms may not be perpetually added to the work program or continually extended for purposes of circumventing this section. All relocatable classrooms not identified and scheduled for replacement, including those owned, lease-purchased, or leased by the school district, must be counted at actual student capacity. The district educational facilities plan must identify the number of relocatable student stations scheduled for replacement during the 5-year survey period and the total dollar amount needed for that replacement.~~

~~g. Plans for the closure of any school, including plans for disposition of the facility or usage of facility space, and anticipated revenues.~~

~~h. Projects for which capital outlay and debt service funds accruing under s. 9(d), Art. XII of the State Constitution are to be used shall be identified separately in priority order on a project priority list within the district facilities work program.~~

~~3. The projected cost for each project identified in the district facilities work program. For proposed projects for new student stations, a schedule shall be prepared comparing the planned cost and square footage for each new student station, by elementary, middle, and high school levels, to the low, average, and high cost of facilities constructed throughout the state during the most recent fiscal year for which data is available from the Department of Education.~~

~~4. A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.~~

~~5. A schedule indicating which projects included in the district facilities work program will be funded from current revenues projected in subparagraph 4.~~

~~6. A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded under subparagraph 5. Additional anticipated revenues may include Classrooms First funds.~~

~~(c) To the extent available, the tentative district educational facilities plan shall be based on information produced by the demographic, revenue, and education estimating conferences pursuant to s. 216.136.~~

(2)~~(d)~~ Provision *must* ~~shall~~ be made for public comment concerning the tentative district educational facilities plan.

~~(e) The district school board shall coordinate with each affected local government to ensure consistency between the tentative district educational facilities plan and the local government comprehensive plans of the affected local governments during the development of the tentative district educational facilities plan.~~

(3)~~(f)~~ Not less than once every 5 years, the district school board shall have an audit conducted of the district's educational planning and construction activities. An operational audit conducted by the Auditor General pursuant to s. 11.45 satisfies this requirement.

(4)~~(3)~~ ~~SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN TO LOCAL GOVERNMENT.~~ The district school board shall submit a copy of its tentative district educational facilities plan to all affected local governments *before* ~~prior to~~ adoption by the board. The affected local governments *may* ~~shall~~ review the tentative district educational facilities plan and comment to the district school board on the consistency of the plan with the local comprehensive plan, whether a comprehensive plan amendment will be necessary for any proposed educational facility, and whether the local government supports a necessary comprehensive plan amendment. If the local government does not support a comprehensive plan amendment for a proposed educational facility, the matter *must* ~~shall~~ be resolved pursuant to the interlocal agreement when required by ss. 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the submittal and review *must* ~~shall~~ be detailed in the interlocal agreement when required pursuant to ss. 163.3177(6)(h), 163.31777, and 1013.33(2).

(5)~~(4)~~ ~~ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~ Annually, the district school board shall consider and adopt the tentative district educational facilities plan ~~completed pursuant to subsection (2)~~. Upon giving proper notice to the public and local governments and opportunity for public comment, the district school board may amend the plan to revise the priority of projects, to add or delete projects, to reflect the impact of change orders, or to reflect the approval of new revenue sources which may become available. *The district school board shall submit the revised plan to the department.* The adopted district educational facilities plan *must* ~~shall~~:

(a) Be a complete, balanced, and financially feasible capital outlay financial plan for the district.

(b) Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.

(6)~~(5)~~ ~~EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~ The first year of the adopted district educational facilities plan *constitutes* ~~shall constitute~~ the capital outlay budget required in s. 1013.61. ~~The adopted district educational facilities plan shall include the information required in subparagraphs (2)(b)1., 2., and 3., based upon projects actually funded in the plan.~~

Section 47. Subsections (3) and (4) of section 1013.41, Florida Statutes, are amended to read:

1013.41 SMART schools; Classrooms First; legislative purpose.—

(3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the purpose of the Legislature to create s. 1013.35, requiring each school district annually to adopt an educational facilities plan that provides an integrated long-range facilities plan~~, including the survey of projected needs and the 5-year work program~~. The purpose of the educational facilities plan is to keep the district school board, local governments, and the public fully informed as to whether the district is using sound policies and practices that meet the essential needs of students and that warrant public confidence in district operations. The educational facilities plan will be monitored by the Office of Educational Facilities, which will also apply performance standards pursuant to s. 1013.04.

(4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of the Legislature to require the Office of Educational Facilities to assist school districts in building SMART schools utilizing functional and frugal practices. The Office of Educational Facilities *shall* ~~must~~ review district facilities ~~work programs and~~ projects and identify opportunities to maximize design and construction savings~~; develop school district facilities work program performance standards;~~ and provide for review and recommendations to the Governor, the Legislature, and the State Board of Education.

Section 48. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques for school districts and Florida College System institutions.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used *by Florida College System institution and state university boards of trustees* for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than $50,000 or for the placement or hookup of relocatable educational facilities that conform to standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. ~~A district school board shall reuse existing construction documents or design criteria packages if such reuse is feasible and practical. If a school district's 5-year educational facilities~~

~~work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board must require that prototype design and construction be used for the construction of these schools.~~ Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans must be reviewed for compliance with the State Requirements for Educational Facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned, or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management contracts and the design-build process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

Section 49. Paragraph (e) of subsection (1), paragraph (a) of subsection (2), paragraph (d) of subsection (3), and paragraph (b) of subsection (5) of section 1013.64, Florida Statutes, are amended, and paragraph (f) is added to subsection (6) of that section, to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1)

(e) Remodeling projects *must* ~~shall~~ be based on the recommendations of a survey pursuant to s. 1013.31 *or, for district school boards, as indicated by the relative need as determined by the Florida Inventory of School Houses and the capital outlay full-time equivalent enrollment in the district*.

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the "Special Facility Construction Account." The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. A district may not receive funding for more than one approved project in any 3-year period or while any portion of the district's participation requirement is outstanding. The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. Before developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department's next annual capital outlay legislative budget request, the preapplication review request must be made before February 1. Within 90 days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district's pattern of student growth; the district's existing and projected capital outlay full-time equivalent student enrollment as determined by the demographic, revenue, and education estimating conferences established in s. 216.136; the district's existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended ~~in the most recent survey or survey amendment cooperatively prepared~~ by the district *school board* ~~and the department,~~ and approved by the department under the rules of the State Board of Education. If a district *school board* employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.

3. The construction project must appear on the district's approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.

5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) unless approved by the Special Facility Construction Committee. At the discretion of the committee, costs that exceed the cost per student station for special facilities may include legal and administrative fees, the cost of site improvements or related offsite improvements, the cost of complying with public shelter and hurricane hardening requirements, cost overruns created by a disaster as defined in s. 252.34(2), costs of security enhancements approved by the school safety specialist, and unforeseeable circumstances beyond the district's control.

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district's participation requirement, levy the maximum millage against its nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to meet its participation requirement, levy the maximum millage against the district's nonexempt assessed property value as authorized under s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Any district with a new or active project, funded under the provisions of this subsection, shall be required to budget no more than the value of 1 mill per year to the project until the district's participation requirement relating to the local discretionary capital improvement millage or the equivalent amount of revenue from the school capital outlay surtax is satisfied.

9. If a contract has not been signed 90 days after the advertising of bids, the funding for the specific project shall revert to the Special Facility New Construction Account to be reallocated to other projects on the list. However, an additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the district to fund the survey-recommended project over a continuous 3-year period using

projected capital outlay revenue derived from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an adopted resolution acknowledging its commitment to satisfy its participation requirement, which is equivalent to all unencumbered and future revenue acquired from s. 9(d), Art. XII of the State Constitution, as amended, paragraph (3)(a) of this section, and s. 1011.71(2), in the year of the initial appropriation and for the 2 years immediately following the initial appropriation.

12. Phase I plans must be approved by the district school board as being in compliance with the building and life safety codes before June 1 of the year the application is made.

(3)

(d) Funds accruing to a district school board from the provisions of this section shall be expended on needed projects as shown ~~by survey or surveys~~ under the rules of the State Board of Education.

(5) District school boards shall identify each fund source and the use of each proportionate to the project cost, as identified in the bid document, to assure compliance with this section. The data shall be submitted to the department, which shall track this information as submitted by the boards. PECO funds shall not be expended as indicated in the following:

(b) PECO funds *may* ~~shall~~ not be used for the construction of football fields, bleachers, site lighting for athletic facilities, tennis courts, stadiums, racquetball courts, or any other competition-type facilities not required for physical education curriculum. Regional or intradistrict football stadiums may be constructed with these funds provided a minimum of two high schools and two middle schools are assigned to the facility ~~and the stadiums are survey-recommended~~. Sophisticated auditoria shall be limited to magnet performing arts schools, with all other schools using basic lighting and sound systems as determined by rule. Local funds shall be used for enhancement of athletic and performing arts facilities.

(6)

(f)1. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall review the cost per student station levels and annual adjustments provided for in this section. The review must include:

a. An evaluation of the estimate required under this paragraph.

b. Recommendations for additional costs that should be factored into the cost per student station, and other costs that should be excluded.

c. A recommendation for changes to the annual adjustment of the cost per student station or repeal of the requirements of this subsection.

2. OPPAGA shall submit its review to the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education no later than September 1, 2026.

Section 50. Paragraph (e) of subsection (6) of section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(6)

(e) A school district that includes relocatable facilities in its inventory of student stations shall include the capacity of such relocatable facilities ~~as provided in s. 1013.35(2)(b)2.f.~~, provided the relocatable facilities were purchased after 1998 and the relocatable facilities meet the standards for long-term use pursuant to s. 1013.20.

Section 51. Paragraph (a) of subsection (5) of section 1002.68, Florida Statutes, is amended to read:

1002.68 Voluntary Prekindergarten Education Program accountability.—

(5)(a) If a public school's or private prekindergarten provider's program assessment composite score for its prekindergarten classrooms fails to meet the minimum program assessment composite score for contracting adopted in rule by the department, the private prekindergarten provider or public school may not participate in the Voluntary Prekindergarten Education Program beginning in the consecutive program year and thereafter until the public school or private prekindergarten provider meets the minimum composite score for contracting. A public school or private prekindergarten provider may request one program assessment per program year in order to requalify for participation in the Voluntary Prekindergarten Education Program, provided that the public school or private prekindergarten provider is not excluded from participation under ss. 1002.55(6), 1002.61(10)(b), *1002.63(9)* ~~1002.63(9)(b)~~, or paragraph (5)(b) of this section. If a public school or private prekindergarten provider would like an additional program assessment completed within the same program year, the public school or private prekindergarten provider shall be responsible for the cost of the program assessment.

Section 52. Paragraphs (c) and (e) of subsection (2) of section 1003.631, Florida Statutes, are amended to read:

1003.631 Schools of Excellence.—The Schools of Excellence Program is established to provide administrative flexibility to the state's top schools so that the instructional personnel and administrative staff at such schools can continue to serve their communities and increase student learning to the best of their professional ability.

(2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence must be provided the following administrative flexibilities:

(c) For instructional personnel, the substitution of 1 school year of employment at a School of Excellence for 20 inservice points toward the renewal of a professional certificate, up to 60 inservice points in a 5-year cycle~~, pursuant to s. 1012.585(3)~~.

(e) Calculation for compliance with maximum class size ~~pursuant to s. 1003.03(4)~~ based on the average number of students at the school level.

Section 53. Paragraph (c) of subsection (2) and paragraph (b) of subsection (5) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

(c) Each candidate must receive instruction and be assessed on the uniform core curricula in the candidate's area or areas of program concentration during course work and field experiences. Beginning with candidates entering a teacher preparation program in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience under subsection (5), in order to graduate from the program.

(5) PRESERVICE FIELD EXPERIENCE.—All postsecondary instructors, school district personnel and instructional personnel, and school sites preparing instructional personnel through preservice field experience courses and internships shall meet special requirements. District school boards may pay student teachers during their internships.

(b)1. All school district personnel and instructional personnel who supervise or direct teacher preparation students during field experience courses or internships taking place in this state in which candidates demonstrate an impact on student learning growth must have:

a. Evidence of "clinical educator" training;

b. A valid professional certificate issued pursuant to s. 1012.56;

c. At least 3 years of teaching experience in prekindergarten through grade 12;

d. Earned an effective or highly effective rating on the prior year's performance evaluation under s. 1012.34 or be a peer evaluator under the district's evaluation system approved under s. 1012.34; and

e. Beginning with the 2022-2023 school year, for all such personnel who supervise or direct teacher preparation students during internships in kindergarten through grade 3 or who are enrolled in a teacher preparation program for a certificate area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~, a certificate or endorsement in reading.

The State Board of Education shall approve the training requirements.

2. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates his or her impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place, and have at least 3 years of teaching experience in prekindergarten through grade 12.

3. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least 3 years teaching experience in prekindergarten through grade 12.

Section 54. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.

2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year, a candidate for certification in a coverage area identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3., achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 55. Paragraph (b) of subsection (2) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates; reading endorsement pathways.—

(2)

(b) As part of adopting a pathway pursuant to paragraph (a), the department shall review the competencies for the reading endorsement and subject area examinations for educator certificates identified pursuant to *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~ for alignment with evidence-based instructional and intervention strategies rooted in the science of reading and identified pursuant to s. 1001.215(7) and recommend changes to the State Board of Education. Recommended changes must address identification of the characteristics of conditions such as dyslexia, implementation of evidence-based classroom instruction and interventions, including evidence-based reading instruction and interventions specifically for students with characteristics of dyslexia, and effective progress monitoring. By July 1, 2023, each school district reading endorsement add-on program must be resubmitted for approval by the department consistent with this paragraph.

Section 56. Paragraph (b) of subsection (5) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Learning Act.—

(5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:

1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning systems. A professional learning system must be reviewed and approved every 5 years. Any substantial revisions to the system must be submitted to the department for review and approval. The department shall establish a format for the review and approval of a professional learning system.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional learning system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with *follow-up* ~~followup~~ support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data; ongoing formal and informal assessments of student achievement; identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas; enhancement of subject content expertise; integrated use of classroom technology that enhances teaching and learning; classroom management; parent involvement; and school safety.

4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning certification and education competency program under s. 1012.56(8)(a).

5. Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and

competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards shall submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional learning plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, which address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning programs.

8. Provide for delivery of professional learning by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

10. For all grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 shall include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of *s. 1012.585(3)(g)* ~~s. 1012.585(3)(f)~~.

Section 57. *(1) The Commissioner of Education shall coordinate with six districts selected by the Department of Education which represent two small, two medium, and two large counties that currently implement, or will implement in the 2025-2026 school year, a policy that prohibits the use of cell phones and other personal electronic devices by students during the entire school day, while on school grounds, or while engaged in school activities off school grounds during the school day. The department shall provide a report to the President of the Senate and the Speaker of the House of Representatives before December 1, 2026, summarizing the effect of each district policy on student achievement and behavior. The report must also include a model policy that school districts and charter schools may adopt.*

(2) The report and model policy must address the authorized use of cell phones or other electronic devices during the school day by students:

(a) With disabilities or who are English Language Learners who may need such electronic devices to access curriculum or other required activities.

(b) When necessary for health reasons, for emergency medical issues, or for natural or manmade disasters.

(c) On school buses, before or after school hours.

(d) Engaged in extracurricular activities outside of the school day.

(3) The report must also include student code of conduct provisions for violations of the policy restricting the use of cell phones and other electronic devices, including, but not limited to, those violations that:

(a) Constitute illegal behavior and may result in a referral to law enforcement.

(b) Facilitate bullying, harassing, or threatening other students.

(c) Facilitate cheating or otherwise violating a school's policy for academic integrity.

(d) Capture or display any picture or video of any student during a medical issue or engaged in misconduct.

Section 58. *By August 1, 2026, the Department of Education shall establish competencies for a mathematics endorsement aligned with evidence-based mathematics instructional and intervention strategies. The competencies must include numbers and operations, fractions, algebraic reasoning, measurement, geometric reasoning, and data analysis and probabilities at the elementary and secondary level. The competencies must be approved by the State Board of Education.*

Section 59. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; transferring, renumbering, and amending s. 16.615, F.S.; establishing the Council on the Social Status of Black Men and Boys within Florida Memorial University, rather than the Department of Legal Affairs; requiring Florida Memorial University, rather than the Office of the Attorney General, to provide staff and administrative support to the council; providing that the council's meeting times are approved by the president of Florida Memorial University, rather than the Attorney General; revising the number of members required for a quorum; authorizing members to appear by communications media technology; providing that members who appear by such technology are considered present and may be counted toward the quorum requirement; providing notice requirements for public meetings or workshops conducted by means of communications media technology; providing that members of the council may be reimbursed for certain expenses by Florida Memorial University, rather than the Department of Legal Affairs; amending s. 120.81, F.S.; exempting district school boards from requirements for adopting certain rules; amending s. 212.055, F.S.; requiring that certain surtax revenues that are shared with school districts must also be shared with eligible charter schools on a proportionate basis in accordance with certain provisions; requiring that such surtax revenues be expended by charter schools for specified uses; requiring that such revenues and ex-

penditures be accounted for in certain financial statements; providing that unencumbered funds revert to the sponsor under certain circumstances; providing applicability; amending s. 810.097, F.S.; defining the term "school bus"; specifying sufficient notice and prior warning for immediate arrest and prosecution for school bus trespassing; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe that the person has trespassed upon school grounds or facilities; amending s. 1001.23, F.S.; requiring the Department of Education to annually inform district school superintendents by a specified date that they are authorized to petition to receive a specified declaratory statement; requiring the department to annually maintain and provide school districts with a list of statutory and rule requirements; providing requirements for such list; amending s. 1001.42, F.S.; deleting a requirement for a district school board to employ an internal auditor in certain circumstances; amending s. 1002.20, F.S.; deleting a requirement that the school financial report be included in the student handbook; requiring the department to produce specified reports relating to school accountability and make such reports available on the department's website; requiring each school district to provide a link to such reports; amending s. 1002.33, F.S.; requiring a charter school sponsor to use a standard monitoring tool to monitor and review a charter school; requiring school districts to provide charter schools with specified information relating to public school funding by a specified date annually; requiring school districts to provide a summary report of specified revenues to the department and post such report on their websites by a specified date annually; conforming a provision relating to a 5-year facilities plan; amending s. 1002.333, F.S.; defining the term "sponsoring entity"; providing that a hope operator must submit a notice of intent to open a school of hope to the sponsoring entity, rather than the school district; requiring the sponsoring entity, rather than the school district, to enter into a performance-based agreement with a hope operator; authorizing certain entities to report their students directly to the department; requiring a school of hope to provide the sponsoring entity, rather than the school district, with a financial statement summary sheet; making a technical change; providing that specified provisions relating to performance-based agreements and disputes apply to sponsoring entities, rather than district school boards and school districts; amending s. 1002.394, F.S.; revising the transition-to-work program under the Family Empowerment Scholarship Program; amending s. 1002.42, F.S.; authorizing a private school in a county that meets certain criteria to construct new facilities on certain property; specifying that such construction is not subject to certain zoning or land use conditions; requiring such construction to meet certain health and safety requirements; amending s. 1002.451, F.S.; requiring innovation schools of technology to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel in addition to annual contracts; amending s. 1002.61, F.S.; removing public schools from a requirement for early learning coalitions to verify compliance with a certain law; amending s. 1002.63, F.S.; deleting a requirement for an early learning coalition to verify that certain public schools comply with specified provisions; amending s. 1002.71, F.S.; revising requirements relating to district school board attendance policies for Voluntary Prekindergarten Education Programs; requiring a school district to certify its attendance records for a Voluntary Prekindergarten Education Program; amending s. 1002.84, F.S.; authorizing the Redlands Christian Migrant Association to use certain school readiness reimbursement rates; requiring school districts to provide public charter schools with specified information relating to public school funding by specified dates; amending s. 1003.03, F.S.; deleting a requirement for district school boards to provide an accountability plan to the Commissioner of Education under certain conditions; amending s. 1003.26, F.S.; authorizing a district school board to determine a timeframe for purposes of addressing a student's absences; amending s. 1003.4282, F.S.; revising requirements for assessments needed for a student to earn a high school diploma; specifying that certain participation in marching band satisfies the physical education or performing arts credit requirement for a standard high school diploma; revising provisions providing for the award of a certificate of completion to certain students; requiring the Department of Education to develop a document for certain students who fail to earn a standard high school diploma; requiring certain information in the document; deleting a requirement for a student who transfers into a public high school to take specified assessments; revising the courses for which the transferring course final grade must be honored for a transfer student under certain conditions; providing school district responsibilities; requiring a school district to revise an Individual Education Plan under certain circumstances; conforming provisions to changes made by the act; amending s. 1003.433, F.S.; deleting requirements that must be met by students who transfer to a public school for 11th or 12th grade; deleting a requirement that certain students be provided with certain learning opportunities; amending s. 1006.15, F.S.; specifying conditions for a home education student to participate in interscholastic athletics; authorizing a student in a full-time virtual instruction program to participate on an interscholastic athletic team at a public school in the school district in which the student resides or to develop an agreement to participate at a private school; specifying requirements for such participation; amending s. 1006.195, F.S.; conforming a cross-reference; amending s. 1006.40, F.S.; revising the timeframe within which certain instructional materials must be purchased; authorizing the State Board of Education to modify the timeframe; amending s. 1007.263, F.S.; revising the student eligibility criteria for enrollment in certificate career education programs; amending s. 1008.212, F.S.; providing that certain assessments are not subject to specified requirements; specifying the assessments from which IEP teams must submit requests for extraordinary exemptions; amending s. 1008.22, F.S.; requiring the Commissioner of Education to notify school districts of the assessment schedule for a specified time interval; deleting requirements relating to a uniform calendar that must be published by the commissioner each year; revising an annual timeframe for each school district to establish schedules for the administration of statewide, standardized assessments; requiring each school district to publish certain information regarding such schedules on its website; conforming provisions to changes made by the act; amending s. 1008.25, F.S.; providing an additional good cause exemption for a student to be promoted to grade 4; conforming cross-references; amending s. 1008.33, F.S.; prohibiting a school from being required to use a certain parameter as the sole determining factor to recruit instructional personnel; providing requirements for a rule adopted by the State Board of Education; amending s. 1010.20, F.S.; requiring charter schools to receive and respond to monitoring questions from the department; amending s. 1011.035, F.S.; deleting a requirement that each district school board budget posted on the school board's website include a graphical representation of specified information; revising website requirements; amending s. 1011.14, F.S.; revising the types of facilities for which district school boards may incur certain financial obligations; amending s. 1011.60, F.S.; revising circumstances under which the State Board of Education may alter the length of school terms for certain school districts; amending s. 1011.62, F.S.; deleting a requirement that certain full-time equivalent bonuses under the Florida Education Finance Program be paid only to teachers who are employed by the district when the bonus is calculated; amending s. 1011.6202, F.S.; requiring schools participating in the Principal Autonomy Program Initiative to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel; amending s. 1011.69, F.S.; deleting a requirement relating to Title I fund allocations to schools; providing a new category of funding school districts are authorized to withhold; revising a category of funding a school district is authorized to withhold; requiring the department to make certain funds available to local education agencies; amending s. 1011.71, F.S.; revising specified vehicles that may be purchased or leased using specified revenue; revising the types of facilities payments that may be made from such revenue; authorizing the use of certain school district tax revenue for liability insurance; amending s. 1012.22, F.S.; providing requirements for advanced degrees which may be used to set salary schedules for instructional personnel and school administrators hired after a specified date; specifying district school board activities that may not be precluded by collective bargaining; amending s. 1012.335, F.S.; defining the term "instructional multiyear contract"; providing requirements for the award of an instructional multiyear contract; requiring that an employee awarded an instructional multiyear contract be returned to an annual contract under certain conditions; specifying district school superintendent authority; making conforming and technical changes; amending s. 1012.39, F.S.; revising an occupational experience qualification requirement for nondegreed teachers of career programs; deleting a training requirement for full-time nondegreed teachers of career programs; amending s. 1012.555, F.S.; revising eligibility requirements for individuals to participate in the Teacher Apprenticeship Program; amending employment requirements for paraprofessionals to serve as an apprentice teacher; amending s. 1012.56, F.S.; specifying individuals who must demonstrate mastery of general knowledge for educator certification; conforming a cross-reference; amending s. 1012.585, F.S.; revising the validity period for professional certificates; providing eligibility requirements for 5-year and 10-year

professional certificates; establishing requirements for the renewal of a 10-year professional certificate; amending s. 1013.19, F.S.; requiring that proceeds from certain sales or leases of property be used for specified purposes by boards of trustees for Florida College System institutions or state universities; amending s. 1013.35, F.S.; deleting definitions; requiring a district school board to submit a tentative district educational facilities plan to the department; revising requirements for the contents of such plan; deleting provisions relating to district school boards coordinating with local governments to ensure consistency between school district and local government plans; authorizing, rather than requiring, local governments to review tentative district educational facilities plans; requiring a district school board to submit a revised facilities plan; making conforming changes; amending s. 1013.41, F.S.; revising requirements for an educational facilities plan; revising the duties of the Office of Educational Facilities; amending s. 1013.45, F.S.; requiring Florida College System institution and state university boards of trustees to use an architect for the development of certain plans; deleting district school board requirements for certain construction plans; amending s. 1013.64, F.S.; providing appropriations for specified purposes; revising district school board requirements relating to educational plant construction; revising determinations of allocations from the Public Education Capital Outlay and Debt Service Trust Fund; requiring the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review cost per student station levels and make certain recommendations; requiring OPPAGA to submit its review to the Legislature and the Commissioner of Education by a specified date; amending ss. 163.3180, 1002.68, 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98, F.S.; conforming cross-references and provisions to changes made by the act; requiring the Commissioner of Education to coordinate with school districts selected by the department to implement a policy for a specified school year prohibiting the use of cell phones while on school grounds or engaged in certain activities off school grounds; requiring the department to provide a report to the Legislature before a specified date; providing requirements for the report; requiring that the report include a model policy that school districts and charter schools may adopt; requiring that the report and model policy address the authorized use of cell phones and electronic devices during the school day by certain students; requiring that the report include specified student code of conduct provisions; requiring the department, by a specified date, to establish competencies for a mathematics endorsement aligned with certain strategies; providing requirements for the competencies; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for HB 1115**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1270—A bill to be entitled An act relating to the Department of Health; reenacting ss. 381.00316(2)(g) and 381.00319(1)(e), F.S., relating to the prohibition on discrimination by governmental and business entities based on health care choices and the prohibition on mask mandates and vaccination and testing mandates for educational institutions, respectively, for purposes of preserving the definition of the term "messenger ribonucleic acid vaccine" notwithstanding its scheduled repeal; repealing s. 9 of chapter 2023-43, Laws of Florida, which provides for the repeal of the definition of the term "messenger ribonucleic acid vaccine"; amending s. 381.026, F.S.; revising the rights of patients, which each health care provider and facility are required to observe, to include that such facilities and providers may not discriminate based on a patient's vaccination status; amending s. 381.986, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana treatment centers; requiring medical marijuana treatment centers to notify the Department of Health through electronic mail within a specified timeframe after an actual or attempted theft, diversion, or loss of marijuana; requiring medical marijuana treatment centers to report attempted thefts, in addition to actual thefts, to law enforcement within a specified timeframe; amending s. 381.988, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana testing laboratories; amending s. 456.0145, F.S.; revising eligibility criteria for licensure by endorsement under the MOBILE Act; amending ss. 458.315 and 459.0076, F.S.; authorizing certain physician assistants to be issued temporary certificates for practice in areas of critical need; amending s. 486.112, F.S.; defining the term "party state"; authorizing a remote state to issue subpoenas to individuals to testify or for the production of evidence from a party located in a party state; providing that such subpoenas are enforceable in the party state; requiring that investigative information pertaining to certain licensees in a certain system be available only to other party states; revising construction and severability of the compact to conform to changes made by the act; amending s. 766.1115, F.S.; revising the definition of the term "health care provider" or "provider"; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1270**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1299** was withdrawn from the Committee on Rules.

On motion by Senator Collins—

CS for CS for HB 1299—A bill to be entitled An act relating to the Department of Health; reenacting ss. 381.00316(2)(g) and 381.00319(1)(e), F.S., relating to the prohibition on discrimination by governmental and business entities based on health care choices and the prohibition on mask mandates and vaccination and testing mandates for educational institutions, respectively, for purposes of preserving the definition of the term "messenger ribonucleic acid vaccine" notwithstanding its scheduled repeal; repealing s. 9 of chapter 2023-43, Laws of Florida, which provides for the repeal of the definition of the term "messenger ribonucleic acid vaccine"; amending s. 381.026, F.S.; prohibiting a health care provider or health care facility from discriminating against a patient based solely upon the patient's vaccination status; amending s. 381.986, F.S.; deleting the requirement that all officers and board members of medical marijuana treatment centers pass a background screening; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana treatment centers; requiring medical marijuana treatment centers to notify the Department of Health within a specified timeframe after an actual or attempted theft, diversion, or loss of marijuana; requiring medical marijuana treatment centers to report attempted thefts, in addition to actual thefts, to law enforcement within a specified timeframe; amending s. 381.988, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana testing laboratories; amending s. 456.0145, F.S.; revising eligibility criteria for licensure by endorsement under the MOBILE Act; amending ss. 456.44, 458.3265, 458.3475, 459.0137, and 459.023, F.S.; revising definitions of certain terms to include the American Board of Physician Specialties rather than the American Association of Physician Specialists; amending s. 458.3145, F.S.; revising the list of institutions at which certain individuals may be issued a medical faculty certificate without examination; amending ss. 458.315 and 459.0076, F.S.; authorizing certain physician assistants to be issued a temporary certificate for practice under certain circumstances; amending s. 486.112, F.S.; defining the term "party state"; amending s. 766.1115, F.S.; revising the definition of the term "health care provider" or "provider" to include certain students; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1270** and read the second time by title.

Senator Trumbull moved the following amendment:

Amendment 1 (869614) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective upon becoming a law, or, if this act fails to become a law until after June 1, 2025, operating retroactively to June 1, 2025, section 9 of chapter 2023-43, Laws of Florida, is amended to read:

Section 9. Sections 381.00316(2)(g) and 381.00319(1)(e), Florida Statutes, as created by this act, are repealed June 1, *2027* ~~2025~~.

Section 2. Effective upon becoming a law, or, if this act fails to become a law until after June 1, 2025, operating retroactively to June 1, 2025, paragraph (g) of subsection (2) of section 381.00316, Florida Statutes, is reenacted to read:

381.00316 Discrimination by governmental and business entities based on health care choices; prohibition.—

(2) As used in this section, the term:

(g) "Messenger ribonucleic acid vaccine" means any vaccine that uses laboratory-produced messenger ribonucleic acid to trigger the human body's immune system to generate an immune response.

Section 3. Effective upon becoming a law, or, if this act fails to become a law until after June 1, 2025, operating retroactively to June 1, 2025, paragraph (e) of subsection (1) of section 381.00319, Florida Statutes, is reenacted to read:

381.00319 Prohibition on mask mandates and vaccination and testing mandates for educational institutions.—

(1) For purposes of this section, the term:

(e) "Messenger ribonucleic acid vaccine" has the same meaning as in s. 381.00316.

Section 4. Paragraph (d) of subsection (4) and subsection (6) of section 381.026, Florida Statutes, are amended to read:

381.026 Florida Patient's Bill of Rights and Responsibilities.—

(4) RIGHTS OF PATIENTS.—Each health care facility or provider shall observe the following standards:

(d) Access to health care.—

1. A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

2. A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide such treatment.

3. A patient has the right to access any mode of treatment that is, in his or her own judgment and the judgment of his or her health care practitioner, in the best interests of the patient, including complementary or alternative health care treatments, in accordance with the provisions of s. 456.41.

4. A patient shall not be denied admission, care, or services by a health care facility based solely on the patient's vaccination status.

(6) SUMMARY OF RIGHTS AND RESPONSIBILITIES.—Any health care provider who treats a patient in an office or any health care facility licensed under chapter 395 that provides emergency services and care or outpatient services and care to a patient, or admits and treats a patient, shall adopt and make available to the patient, in writing, a statement of the rights and responsibilities of patients, including the following:

SUMMARY OF THE FLORIDA PATIENT'S BILL OF RIGHTS AND RESPONSIBILITIES

Florida law requires that your health care provider or health care facility recognize your rights while you are receiving medical care and that you respect the health care provider's or health care facility's right to expect certain behavior on the part of patients. You may request a copy of the full text of this law from your health care provider or health care facility. A summary of your rights and responsibilities follows:

A patient has the right to be treated with courtesy and respect, with appreciation of his or her individual dignity, and with protection of his or her need for privacy.

A patient has the right to a prompt and reasonable response to questions and requests.

A patient has the right to know who is providing medical services and who is responsible for his or her care.

A patient has the right to know what patient support services are available, including whether an interpreter is available if he or she does not speak English.

A patient has the right to bring any person of his or her choosing to the patient-accessible areas of the health care facility or provider's office to accompany the patient while the patient is receiving inpatient or outpatient treatment or is consulting with his or her health care provider, unless doing so would risk the safety or health of the patient, other patients, or staff of the facility or office or cannot be reasonably accommodated by the facility or provider.

A patient has the right to know what rules and regulations apply to his or her conduct.

A patient has the right to be given by the health care provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis.

A patient has the right to refuse any treatment, except as otherwise provided by law.

A patient has the right to be given, upon request, full information and necessary counseling on the availability of known financial resources for his or her care.

A patient who is eligible for Medicare has the right to know, upon request and in advance of treatment, whether the health care provider or health care facility accepts the Medicare assignment rate.

A patient has the right to receive, upon request, prior to treatment, a reasonable estimate of charges for medical care.

A patient has the right to receive a copy of a reasonably clear and understandable, itemized bill and, upon request, to have the charges explained.

A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide treatment.

A patient shall not be denied admission, care, or services by a health care facility based solely on the patient's vaccination status.

A patient has the right to know if medical treatment is for purposes of experimental research and to give his or her consent or refusal to participate in such experimental research.

A patient has the right to express grievances regarding any violation of his or her rights, as stated in Florida law, through the grievance procedure of the health care provider or health care facility which served him or her and to the appropriate state licensing agency.

A patient is responsible for providing to the health care provider, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to his or her health.

A patient is responsible for reporting unexpected changes in his or her condition to the health care provider.

A patient is responsible for reporting to the health care provider whether he or she comprehends a contemplated course of action and what is expected of him or her.

A patient is responsible for following the treatment plan recommended by the health care provider.

A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the health care provider or health care facility.

A patient is responsible for his or her actions if he or she refuses treatment or does not follow the health care provider's instructions.

A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.

A patient is responsible for following health care facility rules and regulations affecting patient care and conduct.

Section 5. Paragraphs (b), (e), and (f) of subsection (8) of section 381.986, Florida Statutes, are amended to read:

381.986 Medical use of marijuana.—

(8) MEDICAL MARIJUANA TREATMENT CENTERS.—

(b) An applicant for licensure as a medical marijuana treatment center *must* ~~shall~~ apply to the department on a form prescribed by the department and adopted in rule. The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing a procedure for the issuance and biennial renewal of licenses, including initial application and biennial renewal fees sufficient to cover the costs of implementing and administering this section, and establishing supplemental licensure fees for payment beginning May 1, 2018, sufficient to cover the costs of administering ss. 381.989 and 1004.4351. The department shall identify applicants with strong diversity plans reflecting this state's commitment to diversity and implement training programs and other educational programs to enable minority persons and minority business enterprises, as defined in s. 288.703, and veteran business enterprises, as defined in s. 295.187, to compete for medical marijuana treatment center licensure and contracts. Subject to the requirements in subparagraphs (a)2.-4., the department shall issue a license to an applicant if the applicant meets the requirements of this section and pays the initial application fee. The department shall renew the licensure of a medical marijuana treatment center biennially if the licensee meets the requirements of this section and pays the biennial renewal fee. However, the department may not renew the license of a medical marijuana treatment center that has not begun to cultivate, process, and dispense marijuana by the date that the medical marijuana treatment center is required to renew its license. An individual may not be an applicant, owner, officer, board member, or manager on more than one application for licensure as a medical marijuana treatment center. An individual or entity may not be awarded more than one license as a medical marijuana treatment center. An applicant for licensure as a medical marijuana treatment center must demonstrate:

1. That, for the 5 consecutive years before submitting the application, the applicant has been registered to do business in *this* ~~the~~ state.

2. Possession of a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131.

3. The technical and technological ability to cultivate and produce marijuana, including, but not limited to, low-THC cannabis.

4. The ability to secure the premises, resources, and personnel necessary to operate as a medical marijuana treatment center.

5. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

6. An infrastructure reasonably located to dispense marijuana to registered qualified patients statewide or regionally as determined by the department.

7. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financial statements to the department.

a. Upon approval, the applicant must post a $5 million performance bond issued by an authorized surety insurance company rated in one of the three highest rating categories by a nationally recognized rating service. However, a medical marijuana treatment center serving at least 1,000 qualified patients is only required to maintain a $2 million performance bond.

b. In lieu of the performance bond required under sub-subparagraph a., the applicant may provide an irrevocable letter of credit payable to the department or provide cash to the department. If provided with cash under this sub-subparagraph, the department *must* ~~shall~~ deposit the cash in the Grants and Donations Trust Fund within the Department of Health, subject to the same conditions as the bond regarding requirements for the applicant to forfeit ownership of the funds. If the funds deposited under this sub-subparagraph generate interest, the amount of that interest *must* ~~shall~~ be used by the department for the administration of this section.

8. That all owners~~, officers, board members,~~ and managers have passed a background screening pursuant to subsection (9). *As used in this subparagraph, the term:*

a. "Manager" means any person with the authority to exercise or contribute to the operational control, direction, or management of an applicant or a medical marijuana treatment center or who has authority to supervise any employee of an applicant or a medical marijuana treatment center. The term includes an individual with the power or authority to direct or influence the direction or operation of an applicant or a medical marijuana treatment center through board membership, an agreement, or a contract.

b. "Owner" means any person who owns or controls a 5 percent or greater share of interests of the applicant or a medical marijuana treatment center which include beneficial or voting rights to interests. In the event that one person owns a beneficial right to interests and another person holds the voting rights with respect to such interests, then in such case, both are considered the owner of such interests.

9. The employment of a medical director to supervise the activities of the medical marijuana treatment center.

10. A diversity plan that promotes and ensures the involvement of minority persons and minority business enterprises, as defined in s. 288.703, or veteran business enterprises, as defined in s. 295.187, in ownership, management, and employment. An applicant for licensure renewal must show the effectiveness of the diversity plan by including the following with his or her application for renewal:

a. Representation of minority persons and veterans in the medical marijuana treatment center's workforce;

b. Efforts to recruit minority persons and veterans for employment; and

c. A record of contracts for services with minority business enterprises and veteran business enterprises.

(e) A licensed medical marijuana treatment center shall cultivate, process, transport, and dispense marijuana for medical use. A licensed medical marijuana treatment center may not contract for services directly related to the cultivation, processing, and dispensing of marijuana or marijuana delivery devices, except that a medical marijuana treatment center licensed pursuant to subparagraph (a)1. may contract with a single entity for the cultivation, processing, transporting, and dispensing of marijuana and marijuana delivery devices. A licensed medical marijuana treatment center *shall* ~~must~~, at all times, maintain compliance with the criteria demonstrated and representations made in the initial application and the criteria established in this subsection. Upon request, the department may grant a medical marijuana treatment center a variance from the representations made in the initial application. Consideration of such a request *must* ~~shall~~ be based upon the individual facts and circumstances surrounding the request. A variance may not be granted unless the requesting medical marijuana treatment center can demonstrate to the department that it has a proposed alternative to the specific representation made in its application which fulfills the same or a similar purpose as the specific representation in a way that the department can reasonably determine will not be a lower standard than the specific representation in the application. A variance may not be granted from the requirements in subparagraph 2. and subparagraphs (b)1. and 2.

1. A licensed medical marijuana treatment center may transfer ownership to an individual or entity who meets the requirements of this section. A publicly traded corporation or publicly traded company that meets the requirements of this section is not precluded from ownership of a medical marijuana treatment center. To accommodate a change in ownership:

a. The licensed medical marijuana treatment center shall notify the department in writing at least 60 days before the anticipated date of the change of ownership.

b. The individual or entity applying for initial licensure due to a change of ownership must submit an application that must be received by the department at least 60 days before the date of change of ownership.

c. Upon receipt of an application for a license, the department shall examine the application and, within 30 days after receipt, notify the applicant in writing of any apparent errors or omissions and request any additional information required.

d. Requested information omitted from an application for licensure must be filed with the department within 21 days after the department's request for omitted information or the application *will* ~~shall~~ be deemed incomplete and ~~shall be~~ withdrawn from further consideration and the fees ~~shall be~~ forfeited.

e. Within 30 days after the receipt of a complete application, the department shall approve or deny the application.

2. A medical marijuana treatment center, and any individual or entity who directly or indirectly owns, controls, or holds with power to vote 5 percent or more of the voting shares of a medical marijuana treatment center, may not acquire direct or indirect ownership or control of any voting shares or other form of ownership of any other medical marijuana treatment center.

3. A medical marijuana treatment center may not enter into any form of profit-sharing arrangement with the property owner or lessor of any of its facilities where cultivation, processing, storing, or dispensing of marijuana and marijuana delivery devices occurs.

4. All employees of a medical marijuana treatment center must be 21 years of age or older and have passed a background screening pursuant to subsection (9). *As used in this subparagraph, the term "employee" means any person employed by a medical marijuana treatment center licensee in any capacity, including those whose duties involve any aspect of the cultivation, processing, transportation, or dispensing of marijuana. This requirement applies to all employees, regardless of the compensation received.*

5. Each medical marijuana treatment center must adopt and enforce policies and procedures to ensure employees and volunteers receive training on the legal requirements to dispense marijuana to qualified patients.

6. When growing marijuana, a medical marijuana treatment center:

a. May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.

b. Must grow marijuana within an enclosed structure and in a room separate from any other plant.

c. Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state in accordance with chapter 581 and any rules adopted thereunder.

d. Must perform fumigation or treatment of plants, or remove and destroy infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.

7. Each medical marijuana treatment center must produce and make available for purchase at least one low-THC cannabis product.

8. A medical marijuana treatment center that produces edibles must hold a permit to operate as a food establishment pursuant to chapter 500, the Florida Food Safety Act, and must comply with all the requirements for food establishments pursuant to chapter 500 and any rules adopted thereunder. Edibles may not contain more than 200 milligrams of tetrahydrocannabinol, and a single serving portion of an edible may not exceed 10 milligrams of tetrahydrocannabinol. Edibles may *not* have a potency variance ~~of no~~ greater than 15 percent. Marijuana products, including edibles, may not be attractive to children; be manufactured in the shape of humans, cartoons, or animals; be manufactured in a form that bears any reasonable resemblance to products available for consumption as commercially available candy; or contain any color additives. To discourage consumption of edibles by children, the department shall determine by rule any shapes, forms, and ingredients allowed and prohibited for edibles. Medical marijuana treatment centers may not begin processing or dispensing edibles until after the effective date of the rule. The department shall also adopt sanitation rules providing the standards and requirements for the storage, display, or dispensing of edibles.

9. Within 12 months after licensure, a medical marijuana treatment center must demonstrate to the department that all of its processing facilities have passed a Food Safety Good Manufacturing Practices, such as Global Food Safety Initiative or equivalent, inspection by a nationally accredited certifying body. A medical marijuana treatment center must immediately stop processing at any facility which fails to pass this inspection until it demonstrates to the department that such facility has met this requirement.

10. A medical marijuana treatment center that produces prerolled marijuana cigarettes may not use wrapping paper made with tobacco or hemp.

11. When processing marijuana, a medical marijuana treatment center must:

a. Process the marijuana within an enclosed structure and in a room separate from other plants or products.

b. Comply with department rules when processing marijuana with hydrocarbon solvents or other solvents or gases exhibiting potential toxicity to humans. The department shall determine by rule the requirements for medical marijuana treatment centers to use such solvents or gases exhibiting potential toxicity to humans.

c. Comply with federal and state laws and regulations and department rules for solid and liquid wastes. The department shall determine by rule procedures for the storage, handling, transportation, management, and disposal of solid and liquid waste generated during marijuana production and processing. The Department of Environmental Protection shall assist the department in developing such rules.

d. Test the processed marijuana using a medical marijuana testing laboratory before it is dispensed. Results must be verified and signed by two medical marijuana treatment center employees. Before dispensing, the medical marijuana treatment center must determine that the test results indicate that low-THC cannabis meets the definition of low-THC cannabis, the concentration of tetrahydrocannabinol meets the potency requirements of this section, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and all marijuana is safe for human consumption and free from contaminants that are unsafe for human consumption. The department shall determine by rule which contaminants must be tested for and the maximum levels of each contaminant which are safe for human consumption. The Department of Agriculture and Consumer Services shall assist the department in developing the testing requirements for contaminants that are unsafe for human consumption in edibles. The department shall also determine by rule the procedures for the treatment of marijuana that fails to meet the testing requirements of this section, s. 381.988, or department rule. The department may select samples of marijuana from a medical marijuana treatment center facility which shall be tested by the department to determine whether the marijuana meets the potency requirements of this section, is safe for human consumption, and is accurately labeled with the tetrahydrocannabinol and cannabidiol concentration or to verify the result of marijuana testing conducted by a marijuana testing laboratory. The department may also select samples of marijuana delivery devices from a medical marijuana treatment center to determine whether the marijuana delivery device is safe for use by qualified patients. A medical marijuana treatment center may not require payment from the department for the sample. A medical marijuana treatment center must recall marijuana, including all marijuana and marijuana products made from the same batch of marijuana, that fails to meet the potency requirements of this section, that is unsafe for human consumption, or for which the labeling of the tetrahydrocannabinol and cannabidiol concentration is inaccurate. The department shall adopt rules to establish marijuana potency variations of no greater than 15 percent using negotiated rulemaking pursuant to s. 120.54(2)(d) which accounts for, but is not limited to, time lapses between testing, testing methods, testing instruments, and types of marijuana sampled for testing. The department may not issue any recalls for product potency as it relates to product labeling before issuing a rule relating to potency variation standards. A medical marijuana treatment center must also recall all marijuana delivery devices determined to be unsafe for use by qualified patients. The medical marijuana treatment center must retain records of all testing and samples of each homogeneous batch of mar-

ijuana for at least 9 months. The medical marijuana treatment center must contract with a marijuana testing laboratory to perform audits on the medical marijuana treatment center's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the marijuana or low-THC cannabis meets the requirements of this section and that the marijuana or low-THC cannabis is safe for human consumption. A medical marijuana treatment center shall reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of such audits. A medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification, but in no event later than July 1, 2018.

e. Package the marijuana in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

f. Package the marijuana in a receptacle that has a firmly affixed and legible label stating the following information:

(I) The marijuana or low-THC cannabis meets the requirements of sub-subparagraph d.

(II) The name of the medical marijuana treatment center from which the marijuana originates.

(III) The batch number and harvest number from which the marijuana originates and the date dispensed.

(IV) The name of the physician who issued the physician certification.

(V) The name of the patient.

(VI) The product name, if applicable, and dosage form, including concentration of tetrahydrocannabinol and cannabidiol. The product name may not contain wording commonly associated with products that are attractive to children or which promote the recreational use of marijuana.

(VII) The recommended dose.

(VIII) A warning that it is illegal to transfer medical marijuana to another person.

(IX) A marijuana universal symbol developed by the department.

12. The medical marijuana treatment center shall include in each package a patient package insert with information on the specific product dispensed related to:

a. Clinical pharmacology.

b. Indications and use.

c. Dosage and administration.

d. Dosage forms and strengths.

e. Contraindications.

f. Warnings and precautions.

g. Adverse reactions.

13. In addition to the packaging and labeling requirements specified in subparagraphs 11. and 12., marijuana in a form for smoking must be packaged in a sealed receptacle with a legible and prominent warning to keep away from children and a warning that states marijuana smoke contains carcinogens and may negatively affect health. Such receptacles for marijuana in a form for smoking must be plain, opaque, and white without depictions of the product or images other than the medical marijuana treatment center's department-approved logo and the marijuana universal symbol.

14. The department shall adopt rules to regulate the types, appearance, and labeling of marijuana delivery devices dispensed from a medical marijuana treatment center. The rules must require marijuana delivery devices to have an appearance consistent with medical use.

15. Each edible must be individually sealed in plain, opaque wrapping marked only with the marijuana universal symbol. Where practical, each edible must be marked with the marijuana universal symbol. In addition to the packaging and labeling requirements in subparagraphs 11. and 12., edible receptacles must be plain, opaque, and white without depictions of the product or images other than the medical marijuana treatment center's department-approved logo and the marijuana universal symbol. The receptacle must also include a list of all the edible's ingredients, storage instructions, an expiration date, a legible and prominent warning to keep away from children and pets, and a warning that the edible has not been produced or inspected pursuant to federal food safety laws.

16. When dispensing marijuana or a marijuana delivery device, a medical marijuana treatment center:

a. May dispense any active, valid order for low-THC cannabis, medical cannabis and cannabis delivery devices issued pursuant to former s. 381.986, Florida Statutes 2016, which was entered into the medical marijuana use registry before July 1, 2017.

b. May not dispense more than a 70-day supply of marijuana within any 70-day period to a qualified patient or caregiver. May not dispense more than one 35-day supply of marijuana in a form for smoking within any 35-day period to a qualified patient or caregiver. A 35-day supply of marijuana in a form for smoking may not exceed 2.5 ounces unless an exception to this amount is approved by the department pursuant to paragraph (4)(f).

c. Must have the medical marijuana treatment center's employee who dispenses the marijuana or a marijuana delivery device enter into the medical marijuana use registry his or her name or unique employee identifier.

d. Must verify that the qualified patient and the caregiver, if applicable, each have an active registration in the medical marijuana use registry and an active and valid medical marijuana use registry identification card, the amount and type of marijuana dispensed matches the physician certification in the medical marijuana use registry for that qualified patient, and the physician certification has not already been filled.

e. May not dispense marijuana to a qualified patient who is younger than 18 years of age. If the qualified patient is younger than 18 years of age, marijuana may only be dispensed to the qualified patient's caregiver.

f. May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes or wrapping papers made with tobacco or hemp, other than a marijuana delivery device required for the medical use of marijuana and which is specified in a physician certification.

g. Must, upon dispensing the marijuana or marijuana delivery device, record in the registry the date, time, quantity, and form of marijuana dispensed; the type of marijuana delivery device dispensed; and the name and medical marijuana use registry identification number of the qualified patient or caregiver to whom the marijuana delivery device was dispensed.

h. Must ensure that patient records are not visible to anyone other than the qualified patient, his or her caregiver, and authorized medical marijuana treatment center employees.

(f) To ensure the safety and security of premises where the cultivation, processing, storing, or dispensing of marijuana occurs, and to maintain adequate controls against the diversion, theft, and loss of marijuana or marijuana delivery devices, a medical marijuana treatment center shall:

1.a. Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; and

b. Maintain a video surveillance system that records continuously 24 hours a day and meets the following criteria:

(I) Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms.

(II) Cameras are fixed in entrances and exits to the premises, which *must* ~~shall~~ record from both indoor and outdoor, or ingress and egress, vantage points.

(III) Recorded images must clearly and accurately display the time and date.

(IV) Retain video surveillance recordings for at least 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the medical marijuana treatment center's outdoor premises have sufficient lighting from dusk until dawn.

3. Ensure that the indoor premises where dispensing occurs includes a waiting area with sufficient space and seating to accommodate qualified patients and caregivers and at least one private consultation area that is isolated from the waiting area and area where dispensing occurs. A medical marijuana treatment center may not display products or dispense marijuana or marijuana delivery devices in the waiting area.

4. Not dispense from its premises marijuana or a marijuana delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver marijuana to qualified patients 24 hours a day.

5. Store marijuana in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times where cultivation, processing, or storing of marijuana occurs.

7. Require each employee or contractor to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement *and notify the department through e-mail* within 24 hours after the medical marijuana treatment center is notified or becomes aware of *any actual or attempted* ~~the~~ theft, diversion, or loss of marijuana.

Section 6. Paragraph (d) of subsection (1) of section 381.988, Florida Statutes, is amended to read:

381.988 Medical marijuana testing laboratories; marijuana tests conducted by a certified laboratory.—

(1) A person or entity seeking to be a certified marijuana testing laboratory must:

(d) Require all employees, owners, and managers to submit to and pass a level 2 background screening pursuant to chapter 435. The department shall deny certification if the person or entity seeking certification has a disqualifying offense as provided in s. 435.04 or has an arrest awaiting final disposition for, has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in chapter 837, chapter 895, or chapter 896 or similar law of another jurisdiction. Exemptions from disqualification as provided under s. 435.07 do not apply to this paragraph.

1. *As used in this paragraph, the term:*

a. "Employee" means any person whose duties or activities involve any aspect of regulatory compliance testing or research and development testing of marijuana for a certified marijuana testing laboratory, regardless of whether such person is compensated for his or her work.

b. "Manager" means any person with authority to exercise or contribute to the operational control, direction, or management of an applicant or certified marijuana testing laboratory or who has authority to supervise any employee of an applicant or a certified marijuana testing laboratory. The term includes an individual with the power or authority to direct or influence the direction or operation of an applicant or a certified marijuana testing laboratory through board membership, an agreement, or a contract.

c. "Owner" means any person who owns or controls a 5 percent or greater share of interests of the applicant or a certified marijuana testing laboratory which include beneficial or voting rights to interests. In the event that one person owns a beneficial right to interests and another person holds the voting rights with respect to such interests, then in such case, both are considered the owner of such interests.

2. Such employees, owners, and managers must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing.

3.~~2.~~ Fees for state and federal fingerprint processing and retention *must* ~~shall~~ be borne by the certified marijuana testing laboratory. The state cost for fingerprint processing *is* ~~shall be~~ as provided in s. 943.053(3)(e) for records provided to persons or entities other than those specified as exceptions therein.

4.~~3.~~ Fingerprints submitted to the Department of Law Enforcement pursuant to this paragraph *must* ~~shall~~ be retained by the Department of Law Enforcement as provided in s. 943.05(2)(g) and (h) and, when the Department of Law Enforcement begins participation in the program, enrolled in the Federal Bureau of Investigation's national retained print arrest notification program. Any arrest record identified *must* ~~shall~~ be reported to the department.

Section 7. Paragraphs (a) and (c) of subsection (2) of section 456.0145, Florida Statutes, are amended to read:

456.0145 Mobile Opportunity by Interstate Licensure Endorsement (MOBILE) Act.—

(2) LICENSURE BY ENDORSEMENT.—

(a) An applicable board, or the department if there is no board, shall issue a license to practice in this state to an applicant who meets all of the following criteria:

1. Submits a complete application.

2. Holds an active, unencumbered license issued by another state, the District of Columbia, or a territory of the United States in a profession with a similar scope of practice, as determined by the board or department, as applicable. The term "scope of practice" means the full spectrum of functions, procedures, actions, and services that a health care practitioner is deemed competent and authorized to perform under a license issued in this state.

3.a. Has obtained a passing score on a national licensure examination or holds a national certification recognized by the board, or the department if there is no board, as applicable to the profession for which the applicant is seeking licensure in this state; or

b. Meets the requirements of paragraph (b).

4. Has actively practiced the profession for which the applicant is applying for at least *2* ~~3~~ years during the 4-year period immediately preceding the date of submission of the application.

5. Attests that he or she is not, at the time of submission of the application, the subject of a disciplinary proceeding in a jurisdiction in which he or she holds a license or by the United States Department of Defense for reasons related to the practice of the profession for which he or she is applying.

6. Has not had disciplinary action taken against him or her in the 5 years immediately preceding the date of submission of the application.

7. Meets the financial responsibility requirements of s. 456.048 or the applicable practice act, if required for the profession for which the applicant is seeking licensure.

8. Submits a set of fingerprints for a background screening pursuant to s. 456.0135, if required for the profession for which he or she is applying.

The department shall verify information submitted by the applicant under this subsection using the National Practitioner Data Bank, as applicable.

(c) A person is ineligible for a license under this section if he or she:

1. Has a complaint, an allegation, or an investigation pending before a licensing entity in another state, the District of Columbia, or a possession or territory of the United States;

2. Has been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;

3. Has had a health care provider license revoked or suspended by another state, the District of Columbia, or a territory of the United States, or has voluntarily surrendered any such license in lieu of having disciplinary action taken against the license; or

4. Has been reported to the National Practitioner Data Bank, unless the applicant has successfully appealed to have his or her name removed from the data bank. *If the reported adverse action was a result of conduct that would not constitute a violation of any law or rule in this state, the board, or the department if there is no board, may:*

a. Approve the application;

b. Approve the application with restrictions on the scope of practice of the licensee;

c. Approve the application with placement of the licensee on probation for a period of time and subject to such conditions as the board, or the department if there is no board, may specify, including, but not limited to, requiring the applicant to submit to treatment, attend continuing education courses, or submit to reexamination; or

d. Deny the application.

Section 8. Paragraph (d) of subsection (1) and subsection (3) of section 456.44, Florida Statutes, are amended to read:

456.44 Controlled substance prescribing.—

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

(d) "Board-certified pain management physician" means a physician who possesses board certification in pain medicine by the American Board of Pain Medicine, board certification by the American Board of Interventional Pain Physicians, or board certification or subcertification in pain management or pain medicine by a specialty board recognized by the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~ or the American Board of Medical Specialties or an osteopathic physician who holds a certificate in Pain Management by the American Osteopathic Association.

(3) STANDARDS OF PRACTICE FOR TREATMENT OF CHRONIC NONMALIGNANT PAIN.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(a) A complete medical history and a physical examination must be conducted before beginning any treatment and must be documented in the medical record. The exact components of the physical examination shall be left to the judgment of the registrant who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of previous medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance. Each registrant must develop a written plan for assessing each patient's risk of aberrant drug-related behavior, which may include patient drug testing. Registrants must assess each patient's risk for aberrant drug-related behavior and monitor that risk on an ongoing basis in accordance with the plan.

(b) Each registrant must develop a written individualized treatment plan for each patient. The treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the registrant shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) The registrant shall discuss the risks and benefits of the use of controlled substances, including the risks of abuse and addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or the patient's surrogate or guardian if the patient is incompetent. The registrant shall use a written controlled substance agreement between the registrant and the patient outlining the patient's responsibilities, including, but not limited to:

1. Number and frequency of controlled substance prescriptions and refills.

2. Patient compliance and reasons for which drug therapy may be discontinued, such as a violation of the agreement.

3. An agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating registrant unless otherwise authorized by the treating registrant and documented in the medical record.

(d) The patient shall be seen by the registrant at regular intervals, not to exceed 3 months, to assess the efficacy of treatment, ensure that controlled substance therapy remains indicated, evaluate the patient's progress toward treatment objectives, consider adverse drug effects, and review the etiology of the pain. Continuation or modification of therapy shall depend on the registrant's evaluation of the patient's progress. If treatment goals are not being achieved, despite medication adjustments, the registrant shall reevaluate the appropriateness of continued treatment. The registrant shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of 3-month intervals.

(e) The registrant shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation and requires consultation with or referral to an addiction medicine specialist or a psychiatrist.

(f) A registrant must maintain accurate, current, and complete records that are accessible and readily available for review and comply with the requirements of this section, the applicable practice act, and applicable board rules. The medical records must include, but are not limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence.

2. Diagnostic, therapeutic, and laboratory results.

3. Evaluations and consultations.

4. Treatment objectives.

5. Discussion of risks and benefits.

6. Treatments.

7. Medications, including date, type, dosage, and quantity prescribed.

8. Instructions and agreements.

9. Periodic reviews.

10. Results of any drug testing.

11. A photocopy of the patient's government-issued photo identification.

12. If a written prescription for a controlled substance is given to the patient, a duplicate of the prescription.

13. The registrant's full name presented in a legible manner.

(g) A registrant shall immediately refer patients with signs or symptoms of substance abuse to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the registrant is a physician who is board-certified or board-eligible in pain management. Throughout the period of time before receiving the consultant's report, a prescribing registrant shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to ensure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing registrant shall incorporate the consultant's recommendations for continuing, modifying, or discontinuing controlled substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record. Evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy, and the patient shall be discharged, and all results of testing and actions taken by the registrant shall be documented in the patient's medical record.

This subsection does not apply to a board-eligible or board-certified anesthesiologist, physiatrist, rheumatologist, or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambulatory surgery center and primarily provides surgical services. This subsection does not apply to a board-eligible or board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is board eligible or board certified in pain medicine by the American Board of Pain Medicine, the American Board of Interventional Pain Physicians, the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~, or a board approved by the American Board of Medical Specialties or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. This subsection does not apply to a registrant who prescribes medically necessary controlled substances for a patient during an inpatient stay in a hospital licensed under chapter 395.

Section 9. Paragraph (i) of subsection (1) of section 458.3145, Florida Statutes, is amended to read:

458.3145 Medical faculty certificate.—

(1) A medical faculty certificate may be issued without examination to an individual who meets all of the following criteria:

(i) Has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at any of the following institutions:

1. The University of Florida.

2. The University of Miami.

3. The University of South Florida.

4. The Florida State University.

5. The Florida International University.

6. The University of Central Florida.

7. The Mayo Clinic College of Medicine and Science in Jacksonville, Florida.

8. The Florida Atlantic University.

9. The Johns Hopkins All Children's Hospital in St. Petersburg, Florida.

10. Nova Southeastern University.

11. Lake Erie College of Osteopathic Medicine *in Bradenton, Florida*.

12. Burrell College of Osteopathic Medicine in Melbourne, Florida.

13. The Orlando College of Osteopathic Medicine.

14. Lincoln Memorial University-DeBusk College of Osteopathic Medicine in Orange Park, Florida.

Section 10. Subsection (1) of section 458.315, Florida Statutes, is amended to read:

458.315 Temporary certificate for practice in areas of critical need.—

(1) A physician ~~or physician assistant who is~~ licensed to practice in any jurisdiction of the United States ~~and~~ whose license is currently valid may be issued a temporary certificate for practice in areas of critical need. A physician seeking such certificate must pay an application fee of $300. *A physician assistant licensed to practice in any state of the United States or the District of Columbia whose license is currently valid may be issued a temporary certificate for practice in areas of critical need.*

Section 11. Subsection (1) of section 459.0076, Florida Statutes, is amended to read:

459.0076 Temporary certificate for practice in areas of critical need.—

(1) A physician ~~or physician assistant~~ who holds a valid license to practice in any jurisdiction of the United States may be issued a temporary certificate for practice in areas of critical need. A physician seeking such certificate must pay an application fee of $300. *A physician assistant licensed to practice in any state of the United States or the District of Columbia whose license is currently valid may be issued a temporary certificate for practice in areas of critical need.*

Section 12. Paragraph (a) of subsection (1) of section 458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(1) REGISTRATION.—

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

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b. "Chronic nonmalignant pain" means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department or hold a valid certificate of exemption pursuant to subsection (2).

3. The following clinics are exempt from the registration requirement of paragraphs (c)-(m) and must apply to the department for a certificate of exemption:

a. A clinic licensed as a facility pursuant to chapter 395;

b. A clinic in which the majority of the physicians who provide services in the clinic primarily provide surgical services;

c. A clinic owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded $50 million;

d. A clinic affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. A clinic that does not prescribe controlled substances for the treatment of pain;

f. A clinic owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. A clinic wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, physiatrists, rheumatologists, or neurologists; or

h. A clinic wholly owned and operated by a physician multispecialty practice where one or more board-eligible or board-certified medical specialists, who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~, or the American Osteopathic Association, perform interventional pain procedures of the type routinely billed using surgical codes.

Section 13. Paragraph (a) of subsection (1) of section 458.3475, Florida Statutes, is amended to read:

458.3475 Anesthesiologist assistants.—

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

(a) "Anesthesiologist" means an allopathic physician who holds an active, unrestricted license; who has successfully completed an anesthesiology training program approved by the Accreditation Council on Graduate Medical Education or its equivalent; and who is certified by the American Board of Anesthesiology, is eligible to take that board's examination, or is certified by the Board of Certification in Anesthesiology affiliated with the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~.

Section 14. Paragraph (a) of subsection (1) of section 459.0137, Florida Statutes, is amended to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

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

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b. "Chronic nonmalignant pain" means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department or hold a valid certificate of exemption pursuant to subsection (2).

3. The following clinics are exempt from the registration requirement of paragraphs (c)-(m) and must apply to the department for a certificate of exemption:

a. A clinic licensed as a facility pursuant to chapter 395;

b. A clinic in which the majority of the physicians who provide services in the clinic primarily provide surgical services;

c. A clinic owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded $50 million;

d. A clinic affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. A clinic that does not prescribe controlled substances for the treatment of pain;

f. A clinic owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. A clinic wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, physiatrists, rheumatologists, or neurologists; or

h. A clinic wholly owned and operated by a physician multispecialty practice where one or more board-eligible or board-certified medical specialists, who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~, or the American Osteopathic Association, perform interventional pain procedures of the type routinely billed using surgical codes.

Section 15. Paragraph (a) of subsection (1) of section 459.023, Florida Statutes, is amended to read:

459.023 Anesthesiologist assistants.—

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

(a) "Anesthesiologist" means an osteopathic physician who holds an active, unrestricted license; who has successfully completed an anesthesiology training program approved by the Accreditation Council on Graduate Medical Education, or its equivalent, or the American Osteopathic Association; and who is certified by the American Osteopathic Board of Anesthesiology or is eligible to take that board's examination, is certified by the American Board of Anesthesiology or is eligible to take that board's examination, or is certified by the Board of Certification in Anesthesiology affiliated with the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~.

Section 16. Subsection (4) of section 466.006, Florida Statutes, is amended to read:

466.006 Examination of dentists.—

(4) Notwithstanding any other provision of law in chapter 456 pertaining to the clinical dental licensure examination or national examinations, to be licensed as a dentist in this state, an applicant must successfully complete *all* ~~both~~ of the following:

(a) A written examination on the laws and rules of the state regulating the practice of dentistry.

(b) A practical or clinical examination, which must be the American Dental Licensing Examination produced by the American Board of Dental Examiners, Inc., or its successor entity, if any, which is administered in this state, provided that the board has attained, and continues to maintain thereafter, representation on the board of directors of the American Board of Dental Examiners, the examination development committee of the American Board of Dental Examiners, and

such other committees of the American Board of Dental Examiners as the board deems appropriate by rule to assure that the standards established herein are maintained organizationally.

1. As an alternative to such practical or clinical examination, an applicant may submit scores from an American Dental Licensing Examination previously administered in a jurisdiction other than this state after October 1, 2011, and such examination results are recognized as valid for the purpose of licensure in this state. A passing score on the American Dental Licensing Examination administered out of state is the same as the passing score for the American Dental Licensing Examination administered in this state. The applicant must have completed the examination after October 1, 2011. This subparagraph may not be given retroactive application.

2. If the date of an applicant's passing American Dental Licensing Examination scores from an examination previously administered in a jurisdiction other than this state under subparagraph 1. is older than 365 days, such scores are nevertheless valid for the purpose of licensure in this state, but only if the applicant demonstrates that all of the following additional standards have been met:

a. The applicant completed the American Dental Licensing Examination after October 1, 2011. This sub-subparagraph may not be given retroactive application.

b. The applicant graduated from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor entity, if any, or any other dental accrediting organization recognized by the United States Department of Education. Provided, however, if the applicant did not graduate from such a dental school, the applicant may submit proof of having successfully completed a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation of at least 2 consecutive academic years at such accredited sponsoring institution. Such program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. For purposes of this sub-subparagraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty.

c. The applicant currently possesses a valid and active dental license in good standing, with no restriction, which has never been revoked, suspended, restricted, or otherwise disciplined, from another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

d. The applicant must disclose to the board during the application process if he or she has been reported to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, or the American Association of Dental Boards Clearinghouse. This sub-subparagraph does not apply if the applicant successfully appealed to have his or her name removed from the data banks of these agencies.

e.(I)(A) The applicant submits proof of having been consecutively engaged in the full-time practice of dentistry in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico in the 5 years immediately preceding the date of application for licensure in this state; or

(B) If the applicant has been licensed in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico for less than 5 years, the applicant submits proof of having been engaged in the full-time practice of dentistry since the date of his or her initial licensure.

(II) As used in this section, "full-time practice" is defined as a minimum of 1,200 hours per year for each year in the consecutive 5-year period or, when applicable, the period since initial licensure, and must include any combination of the following:

(A) Active clinical practice of dentistry providing direct patient care.

(B) Full-time practice as a faculty member employed by a dental or dental hygiene school approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(C) Full-time practice as a student at a postgraduate dental education program approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(III) The board shall develop rules to determine what type of proof of full-time practice is required and to recoup the cost to the board of verifying full-time practice under this section. Such proof must, at a minimum, be:

(A) Admissible as evidence in an administrative proceeding;

(B) Submitted in writing;

(C) Further documented by an applicant's annual income tax return filed with the Internal Revenue Service for each year in the preceding 5-year period or, if the applicant has been practicing for less than 5 years, the period since initial licensure; and

(D) Specifically found by the board to be both credible and admissible.

(IV) The board may excuse applicants from the 1,200-hour requirement in the event of hardship, as defined by the board.

f. The applicant submits documentation that he or she has completed, or will complete before he or she is licensed in this state, continuing education equivalent to this state's requirements for the last full reporting biennium.

g. The applicant proves that he or she has never been convicted of, or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession in any jurisdiction.

h. The applicant has successfully passed a written examination on the laws and rules of this state regulating the practice of dentistry and the computer-based diagnostic skills examination.

i. The applicant submits documentation that he or she has successfully completed the applicable examination administered by the Joint Commission on National Dental Examinations or its successor organization.

(c) The educational requirements provided under paragraph (2)(b) or subsection (3).

Section 17. Section 486.112, Florida Statutes, is amended to read:

486.112 Physical Therapy Licensure Compact.—The Physical Therapy Licensure Compact is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:

ARTICLE I

PURPOSE AND OBJECTIVES

(1) The purpose of the compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The compact preserves the regulatory authority of member states to protect public health and safety through their current systems of state licensure. For purposes of state regulation under the compact, the practice of physical therapy is deemed to have occurred in the state where the patient is located at the time physical therapy is provided to the patient.

(2) The compact is designed to achieve all of the following objectives:

(a) Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses.

(b) Enhance the states' ability to protect the public's health and safety.

(c) Encourage the cooperation of member states in regulating multistate physical therapy practice.

(d) Support spouses of relocating military members.

(e) Enhance the exchange of licensure, investigative, and disciplinary information between member states.

(f) Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

ARTICLE II

DEFINITIONS

As used in the compact, and except as otherwise provided, the term:

(1) "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. chapter 1209 or chapter 1211.

(2) "Adverse action" means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a state's physical therapy licensing board. The term includes, but is not limited to, programs that address substance abuse issues.

(4) "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or physical therapist assistant in the remote state under its laws and rules.

(5) "Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, and completion of, educational and professional activities relevant to the practice of physical therapy.

(6) "Data system" means the coordinated database and reporting system created by the Physical Therapy Compact Commission for the exchange of information between member states relating to licensees or applicants under the compact, including identifying information, licensure data, investigative information, adverse actions, nonconfidential information related to alternative program participation, any denials of applications for licensure, and other information as specified by commission rule.

(7) "Encumbered license" means a license that a physical therapy licensing board has limited in any way.

(8) "Executive board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(9) "Home state" means the member state that is the licensee's primary state of residence.

(10) "Investigative information" means information, records, and documents received or generated by a physical therapy licensing board pursuant to an investigation.

(11) "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of physical therapy in a specific state.

(12) "Licensee" means an individual who currently holds an authorization from a state to practice as a physical therapist or physical therapist assistant.

(13) "Member state" means a state that has enacted the compact.

(14) *"Party state" means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.*

(15) "Physical therapist" means an individual licensed by a state to practice physical therapy.

(16)~~(15)~~ "Physical therapist assistant" means an individual licensed by a state to assist a physical therapist in specified areas of physical therapy.

(17)~~(16)~~ "Physical therapy" or "the practice of physical therapy" means the care and services provided by or under the direction and supervision of a licensed physical therapist.

(18)~~(17)~~ "Physical Therapy Compact Commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(19)~~(18)~~ "Physical therapy licensing board" means the agency of a state which is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

(20)~~(19)~~ "Remote state" means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

(21)~~(20)~~ "Rule" means a regulation, principle, or directive adopted by the commission which has the force of law.

(22)~~(21)~~ "State" means any state, commonwealth, district, or territory of the United States of America which regulates the practice of physical therapy.

ARTICLE III

STATE PARTICIPATION IN THE COMPACT

(1) To participate in the compact, a state must do all of the following:

(a) Participate fully in the commission's data system, including using the commission's unique identifier, as defined by commission rule.

(b) Have a mechanism in place for receiving and investigating complaints about licensees.

(c) Notify the commission, in accordance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee.

(d) Fully implement a criminal background check requirement, within a timeframe established by commission rule, which uses results from the Federal Bureau of Investigation record search on criminal background checks to make licensure decisions in accordance with subsection (2).

(e) Comply with the commission's rules.

(f) Use a recognized national examination as a requirement for licensure pursuant to the commission's rules.

(g) Have continuing competence requirements as a condition for license renewal.

(2) Upon adoption of the compact, a member state has the authority to obtain biometric-based information from each licensee applying for a compact privilege and submit this information to the Federal Bureau of Investigation for a criminal background check in accordance with 28 U.S.C. s. 534 and 34 U.S.C. s. 40316.

(3) A member state must grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

ARTICLE IV

COMPACT PRIVILEGE

(1) To exercise the compact privilege under the compact, a licensee must satisfy all of the following conditions:

(a) Hold a license in the home state.

(b) Not have an encumbrance on any state license.

(c) Be eligible for a compact privilege in all member states in accordance with subsections (4), (7), and (8).

(d) Not have had an adverse action against any license or compact privilege within the preceding 2 years.

(e) Notify the commission that the licensee is seeking the compact privilege within a remote state.

(f) Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege.

(g) Report to the commission adverse action taken by any nonmember state within 30 days after the date the adverse action is taken.

(2) The compact privilege is valid until the expiration date of the home license. The licensee must continue to meet the requirements of subsection (1) to maintain the compact privilege in a remote state.

(3) A licensee providing physical therapy in a remote state under the compact privilege must comply with the laws and rules of the remote state.

(4) A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any member state until the specific period of time for removal has ended and all fines are paid.

(5) If a home state license is encumbered, the licensee loses the compact privilege in any remote state until the following conditions are met:

(a) The home state license is no longer encumbered.

(b) Two years have elapsed from the date of the adverse action.

(6) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (1) to obtain a compact privilege in any remote state.

(7) If a licensee's compact privilege in any remote state is removed, the licensee loses the compact privilege in all remote states until all of the following conditions are met:

(a) The specific period of time for which the compact privilege was removed has ended.

(b) All fines have been paid.

(c) Two years have elapsed from the date of the adverse action.

(8) Once the requirements of subsection (7) have been met, the licensee must meet the requirements of subsection (1) to obtain a compact privilege in a remote state.

ARTICLE V

ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may choose any of the following locations to designate his or her home state:

(1) Home of record.

(2) Permanent change of station location.

(3) State of current residence, if it is different from the home of record or permanent change of station location.

ARTICLE VI

ADVERSE ACTIONS

(1) A home state has exclusive power to impose adverse action against a license issued by the home state.

(2) A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

(3) The compact does not override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation remain nonpublic if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

(4) A member state may investigate actual or alleged violations of the laws and rules for the practice of physical therapy committed in any other member state by a physical therapist or physical therapist assistant practicing under the compact who holds a license or compact privilege in such other member state.

(5) A remote state may do any of the following:

(a) Take adverse actions as set forth in subsection (4) of Article IV against a licensee's compact privilege in the state.

(b) Issue subpoenas for both hearings and investigations which require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a physical therapy licensing board in a *party* ~~member~~ state for the attendance and testimony of witnesses or for the production of evidence from another *party* ~~member~~ state must be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service laws of the state where the witnesses or evidence is located.

(c) If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

(6)(a) In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

(b) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

ARTICLE VII

ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION

(1) COMMISSION CREATED.—The member states hereby create and establish a joint public agency known as the Physical Therapy Compact Commission:

(a) The commission is an instrumentality of the member states.

(b) Venue is proper, and judicial proceedings by or against the commission must be brought solely and exclusively, in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(c) The compact may not be construed to be a waiver of sovereign immunity.

(2) MEMBERSHIP, VOTING, AND MEETINGS.—

(a) Each member state has and is limited to one delegate selected by that member state's physical therapy licensing board to serve on the commission. The delegate must be a current member of the physical therapy licensing board who is a physical therapist, a physical therapist assistant, a public member, or the board administrator.

(b) A delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring on the commission must be filled by the physical therapy licensing board of the member state for which the vacancy exists.

(c) Each delegate is entitled to one vote with regard to the adoption of rules and bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

(d) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(e) The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws.

(f) All meetings must be open to the public, and public notice of meetings must be given in the same manner as required under the rulemaking provisions in Article IX.

(g) The commission or the executive board or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive board or other committees of the commission must discuss any of the following:

1. Noncompliance of a member state with its obligations under the compact.

2. The employment, compensation, or discipline of, or other matters, practices, or procedures related to, specific employees or other matters related to the commission's internal personnel practices and procedures.

3. Current, threatened, or reasonably anticipated litigation against the commission, executive board, or other committees of the commission.

4. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate.

5. An accusation of any person of a crime or a formal censure of any person.

6. Information disclosing trade secrets or commercial or financial information that is privileged or confidential.

7. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

8. Investigatory records compiled for law enforcement purposes.

9. Information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the compact.

10. Matters specifically exempted from disclosure by federal or member state statute.

(h) If a meeting, or portion of a meeting, is closed pursuant to this subsection, the commission's legal counsel or designee must certify that the meeting may be closed and must reference each relevant exempting provision.

(i) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action must be identified in the minutes. All minutes and documents of a closed meeting must remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(3) DUTIES.—The commission shall do all of the following:

(a) Establish the fiscal year of the commission.

(b) Establish bylaws.

(c) Maintain its financial records in accordance with the bylaws.

(d) Meet and take such actions as are consistent with the provisions of the compact and the bylaws.

(4) POWERS.—The commission may do any of the following:

(a) Adopt uniform rules to facilitate and coordinate implementation and administration of the compact. The rules have the force and effect of law and are binding in all member states.

(b) Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board to sue or be sued under applicable law is not affected.

(c) Purchase and maintain insurance and bonds.

(d) Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state.

(e) Hire employees and elect or appoint officers; fix the compensation of, define the duties of, and grant appropriate authority to such individuals to carry out the purposes of the compact; and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters.

(f) Accept any appropriate donations and grants of money, equipment, supplies, materials, and services and receive, use, and dispose of the same, provided that at all times the commission avoids any appearance of impropriety or conflict of interest.

(g) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use any property, real, personal, or mixed, provided that at all times the commission avoids any appearance of impropriety or conflict of interest.

(h) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

(i) Establish a budget and make expenditures.

(j) Borrow money.

(k) Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in the compact and the bylaws.

(l) Provide information to, receive information from, and cooperate with law enforcement agencies.

(m) Establish and elect an executive board.

(n) Perform such other functions as may be necessary or appropriate to achieve the purposes of the compact consistent with the state regulation of physical therapy licensure and practice.

(5) THE EXECUTIVE BOARD.—

(a) The executive board may act on behalf of the commission according to the terms of the compact.

(b) The executive board shall be composed of the following nine members:

1. Seven voting members who are elected by the commission from the current membership of the commission.

2. One ex officio, nonvoting member from the recognized national physical therapy professional association.

3. One ex officio, nonvoting member from the recognized membership organization of the physical therapy licensing boards.

(c) The ex officio members shall be selected by their respective organizations.

(d) The commission may remove any member of the executive board as provided in its bylaws.

(e) The executive board shall meet at least annually.

(f) The executive board shall do all of the following:

1. Recommend to the entire commission changes to the rules or bylaws, compact legislation, fees paid by compact member states, such as annual dues, and any commission compact fee charged to licensees for the compact privilege.

2. Ensure compact administration services are appropriately provided, contractually or otherwise.

3. Prepare and recommend the budget.

4. Maintain financial records on behalf of the commission.

5. Monitor compact compliance of member states and provide compliance reports to the commission.

6. Establish additional committees as necessary.

7. Perform other duties as provided in the rules or bylaws.

(6) FINANCING OF THE COMMISSION.—

(a) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(b) The commission may accept any appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(c) The commission may levy and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff. Such assessments and fees must total to an amount sufficient to cover the commission's annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount must be allocated based upon a formula to be determined by the commission, which shall adopt a rule binding upon all member states.

(d) The commission may not incur obligations of any kind before securing the funds adequate to meet such obligations; nor may the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(e) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission must be audited yearly by a certified or licensed public accountant, and the report of the audit must be included in and become part of the annual report of the commission.

(7) QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION.—

(a) The members, officers, executive director, employees, and representatives of the commission are immune from suit and liability, whether personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties, or responsibilities. However, this paragraph may not be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(b) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. However, this subsection may not be construed to prohibit any member, officer, executive director, employee, or representative of the commission from retaining his or her own counsel or to require the commission to defend such person if the actual or alleged act, error, or omission resulted from that person's intentional, willful, or wanton misconduct.

(c) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of that person.

ARTICLE VIII

DATA SYSTEM

(1) The commission shall provide for the development, maintenance, and use of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensees in member states.

(2) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom the compact is applicable as required by the rules of the commission, which data set must include all of the following:

(a) Identifying information.

(b) Licensure data.

(c) Investigative information.

(d) Adverse actions against a license or compact privilege.

(e) Nonconfidential information related to alternative program participation.

(f) Any denial of application for licensure, and the reason for such denial.

(g) Other information that may facilitate the administration of the compact, as determined by the rules of the commission.

(3) Investigative information in the system pertaining to a licensee in any member state must be available only to other *party* ~~member~~ states.

(4) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license in a member state. Adverse action information pertaining to a licensee in any member state must be available to all other member states.

(5) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(6) Any information submitted to the data system which is subsequently required to be expunged by the laws of the member state contributing the information must be removed from the data system.

ARTICLE IX

RULEMAKING

(1) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this article and the rules adopted thereunder. Rules and amendments become binding as of the date specified in each rule or amendment.

(2) If a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact within 4 years after the date of adoption of the rule, such rule does not have further force and effect in any member state.

(3) Rules or amendments to the rules must be adopted at a regular or special meeting of the commission.

(4) Before adoption of a final rule by the commission, and at least 30 days before the meeting at which the rule will be considered and voted

upon, the commission must file a notice of proposed rulemaking on all of the following:

(a) The website of the commission or another publicly accessible platform.

(b) The website of each member state physical therapy licensing board or another publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(5) The notice of proposed rulemaking must include all of the following:

(a) The proposed date, time, and location of the meeting in which the rule or amendment will be considered and voted upon.

(b) The text of the proposed rule or amendment and the reason for the proposed rule.

(c) A request for comments on the proposed rule or amendment from any interested person.

(d) The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(6) Before adoption of a proposed rule or amendment, the commission must allow persons to submit written data, facts, opinions, and arguments, which must be made available to the public.

(7) The commission must grant an opportunity for a public hearing before it adopts a rule or an amendment if a hearing is requested by any of the following:

(a) At least 25 persons.

(b) A state or federal governmental subdivision or agency.

(c) An association having at least 25 members.

(8) If a scheduled public hearing is held on the proposed rule or amendment, the commission must publish the date, time, and location of the hearing. If the hearing is held through electronic means, the commission must publish the mechanism for access to the electronic hearing.

(a) All persons wishing to be heard at the hearing must notify the executive director of the commission or another designated member in writing of their desire to appear and testify at the hearing at least 5 business days before the scheduled date of the hearing.

(b) Hearings must be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(c) All hearings must be recorded. A copy of the recording must be made available on request.

(d) This article may not be construed to require a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this article.

(9) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(10) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with adoption of the proposed rule without a public hearing.

(11) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(12) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this article are retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately in order to do any of the following:

(a) Meet an imminent threat to public health, safety, or welfare.

(b) Prevent a loss of commission or member state funds.

(c) Meet a deadline for the adoption of an administrative rule established by federal law or rule.

(d) Protect public health and safety.

(13) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions must be posted on the website of the commission. The revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the chair of the commission before the end of the notice period. If a challenge is not made, the revision takes effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

ARTICLE X

OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1) OVERSIGHT.—

(a) The executive, legislative, and judicial branches of state government in each member state shall enforce the compact and take all actions necessary and appropriate to carry out the compact's purposes and intent. The provisions of the compact and the rules adopted pursuant thereto shall have standing as statutory law.

(b) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the compact which may affect the powers, responsibilities, or actions of the commission.

(c) The commission is entitled to receive service of process in any such proceeding and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission renders a judgment or an order void as to the commission, the compact, or the adopted rules.

(2) DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION.—

(a) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the compact or the adopted rules, the commission must do all of the following:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, and any other action to be taken by the commission.

2. Provide remedial training and specific technical assistance regarding the default.

(b) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by the compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(c) Termination of membership in the compact may be imposed only after all other means of securing compliance have been exhausted. The commission shall give notice of intent to suspend or terminate a defaulting member state to the governor and majority and minority leaders of the defaulting state's legislature and to each of the member states.

(d) A state that has been terminated from the compact is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(e) The commission does not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(f) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(3) DISPUTE RESOLUTION.—

(a) Upon request by a member state, the commission must attempt to resolve disputes related to the compact which arise among member states and between member and nonmember states.

(b) The commission shall adopt a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(4) ENFORCEMENT.—

(a) The commission, in the reasonable exercise of its discretion, shall enforce the compact and the commission's rules.

(b) By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its adopted rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(c) The remedies under this article are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

ARTICLE XI

DATE OF IMPLEMENTATION OF THE PHYSICAL THERAPY COMPACT AND ASSOCIATED RULES; WITHDRAWAL; AND AMENDMENTS

(1) The compact becomes effective on the date that the compact statute is enacted into law in the tenth member state. The provisions that become effective at that time are limited to the powers granted to the commission relating to assembly and the adoption of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary for the implementation and administration of the compact.

(2) Any state that joins the compact subsequent to the commission's initial adoption of the rules is subject to the rules as they exist on the date that the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the day the compact becomes law in that state.

(3) Any member state may withdraw from the compact by enacting a statute repealing the same.

(a) A member state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

(b) Withdrawal does not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this act before the effective date of withdrawal.

(4) The compact may not be construed to invalidate or prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state which does not conflict with the provisions of the compact.

(5) The compact may be amended by the member states. An amendment to the compact does not become effective and binding upon any member state until it is enacted into the laws of all member states.

ARTICLE XII

CONSTRUCTION AND SEVERABILITY

The compact must be liberally construed so as to carry out the purposes thereof. The provisions of the compact are severable, and if any phrase, clause, sentence, or provision of the compact is declared to be contrary to the constitution of any *party* ~~member~~ state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of the compact and the applicability thereof to any government, agency, person, or circumstance is not affected thereby. If the compact is held contrary to the constitution of any *party* ~~member~~ state, the compact remains in full force and effect as to the remaining *party* ~~member~~ states and in full force and effect as to the *party* ~~member~~ state affected as to all severable matters.

Section 18. Paragraph (d) of subsection (3) of section 766.1115, Florida Statutes, is amended to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

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

(d) "Health care provider" or "provider" means:

1. A birth center licensed under chapter 383.

2. An ambulatory surgical center licensed under chapter 395.

3. A hospital licensed under chapter 395.

4. A physician or physician assistant licensed under chapter 458.

5. An osteopathic physician or osteopathic physician assistant licensed under chapter 459.

6. A chiropractic physician licensed under chapter 460.

7. A podiatric physician licensed under chapter 461.

8. A registered nurse, nurse midwife, licensed practical nurse, or advanced practice registered nurse licensed or registered under part I of chapter 464 or any facility which employs nurses licensed or registered under part I of chapter 464 to supply all or part of the care delivered under this section.

9. A midwife licensed under chapter 467.

10. A health maintenance organization certificated under part I of chapter 641.

11. A health care professional association and its employees or a corporate medical group and its employees.

12. Any other medical facility the primary purpose of which is to deliver human medical diagnostic services or which delivers nonsurgical human medical treatment, and which includes an office maintained by a provider.

13. A dentist or dental hygienist licensed under chapter 466.

14. A free clinic that delivers only medical diagnostic services or nonsurgical medical treatment free of charge to all low-income recipients.

15. Any other health care professional, practitioner, provider, or facility under contract with a governmental contractor, including a student enrolled in an accredited program that prepares the student for licensure as any one of the professionals listed in subparagraphs 4.-9. *and 13*.

The term includes any nonprofit corporation qualified as exempt from federal income taxation under s. 501(a) of the Internal Revenue Code, and described in s. 501(c) of the Internal Revenue Code, which delivers

health care services provided by licensed professionals listed in this paragraph, any federally funded community health center, and any volunteer corporation or volunteer health care provider that delivers health care services.

Section 19. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, or, if this act fails to become a law until after June 1, 2025, it shall take effect upon becoming a law and shall operate retroactively to June 1, 2025, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Health; amending chapter 2023-43, Laws of Florida; revising the repeal date of the definition of the term "messenger ribonucleic acid vaccine"; providing for contingent retroactive operation; reenacting ss. 381.00316(2)(g) and 381.00319(1)(e), F.S., relating to the prohibition on discrimination by governmental and business entities based on health care choices and the prohibition on mask mandates and vaccination and testing mandates for educational institutions, respectively, for purposes of preserving the definition of the term "messenger ribonucleic acid vaccine," notwithstanding its scheduled repeal; amending s. 381.026, F.S.; revising the rights of patients, which each health care provider and facility are required to observe, to include that such facilities shall not deny admission, care, or services based solely on a patient's vaccination status; amending s. 381.986, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana treatment centers; requiring medical marijuana treatment centers to notify the Department of Health through e-mail within a specified timeframe after an actual or attempted theft, diversion, or loss of marijuana; requiring medical marijuana treatment centers to report attempted thefts, in addition to actual thefts, to law enforcement within a specified timeframe; amending s. 381.988, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana testing laboratories; amending s. 456.0145, F.S.; revising eligibility criteria for licensure by endorsement under the MOBILE Act; amending s. 456.44, F.S.; revising the definition of the term "board-certified pain management physician" to replace the term "American Association of Physician Specialists" with "American Board of Physician Specialties"; making a technical change; amending s. 458.3145, F.S.; revising the list of institutions at which the department is authorized to issue a medical faculty certificate to an individual who has been offered and has accepted a full-time faculty appointment; amending ss. 458.315 and 459.0076, F.S.; revising criteria authorizing physician assistants to be issued temporary certificates for practice in areas of critical need; amending ss. 458.3265, 458.3475, 459.0137, and 459.023, F.S.; revising definitions to replace the term "American Association of Physician Specialists" with "American Board of Physician Specialties"; amending s. 466.006, F.S.; revising the requirements for licensure as a dentist; amending s. 486.112, F.S.; defining the term "party state"; authorizing a remote state to issue subpoenas to individuals to testify or for the production of evidence from a party located in a party state; providing that such subpoenas are enforceable in the party state; requiring that investigative information pertaining to certain licensees in a certain system be available only to other party states; revising construction and severability of the compact to conform to changes made by the act; amending s. 766.1115, F.S.; revising the definition of the term "health care provider" or "provider"; providing effective dates.

Senator Trumbull moved the following substitute amendment which was adopted:

Substitute Amendment 2 (340380) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Effective upon becoming a law, or, if this act fails to become a law until after June 1, 2025, operating retroactively to June 1, 2025, section 9 of chapter 2023-43, Laws of Florida, is amended to read:

Section 9. Sections 381.00316(2)(g) and 381.00319(1)(e), Florida Statutes, as created by this act, are repealed June 1, *2027* ~~2025~~.

Section 2. Effective upon becoming a law, or, if this act fails to become a law until after June 1, 2025, operating retroactively to June 1, 2025, paragraph (g) of subsection (2) of section 381.00316, Florida Statutes, is reenacted to read:

381.00316 Discrimination by governmental and business entities based on health care choices; prohibition.—

(2) As used in this section, the term:

(g) "Messenger ribonucleic acid vaccine" means any vaccine that uses laboratory-produced messenger ribonucleic acid to trigger the human body's immune system to generate an immune response.

Section 3. Effective upon becoming a law, or, if this act fails to become a law until after June 1, 2025, operating retroactively to June 1, 2025, paragraph (e) of subsection (1) of section 381.00319, Florida Statutes, is reenacted to read:

381.00319 Prohibition on mask mandates and vaccination and testing mandates for educational institutions.—

(1) For purposes of this section, the term:

(e) "Messenger ribonucleic acid vaccine" has the same meaning as in s. 381.00316.

Section 4. Paragraphs (b), (e), and (f) of subsection (8) of section 381.986, Florida Statutes, are amended to read:

381.986 Medical use of marijuana.—

(8) MEDICAL MARIJUANA TREATMENT CENTERS.—

(b) An applicant for licensure as a medical marijuana treatment center *must* ~~shall~~ apply to the department on a form prescribed by the department and adopted in rule. The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing a procedure for the issuance and biennial renewal of licenses, including initial application and biennial renewal fees sufficient to cover the costs of implementing and administering this section, and establishing supplemental licensure fees for payment beginning May 1, 2018, sufficient to cover the costs of administering ss. 381.989 and 1004.4351. The department shall identify applicants with strong diversity plans reflecting this state's commitment to diversity and implement training programs and other educational programs to enable minority persons and minority business enterprises, as defined in s. 288.703, and veteran business enterprises, as defined in s. 295.187, to compete for medical marijuana treatment center licensure and contracts. Subject to the requirements in subparagraphs (a)2.-4., the department shall issue a license to an applicant if the applicant meets the requirements of this section and pays the initial application fee. The department shall renew the licensure of a medical marijuana treatment center biennially if the licensee meets the requirements of this section and pays the biennial renewal fee. However, the department may not renew the license of a medical marijuana treatment center that has not begun to cultivate, process, and dispense marijuana by the date that the medical marijuana treatment center is required to renew its license. An individual may not be an applicant, owner, officer, board member, or manager on more than one application for licensure as a medical marijuana treatment center. An individual or entity may not be awarded more than one license as a medical marijuana treatment center. An applicant for licensure as a medical marijuana treatment center must demonstrate:

1. That, for the 5 consecutive years before submitting the application, the applicant has been registered to do business in *this* ~~the~~ state.

2. Possession of a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131.

3. The technical and technological ability to cultivate and produce marijuana, including, but not limited to, low-THC cannabis.

4. The ability to secure the premises, resources, and personnel necessary to operate as a medical marijuana treatment center.

5. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

6. An infrastructure reasonably located to dispense marijuana to registered qualified patients statewide or regionally as determined by the department.

7. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financial statements to the department.

a. Upon approval, the applicant must post a $5 million performance bond issued by an authorized surety insurance company rated in one of the three highest rating categories by a nationally recognized rating service. However, a medical marijuana treatment center serving at least 1,000 qualified patients is only required to maintain a $2 million performance bond.

b. In lieu of the performance bond required under sub-subparagraph a., the applicant may provide an irrevocable letter of credit payable to the department or provide cash to the department. If provided with cash under this sub-subparagraph, the department *must* ~~shall~~ deposit the cash in the Grants and Donations Trust Fund within the Department of Health, subject to the same conditions as the bond regarding requirements for the applicant to forfeit ownership of the funds. If the funds deposited under this sub-subparagraph generate interest, the amount of that interest *must* ~~shall~~ be used by the department for the administration of this section.

8. That all owners~~, officers, board members,~~ and managers have passed a background screening pursuant to subsection (9). *As used in this subparagraph, the term:*

a. "Manager" means any person with the authority to exercise or contribute to the operational control, direction, or management of an applicant or a medical marijuana treatment center or who has authority to supervise any employee of an applicant or a medical marijuana treatment center. The term includes an individual with the power or authority to direct or influence the direction or operation of an applicant or a medical marijuana treatment center through board membership, an agreement, or a contract.

b. "Owner" means any person who owns or controls a 5 percent or greater share of interests of the applicant or a medical marijuana treatment center which include beneficial or voting rights to interests. In the event that one person owns a beneficial right to interests and another person holds the voting rights with respect to such interests, then in such case, both are considered the owner of such interests.

9. The employment of a medical director to supervise the activities of the medical marijuana treatment center.

10. A diversity plan that promotes and ensures the involvement of minority persons and minority business enterprises, as defined in s. 288.703, or veteran business enterprises, as defined in s. 295.187, in ownership, management, and employment. An applicant for licensure renewal must show the effectiveness of the diversity plan by including the following with his or her application for renewal:

a. Representation of minority persons and veterans in the medical marijuana treatment center's workforce;

b. Efforts to recruit minority persons and veterans for employment; and

c. A record of contracts for services with minority business enterprises and veteran business enterprises.

(e) A licensed medical marijuana treatment center shall cultivate, process, transport, and dispense marijuana for medical use. A licensed medical marijuana treatment center may not contract for services directly related to the cultivation, processing, and dispensing of marijuana or marijuana delivery devices, except that a medical marijuana treatment center licensed pursuant to subparagraph (a)1. may contract with a single entity for the cultivation, processing, transporting, and dispensing of marijuana and marijuana delivery devices. A licensed medical marijuana treatment center *shall* ~~must~~, at all times, maintain compliance with the criteria demonstrated and representations made in the initial application and the criteria established in this subsection. Upon request, the department may grant a medical marijuana treatment center a variance from the representations made in the initial application. Consideration of such a request *must* ~~shall~~ be based upon the individual facts and circumstances surrounding the request. A variance may not be granted unless the requesting medical marijuana treatment center can demonstrate to the department that it has a proposed alternative to the specific representation made in its application which fulfills the same or a similar purpose as the specific representation in a way that the department can reasonably determine will not be a lower standard than the specific representation in the application. A variance may not be granted from the requirements in subparagraph 2. and subparagraphs (b)1. and 2.

1. A licensed medical marijuana treatment center may transfer ownership to an individual or entity who meets the requirements of this section. A publicly traded corporation or publicly traded company that meets the requirements of this section is not precluded from ownership of a medical marijuana treatment center. To accommodate a change in ownership:

a. The licensed medical marijuana treatment center shall notify the department in writing at least 60 days before the anticipated date of the change of ownership.

b. The individual or entity applying for initial licensure due to a change of ownership must submit an application that must be received by the department at least 60 days before the date of change of ownership.

c. Upon receipt of an application for a license, the department shall examine the application and, within 30 days after receipt, notify the applicant in writing of any apparent errors or omissions and request any additional information required.

d. Requested information omitted from an application for licensure must be filed with the department within 21 days after the department's request for omitted information or the application *will* ~~shall~~ be deemed incomplete and ~~shall be~~ withdrawn from further consideration and the fees ~~shall be~~ forfeited.

e. Within 30 days after the receipt of a complete application, the department shall approve or deny the application.

2. A medical marijuana treatment center, and any individual or entity who directly or indirectly owns, controls, or holds with power to vote 5 percent or more of the voting shares of a medical marijuana treatment center, may not acquire direct or indirect ownership or control of any voting shares or other form of ownership of any other medical marijuana treatment center.

3. A medical marijuana treatment center may not enter into any form of profit-sharing arrangement with the property owner or lessor of any of its facilities where cultivation, processing, storing, or dispensing of marijuana and marijuana delivery devices occurs.

4. All employees of a medical marijuana treatment center must be 21 years of age or older and have passed a background screening pursuant to subsection (9). *As used in this subparagraph, the term "employee" means any person employed by a medical marijuana treatment center licensee in any capacity, including those whose duties involve any aspect of the cultivation, processing, transportation, or dispensing of marijuana. This requirement applies to all employees, regardless of the compensation received.*

5. Each medical marijuana treatment center must adopt and enforce policies and procedures to ensure employees and volunteers receive training on the legal requirements to dispense marijuana to qualified patients.

6. When growing marijuana, a medical marijuana treatment center:

a. May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.

b. Must grow marijuana within an enclosed structure and in a room separate from any other plant.

c. Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state in accordance with chapter 581 and any rules adopted thereunder.

d. Must perform fumigation or treatment of plants, or remove and destroy infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.

7. Each medical marijuana treatment center must produce and make available for purchase at least one low-THC cannabis product.

8. A medical marijuana treatment center that produces edibles must hold a permit to operate as a food establishment pursuant to chapter 500, the Florida Food Safety Act, and must comply with all the requirements for food establishments pursuant to chapter 500 and any rules adopted thereunder. Edibles may not contain more than 200 milligrams of tetrahydrocannabinol, and a single serving portion of an edible may not exceed 10 milligrams of tetrahydrocannabinol. Edibles may *not* have a potency variance ~~of no~~ greater than 15 percent. Marijuana products, including edibles, may not be attractive to children; be manufactured in the shape of humans, cartoons, or animals; be manufactured in a form that bears any reasonable resemblance to products available for consumption as commercially available candy; or contain any color additives. To discourage consumption of edibles by children, the department shall determine by rule any shapes, forms, and ingredients allowed and prohibited for edibles. Medical marijuana treatment centers may not begin processing or dispensing edibles until after the effective date of the rule. The department shall also adopt sanitation rules providing the standards and requirements for the storage, display, or dispensing of edibles.

9. Within 12 months after licensure, a medical marijuana treatment center must demonstrate to the department that all of its processing facilities have passed a Food Safety Good Manufacturing Practices, such as Global Food Safety Initiative or equivalent, inspection by a nationally accredited certifying body. A medical marijuana treatment center must immediately stop processing at any facility which fails to pass this inspection until it demonstrates to the department that such facility has met this requirement.

10. A medical marijuana treatment center that produces prerolled marijuana cigarettes may not use wrapping paper made with tobacco or hemp.

11. When processing marijuana, a medical marijuana treatment center must:

a. Process the marijuana within an enclosed structure and in a room separate from other plants or products.

b. Comply with department rules when processing marijuana with hydrocarbon solvents or other solvents or gases exhibiting potential toxicity to humans. The department shall determine by rule the requirements for medical marijuana treatment centers to use such solvents or gases exhibiting potential toxicity to humans.

c. Comply with federal and state laws and regulations and department rules for solid and liquid wastes. The department shall determine by rule procedures for the storage, handling, transportation, management, and disposal of solid and liquid waste generated during marijuana production and processing. The Department of Environmental Protection shall assist the department in developing such rules.

d. Test the processed marijuana using a medical marijuana testing laboratory before it is dispensed. Results must be verified and signed by two medical marijuana treatment center employees. Before dispensing, the medical marijuana treatment center must determine that the test results indicate that low-THC cannabis meets the definition of low-THC cannabis, the concentration of tetrahydrocannabinol meets the potency requirements of this section, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and all marijuana is safe for human consumption and free from contaminants that are unsafe for human consumption. The department shall determine by rule which contaminants must be tested for and the maximum levels of each contaminant which are safe for human consumption. The Department of Agriculture and Consumer Services shall assist the department in developing the testing requirements for contaminants that are unsafe for human consumption in edibles. The department shall also determine by rule the procedures for the treatment of marijuana that fails to meet the testing requirements of this section, s. 381.988, or department rule. The department may select samples of marijuana from a medical marijuana treatment center facility which shall be tested by the department to determine whether the marijuana meets the potency requirements of this section, is safe for human consumption, and is accurately labeled with the tetrahydrocannabinol and cannabidiol concentration or to verify the result of marijuana testing conducted by a marijuana testing laboratory. The department may also select samples of marijuana delivery devices from a medical marijuana treatment center to determine whether the marijuana delivery device is safe for use by qualified patients. A medical marijuana treatment center may not require payment from the department for the sample. A medical marijuana treatment center must recall marijuana, including all marijuana and marijuana products made from the same batch of marijuana, that fails to meet the potency requirements of this section, that is unsafe for human consumption, or for which the labeling of the tetrahydrocannabinol and cannabidiol concentration is inaccurate. The department shall adopt rules to establish marijuana potency variations of no greater than 15 percent using negotiated rulemaking pursuant to s. 120.54(2)(d) which accounts for, but is not limited to, time lapses between testing, testing methods, testing instruments, and types of marijuana sampled for testing. The department may not issue any recalls for product potency as it relates to product labeling before issuing a rule relating to potency variation standards. A medical marijuana treatment center must also recall all marijuana delivery devices determined to be unsafe for use by qualified patients. The medical marijuana treatment center must retain records of all testing and samples of each homogeneous batch of marijuana for at least 9 months. The medical marijuana treatment center must contract with a marijuana testing laboratory to perform audits on the medical marijuana treatment center's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the marijuana or low-THC cannabis meets the requirements of this section and that the marijuana or low-THC cannabis is safe for human consumption. A medical marijuana treatment center shall reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of such audits. A medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification, but in no event later than July 1, 2018.

e. Package the marijuana in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

f. Package the marijuana in a receptacle that has a firmly affixed and legible label stating the following information:

(I) The marijuana or low-THC cannabis meets the requirements of sub-subparagraph d.

(II) The name of the medical marijuana treatment center from which the marijuana originates.

(III) The batch number and harvest number from which the marijuana originates and the date dispensed.

(IV) The name of the physician who issued the physician certification.

(V) The name of the patient.

(VI) The product name, if applicable, and dosage form, including concentration of tetrahydrocannabinol and cannabidiol. The product name may not contain wording commonly associated with products that are attractive to children or which promote the recreational use of marijuana.

(VII) The recommended dose.

(VIII) A warning that it is illegal to transfer medical marijuana to another person.

(IX) A marijuana universal symbol developed by the department.

12. The medical marijuana treatment center shall include in each package a patient package insert with information on the specific product dispensed related to:

a. Clinical pharmacology.

b. Indications and use.

c. Dosage and administration.

d. Dosage forms and strengths.

e. Contraindications.

f. Warnings and precautions.

g. Adverse reactions.

13. In addition to the packaging and labeling requirements specified in subparagraphs 11. and 12., marijuana in a form for smoking must be packaged in a sealed receptacle with a legible and prominent warning to keep away from children and a warning that states marijuana smoke contains carcinogens and may negatively affect health. Such receptacles for marijuana in a form for smoking must be plain, opaque, and white without depictions of the product or images other than the medical marijuana treatment center's department-approved logo and the marijuana universal symbol.

14. The department shall adopt rules to regulate the types, appearance, and labeling of marijuana delivery devices dispensed from a medical marijuana treatment center. The rules must require marijuana delivery devices to have an appearance consistent with medical use.

15. Each edible must be individually sealed in plain, opaque wrapping marked only with the marijuana universal symbol. Where practical, each edible must be marked with the marijuana universal symbol. In addition to the packaging and labeling requirements in subparagraphs 11. and 12., edible receptacles must be plain, opaque, and white without depictions of the product or images other than the medical marijuana treatment center's department-approved logo and the marijuana universal symbol. The receptacle must also include a list of all the edible's ingredients, storage instructions, an expiration date, a legible and prominent warning to keep away from children and pets, and a warning that the edible has not been produced or inspected pursuant to federal food safety laws.

16. When dispensing marijuana or a marijuana delivery device, a medical marijuana treatment center:

a. May dispense any active, valid order for low-THC cannabis, medical cannabis and cannabis delivery devices issued pursuant to former s. 381.986, Florida Statutes 2016, which was entered into the medical marijuana use registry before July 1, 2017.

b. May not dispense more than a 70-day supply of marijuana within any 70-day period to a qualified patient or caregiver. May not dispense more than one 35-day supply of marijuana in a form for smoking within any 35-day period to a qualified patient or caregiver. A 35-day supply of marijuana in a form for smoking may not exceed 2.5 ounces unless an exception to this amount is approved by the department pursuant to paragraph (4)(f).

c. Must have the medical marijuana treatment center's employee who dispenses the marijuana or a marijuana delivery device enter into the medical marijuana use registry his or her name or unique employee identifier.

d. Must verify that the qualified patient and the caregiver, if applicable, each have an active registration in the medical marijuana use registry and an active and valid medical marijuana use registry identification card, the amount and type of marijuana dispensed matches the physician certification in the medical marijuana use registry for that qualified patient, and the physician certification has not already been filled.

e. May not dispense marijuana to a qualified patient who is younger than 18 years of age. If the qualified patient is younger than 18 years of age, marijuana may only be dispensed to the qualified patient's caregiver.

f. May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes or wrapping papers made with tobacco or hemp, other than a marijuana delivery device required for the medical use of marijuana and which is specified in a physician certification.

g. Must, upon dispensing the marijuana or marijuana delivery device, record in the registry the date, time, quantity, and form of marijuana dispensed; the type of marijuana delivery device dispensed; and the name and medical marijuana use registry identification number of the qualified patient or caregiver to whom the marijuana delivery device was dispensed.

h. Must ensure that patient records are not visible to anyone other than the qualified patient, his or her caregiver, and authorized medical marijuana treatment center employees.

(f) To ensure the safety and security of premises where the cultivation, processing, storing, or dispensing of marijuana occurs, and to maintain adequate controls against the diversion, theft, and loss of marijuana or marijuana delivery devices, a medical marijuana treatment center shall:

1.a. Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; and

b. Maintain a video surveillance system that records continuously 24 hours a day and meets the following criteria:

(I) Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms.

(II) Cameras are fixed in entrances and exits to the premises, which *must* ~~shall~~ record from both indoor and outdoor, or ingress and egress, vantage points.

(III) Recorded images must clearly and accurately display the time and date.

(IV) Retain video surveillance recordings for at least 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the medical marijuana treatment center's outdoor premises have sufficient lighting from dusk until dawn.

3. Ensure that the indoor premises where dispensing occurs includes a waiting area with sufficient space and seating to accommodate qualified patients and caregivers and at least one private consultation area that is isolated from the waiting area and area where dispensing occurs. A medical marijuana treatment center may not display products or dispense marijuana or marijuana delivery devices in the waiting area.

4. Not dispense from its premises marijuana or a marijuana delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver marijuana to qualified patients 24 hours a day.

5. Store marijuana in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times where cultivation, processing, or storing of marijuana occurs.

7. Require each employee or contractor to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement *and notify the department through e-mail* within 24 hours after the medical marijuana treatment center is notified or becomes aware of *any actual or attempted* ~~the~~ theft, diversion, or loss of marijuana.

Section 5. Paragraph (d) of subsection (1) of section 381.988, Florida Statutes, is amended to read:

381.988 Medical marijuana testing laboratories; marijuana tests conducted by a certified laboratory.—

(1) A person or entity seeking to be a certified marijuana testing laboratory must:

(d) Require all employees, owners, and managers to submit to and pass a level 2 background screening pursuant to chapter 435. The department shall deny certification if the person or entity seeking certification has a disqualifying offense as provided in s. 435.04 or has an arrest awaiting final disposition for, has been found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, any offense listed in chapter 837, chapter 895, or chapter 896 or similar law of another jurisdiction. Exemptions from disqualification as provided under s. 435.07 do not apply to this paragraph.

1. *As used in this paragraph, the term:*

a. "Employee" means any person whose duties or activities involve any aspect of regulatory compliance testing or research and development testing of marijuana for a certified marijuana testing laboratory, regardless of whether such person is compensated for his or her work.

b. "Manager" means any person with authority to exercise or contribute to the operational control, direction, or management of an applicant or certified marijuana testing laboratory or who has authority to supervise any employee of an applicant or a certified marijuana testing laboratory. The term includes an individual with the power or authority to direct or influence the direction or operation of an applicant or a certified marijuana testing laboratory through board membership, an agreement, or a contract.

c. "Owner" means any person who owns or controls a 5 percent or greater share of interests of the applicant or a certified marijuana testing laboratory which include beneficial or voting rights to interests. In the event that one person owns a beneficial right to interests and another person holds the voting rights with respect to such interests, then in such case, both are considered the owner of such interests.

2. Such employees, owners, and managers must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing.

3.~~2.~~ Fees for state and federal fingerprint processing and retention *must* ~~shall~~ be borne by the certified marijuana testing laboratory. The state cost for fingerprint processing *is* ~~shall be~~ as provided in s. 943.053(3)(e) for records provided to persons or entities other than those specified as exceptions therein.

4.~~3.~~ Fingerprints submitted to the Department of Law Enforcement pursuant to this paragraph *must* ~~shall~~ be retained by the Department of Law Enforcement as provided in s. 943.05(2)(g) and (h) and, when the Department of Law Enforcement begins participation in the program, enrolled in the Federal Bureau of Investigation's national retained print arrest notification program. Any arrest record identified *must* ~~shall~~ be reported to the department.

Section 6. Paragraphs (a) and (c) of subsection (2) of section 456.0145, Florida Statutes, are amended to read:

456.0145 Mobile Opportunity by Interstate Licensure Endorsement (MOBILE) Act.—

(2) LICENSURE BY ENDORSEMENT.—

(a) An applicable board, or the department if there is no board, shall issue a license to practice in this state to an applicant who meets all of the following criteria:

1. Submits a complete application.

2. Holds an active, unencumbered license issued by another state, the District of Columbia, or a territory of the United States in a profession with a similar scope of practice, as determined by the board or department, as applicable. The term "scope of practice" means the full spectrum of functions, procedures, actions, and services that a health care practitioner is deemed competent and authorized to perform under a license issued in this state.

3.a. Has obtained a passing score on a national licensure examination or holds a national certification recognized by the board, or the department if there is no board, as applicable to the profession for which the applicant is seeking licensure in this state; or

b. Meets the requirements of paragraph (b).

4. Has actively practiced the profession for which the applicant is applying for at least *2* ~~3~~ years during the 4-year period immediately preceding the date of submission of the application.

5. Attests that he or she is not, at the time of submission of the application, the subject of a disciplinary proceeding in a jurisdiction in which he or she holds a license or by the United States Department of Defense for reasons related to the practice of the profession for which he or she is applying.

6. Has not had disciplinary action taken against him or her in the 5 years immediately preceding the date of submission of the application.

7. Meets the financial responsibility requirements of s. 456.048 or the applicable practice act, if required for the profession for which the applicant is seeking licensure.

8. Submits a set of fingerprints for a background screening pursuant to s. 456.0135, if required for the profession for which he or she is applying.

The department shall verify information submitted by the applicant under this subsection using the National Practitioner Data Bank, as applicable.

(c) A person is ineligible for a license under this section if he or she:

1. Has a complaint, an allegation, or an investigation pending before a licensing entity in another state, the District of Columbia, or a possession or territory of the United States;

2. Has been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;

3. Has had a health care provider license revoked or suspended by another state, the District of Columbia, or a territory of the United States, or has voluntarily surrendered any such license in lieu of having disciplinary action taken against the license; or

4. Has been reported to the National Practitioner Data Bank, unless the applicant has successfully appealed to have his or her name removed from the data bank. *If the reported adverse action was a result of conduct that would not constitute a violation of any law or rule in this state, the board, or the department if there is no board, may:*

a. Approve the application;

b. Approve the application with restrictions on the scope of practice of the licensee;

c. Approve the application with placement of the licensee on probation for a period of time and subject to such conditions as the board, or the department if there is no board, may specify, including, but not limited to, requiring the applicant to submit to treatment, attend continuing education courses, or submit to reexamination; or

d. Deny the application.

Section 7. Paragraph (d) of subsection (1) and subsection (3) of section 456.44, Florida Statutes, are amended to read:

456.44 Controlled substance prescribing.—

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

(d) "Board-certified pain management physician" means a physician who possesses board certification in pain medicine by the American Board of Pain Medicine, board certification by the American Board of Interventional Pain Physicians, or board certification or subcertification in pain management or pain medicine by a specialty board recognized by the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~ or the American Board of Medical Specialties or

an osteopathic physician who holds a certificate in Pain Management by the American Osteopathic Association.

(3) STANDARDS OF PRACTICE FOR TREATMENT OF CHRONIC NONMALIGNANT PAIN.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(a) A complete medical history and a physical examination must be conducted before beginning any treatment and must be documented in the medical record. The exact components of the physical examination shall be left to the judgment of the registrant who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or conditions, the effect of the pain on physical and psychological function, a review of previous medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record shall also document the presence of one or more recognized medical indications for the use of a controlled substance. Each registrant must develop a written plan for assessing each patient's risk of aberrant drug-related behavior, which may include patient drug testing. Registrants must assess each patient's risk for aberrant drug-related behavior and monitor that risk on an ongoing basis in accordance with the plan.

(b) Each registrant must develop a written individualized treatment plan for each patient. The treatment plan shall state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and shall indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the registrant shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) The registrant shall discuss the risks and benefits of the use of controlled substances, including the risks of abuse and addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or the patient's surrogate or guardian if the patient is incompetent. The registrant shall use a written controlled substance agreement between the registrant and the patient outlining the patient's responsibilities, including, but not limited to:

1. Number and frequency of controlled substance prescriptions and refills.

2. Patient compliance and reasons for which drug therapy may be discontinued, such as a violation of the agreement.

3. An agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating registrant unless otherwise authorized by the treating registrant and documented in the medical record.

(d) The patient shall be seen by the registrant at regular intervals, not to exceed 3 months, to assess the efficacy of treatment, ensure that controlled substance therapy remains indicated, evaluate the patient's progress toward treatment objectives, consider adverse drug effects, and review the etiology of the pain. Continuation or modification of therapy shall depend on the registrant's evaluation of the patient's progress. If treatment goals are not being achieved, despite medication adjustments, the registrant shall reevaluate the appropriateness of continued treatment. The registrant shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of 3-month intervals.

(e) The registrant shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation and requires consultation with or referral to an addiction medicine specialist or a psychiatrist.

(f) A registrant must maintain accurate, current, and complete records that are accessible and readily available for review and comply with the requirements of this section, the applicable practice act, and applicable board rules. The medical records must include, but are not limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence.

2. Diagnostic, therapeutic, and laboratory results.

3. Evaluations and consultations.

4. Treatment objectives.

5. Discussion of risks and benefits.

6. Treatments.

7. Medications, including date, type, dosage, and quantity prescribed.

8. Instructions and agreements.

9. Periodic reviews.

10. Results of any drug testing.

11. A photocopy of the patient's government-issued photo identification.

12. If a written prescription for a controlled substance is given to the patient, a duplicate of the prescription.

13. The registrant's full name presented in a legible manner.

(g) A registrant shall immediately refer patients with signs or symptoms of substance abuse to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the registrant is a physician who is board-certified or board-eligible in pain management. Throughout the period of time before receiving the consultant's report, a prescribing registrant shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to ensure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing registrant shall incorporate the consultant's recommendations for continuing, modifying, or discontinuing controlled substance therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record. Evidence or behavioral indications of diversion shall be followed by discontinuation of controlled substance therapy, and the patient shall be discharged, and all results of testing and actions taken by the registrant shall be documented in the patient's medical record.

This subsection does not apply to a board-eligible or board-certified anesthesiologist, physiatrist, rheumatologist, or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambulatory surgery center and primarily provides surgical services. This subsection does not apply to a board-eligible or board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is board eligible or board certified in pain medicine by the American Board of Pain Medicine, the American Board of Interventional Pain Physicians, the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~, or a board approved by the American Board of Medical Specialties or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. This subsection does not apply to a registrant who prescribes medically necessary controlled substances for a patient during an inpatient stay in a hospital licensed under chapter 395.

Section 8. Section 458.313, Florida Statutes, is amended to read:

458.313 Licensure by endorsement; requirements; fees.—The department shall issue a license by endorsement to any applicant who, upon applying to the department on forms furnished by the department and remitting a fee set by the board in an amount not to exceed $500, the board certifies has*:*

(1) Met the requirements for licensure by endorsement under s. 456.0145*; or*

(2) Met the requirements for licensure by endorsement under s. 456.0145 except for s. 456.0145(2)(a)4. but has submitted evidence to the board's satisfaction of the successful completion of either a board-approved postgraduate training program within 2 years preceding the filing of an application or a board-approved clinical competency examination within the year preceding the filing of an application.

Section 9. Paragraph (i) of subsection (1) of section 458.3145, Florida Statutes, is amended to read:

458.3145 Medical faculty certificate.—

(1) A medical faculty certificate may be issued without examination to an individual who meets all of the following criteria:

(i) Has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at any of the following institutions:

1. The University of Florida.

2. The University of Miami.

3. The University of South Florida.

4. The Florida State University.

5. The Florida International University.

6. The University of Central Florida.

7. The Mayo Clinic College of Medicine and Science in Jacksonville, Florida.

8. The Florida Atlantic University.

9. The Johns Hopkins All Children's Hospital in St. Petersburg, Florida.

10. Nova Southeastern University.

11. Lake Erie College of Osteopathic Medicine *in Bradenton, Florida*.

12. Burrell College of Osteopathic Medicine in Melbourne, Florida.

13. The Orlando College of Osteopathic Medicine.

14. Lincoln Memorial University-DeBusk College of Osteopathic Medicine in Orange Park, Florida.

15. Loma Linda University School of Medicine – AdventHealth regional campuses in Orlando, Florida.

Section 10. Subsection (1) of section 458.315, Florida Statutes, is amended to read:

458.315 Temporary certificate for practice in areas of critical need.—

(1) A physician ~~or physician assistant who is~~ licensed to practice in any jurisdiction of the United States ~~and~~ whose license is currently valid may be issued a temporary certificate for practice in areas of critical need. A physician seeking such certificate must pay an application fee of $300. *A physician assistant licensed to practice in any state of the United States or the District of Columbia whose license is currently valid may be issued a temporary certificate for practice in areas of critical need.*

Section 11. Subsection (1) of section 459.0076, Florida Statutes, is amended to read:

459.0076 Temporary certificate for practice in areas of critical need.—

(1) A physician ~~or physician assistant~~ who holds a valid license to practice in any jurisdiction of the United States may be issued a temporary certificate for practice in areas of critical need. A physician seeking such certificate must pay an application fee of $300. *A physician assistant licensed to practice in any state of the United States or the District of Columbia whose license is currently valid may be issued a temporary certificate for practice in areas of critical need.*

Section 12. Paragraph (a) of subsection (1) of section 458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(1) REGISTRATION.—

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

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b. "Chronic nonmalignant pain" means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department or hold a valid certificate of exemption pursuant to subsection (2).

3. The following clinics are exempt from the registration requirement of paragraphs (c)-(m) and must apply to the department for a certificate of exemption:

a. A clinic licensed as a facility pursuant to chapter 395;

b. A clinic in which the majority of the physicians who provide services in the clinic primarily provide surgical services;

c. A clinic owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded $50 million;

d. A clinic affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. A clinic that does not prescribe controlled substances for the treatment of pain;

f. A clinic owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. A clinic wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, physiatrists, rheumatologists, or neurologists; or

h. A clinic wholly owned and operated by a physician multispecialty practice where one or more board-eligible or board-certified medical specialists, who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~, or the American Osteopathic As-

sociation, perform interventional pain procedures of the type routinely billed using surgical codes.

Section 13. Paragraph (a) of subsection (1) of section 458.3475, Florida Statutes, is amended to read:

458.3475 Anesthesiologist assistants.—

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

(a) "Anesthesiologist" means an allopathic physician who holds an active, unrestricted license; who has successfully completed an anesthesiology training program approved by the Accreditation Council on Graduate Medical Education or its equivalent; and who is certified by the American Board of Anesthesiology, is eligible to take that board's examination, or is certified by the Board of Certification in Anesthesiology affiliated with the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~.

Section 14. Paragraph (a) of subsection (1) of section 459.0137, Florida Statutes, is amended to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

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

a. "Board eligible" means successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association for a period of 6 years from successful completion of such residency program.

b. "Chronic nonmalignant pain" means pain unrelated to cancer which persists beyond the usual course of disease or the injury that is the cause of the pain or more than 90 days after surgery.

c. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department or hold a valid certificate of exemption pursuant to subsection (2).

3. The following clinics are exempt from the registration requirement of paragraphs (c)-(m) and must apply to the department for a certificate of exemption:

a. A clinic licensed as a facility pursuant to chapter 395;

b. A clinic in which the majority of the physicians who provide services in the clinic primarily provide surgical services;

c. A clinic owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded $50 million;

d. A clinic affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. A clinic that does not prescribe controlled substances for the treatment of pain;

f. A clinic owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. A clinic wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, physiatrists, rheumatologists, or neurologists; or

h. A clinic wholly owned and operated by a physician multispecialty practice where one or more board-eligible or board-certified medical specialists, who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~, or the American Osteopathic Association, perform interventional pain procedures of the type routinely billed using surgical codes.

Section 15. Paragraph (a) of subsection (1) of section 459.023, Florida Statutes, is amended to read:

459.023 Anesthesiologist assistants.—

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

(a) "Anesthesiologist" means an osteopathic physician who holds an active, unrestricted license; who has successfully completed an anesthesiology training program approved by the Accreditation Council on Graduate Medical Education, or its equivalent, or the American Osteopathic Association; and who is certified by the American Osteopathic Board of Anesthesiology or is eligible to take that board's examination, is certified by the American Board of Anesthesiology or is eligible to take that board's examination, or is certified by the Board of Certification in Anesthesiology affiliated with the *American Board of Physician Specialties* ~~American Association of Physician Specialists~~.

Section 16. Section 486.112, Florida Statutes, is amended to read:

486.112 Physical Therapy Licensure Compact.—The Physical Therapy Licensure Compact is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:

ARTICLE I

PURPOSE AND OBJECTIVES

(1) The purpose of the compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The compact preserves the regulatory authority of member states to protect public health and safety through their current systems of state licensure. For purposes of state regulation under the compact, the practice of physical therapy is deemed to have occurred in the state where the patient is located at the time physical therapy is provided to the patient.

(2) The compact is designed to achieve all of the following objectives:

(a) Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses.

(b) Enhance the states' ability to protect the public's health and safety.

(c) Encourage the cooperation of member states in regulating multistate physical therapy practice.

(d) Support spouses of relocating military members.

(e) Enhance the exchange of licensure, investigative, and disciplinary information between member states.

(f) Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

ARTICLE II

DEFINITIONS

As used in the compact, and except as otherwise provided, the term:

(1) "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. chapter 1209 or chapter 1211.

(2) "Adverse action" means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a state's physical therapy licensing board. The term includes, but is not limited to, programs that address substance abuse issues.

(4) "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or physical therapist assistant in the remote state under its laws and rules.

(5) "Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, and completion of, educational and professional activities relevant to the practice of physical therapy.

(6) "Data system" means the coordinated database and reporting system created by the Physical Therapy Compact Commission for the exchange of information between member states relating to licensees or applicants under the compact, including identifying information, licensure data, investigative information, adverse actions, nonconfidential information related to alternative program participation, any denials of applications for licensure, and other information as specified by commission rule.

(7) "Encumbered license" means a license that a physical therapy licensing board has limited in any way.

(8) "Executive board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(9) "Home state" means the member state that is the licensee's primary state of residence.

(10) "Investigative information" means information, records, and documents received or generated by a physical therapy licensing board pursuant to an investigation.

(11) "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of physical therapy in a specific state.

(12) "Licensee" means an individual who currently holds an authorization from a state to practice as a physical therapist or physical therapist assistant.

(13) "Member state" means a state that has enacted the compact.

(14) *"Party state" means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.*

(15) "Physical therapist" means an individual licensed by a state to practice physical therapy.

(16)~~(15)~~ "Physical therapist assistant" means an individual licensed by a state to assist a physical therapist in specified areas of physical therapy.

(17)~~(16)~~ "Physical therapy" or "the practice of physical therapy" means the care and services provided by or under the direction and supervision of a licensed physical therapist.

(18)~~(17)~~ "Physical Therapy Compact Commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(19)~~(18)~~ "Physical therapy licensing board" means the agency of a state which is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

(20)~~(19)~~ "Remote state" means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

(21)~~(20)~~ "Rule" means a regulation, principle, or directive adopted by the commission which has the force of law.

(22)~~(21)~~ "State" means any state, commonwealth, district, or territory of the United States of America which regulates the practice of physical therapy.

ARTICLE III

STATE PARTICIPATION IN THE COMPACT

(1) To participate in the compact, a state must do all of the following:

(a) Participate fully in the commission's data system, including using the commission's unique identifier, as defined by commission rule.

(b) Have a mechanism in place for receiving and investigating complaints about licensees.

(c) Notify the commission, in accordance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee.

(d) Fully implement a criminal background check requirement, within a timeframe established by commission rule, which uses results from the Federal Bureau of Investigation record search on criminal background checks to make licensure decisions in accordance with subsection (2).

(e) Comply with the commission's rules.

(f) Use a recognized national examination as a requirement for licensure pursuant to the commission's rules.

(g) Have continuing competence requirements as a condition for license renewal.

(2) Upon adoption of the compact, a member state has the authority to obtain biometric-based information from each licensee applying for a compact privilege and submit this information to the Federal Bureau of Investigation for a criminal background check in accordance with 28 U.S.C. s. 534 and 34 U.S.C. s. 40316.

(3) A member state must grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

ARTICLE IV

COMPACT PRIVILEGE

(1) To exercise the compact privilege under the compact, a licensee must satisfy all of the following conditions:

(a) Hold a license in the home state.

(b) Not have an encumbrance on any state license.

(c) Be eligible for a compact privilege in all member states in accordance with subsections (4), (7), and (8).

(d) Not have had an adverse action against any license or compact privilege within the preceding 2 years.

(e) Notify the commission that the licensee is seeking the compact privilege within a remote state.

(f) Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege.

(g) Report to the commission adverse action taken by any nonmember state within 30 days after the date the adverse action is taken.

(2) The compact privilege is valid until the expiration date of the home license. The licensee must continue to meet the requirements of subsection (1) to maintain the compact privilege in a remote state.

(3) A licensee providing physical therapy in a remote state under the compact privilege must comply with the laws and rules of the remote state.

(4) A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance

with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any member state until the specific period of time for removal has ended and all fines are paid.

(5) If a home state license is encumbered, the licensee loses the compact privilege in any remote state until the following conditions are met:

(a) The home state license is no longer encumbered.

(b) Two years have elapsed from the date of the adverse action.

(6) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (1) to obtain a compact privilege in any remote state.

(7) If a licensee's compact privilege in any remote state is removed, the licensee loses the compact privilege in all remote states until all of the following conditions are met:

(a) The specific period of time for which the compact privilege was removed has ended.

(b) All fines have been paid.

(c) Two years have elapsed from the date of the adverse action.

(8) Once the requirements of subsection (7) have been met, the licensee must meet the requirements of subsection (1) to obtain a compact privilege in a remote state.

ARTICLE V

ACTIVE DUTY MILITARY PERSONNEL
AND THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may choose any of the following locations to designate his or her home state:

(1) Home of record.

(2) Permanent change of station location.

(3) State of current residence, if it is different from the home of record or permanent change of station location.

ARTICLE VI

ADVERSE ACTIONS

(1) A home state has exclusive power to impose adverse action against a license issued by the home state.

(2) A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

(3) The compact does not override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation remain nonpublic if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

(4) A member state may investigate actual or alleged violations of the laws and rules for the practice of physical therapy committed in any other member state by a physical therapist or physical therapist assistant practicing under the compact who holds a license or compact privilege in such other member state.

(5) A remote state may do any of the following:

(a) Take adverse actions as set forth in subsection (4) of Article IV against a licensee's compact privilege in the state.

(b) Issue subpoenas for both hearings and investigations which require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a physical therapy licensing board in a *party* ~~member~~ state for the attendance and testimony of witnesses or for the production of evidence from another *party* ~~member~~ state must be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service laws of the state where the witnesses or evidence is located.

(c) If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

(6)(a) In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

(b) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

ARTICLE VII

ESTABLISHMENT OF THE
PHYSICAL THERAPY COMPACT COMMISSION

(1) COMMISSION CREATED.—The member states hereby create and establish a joint public agency known as the Physical Therapy Compact Commission:

(a) The commission is an instrumentality of the member states.

(b) Venue is proper, and judicial proceedings by or against the commission must be brought solely and exclusively, in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(c) The compact may not be construed to be a waiver of sovereign immunity.

(2) MEMBERSHIP, VOTING, AND MEETINGS.—

(a) Each member state has and is limited to one delegate selected by that member state's physical therapy licensing board to serve on the commission. The delegate must be a current member of the physical therapy licensing board who is a physical therapist, a physical therapist assistant, a public member, or the board administrator.

(b) A delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring on the commission must be filled by the physical therapy licensing board of the member state for which the vacancy exists.

(c) Each delegate is entitled to one vote with regard to the adoption of rules and bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

(d) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(e) The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws.

(f) All meetings must be open to the public, and public notice of meetings must be given in the same manner as required under the rulemaking provisions in Article IX.

(g) The commission or the executive board or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive board or other committees of the commission must discuss any of the following:

1. Noncompliance of a member state with its obligations under the compact.

2. The employment, compensation, or discipline of, or other matters, practices, or procedures related to, specific employees or other matters related to the commission's internal personnel practices and procedures.

3. Current, threatened, or reasonably anticipated litigation against the commission, executive board, or other committees of the commission.

4. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate.

5. An accusation of any person of a crime or a formal censure of any person.

6. Information disclosing trade secrets or commercial or financial information that is privileged or confidential.

7. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

8. Investigatory records compiled for law enforcement purposes.

9. Information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the compact.

10. Matters specifically exempted from disclosure by federal or member state statute.

(h) If a meeting, or portion of a meeting, is closed pursuant to this subsection, the commission's legal counsel or designee must certify that the meeting may be closed and must reference each relevant exempting provision.

(i) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action must be identified in the minutes. All minutes and documents of a closed meeting must remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(3) DUTIES.—The commission shall do all of the following:

(a) Establish the fiscal year of the commission.

(b) Establish bylaws.

(c) Maintain its financial records in accordance with the bylaws.

(d) Meet and take such actions as are consistent with the provisions of the compact and the bylaws.

(4) POWERS.—The commission may do any of the following:

(a) Adopt uniform rules to facilitate and coordinate implementation and administration of the compact. The rules have the force and effect of law and are binding in all member states.

(b) Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board to sue or be sued under applicable law is not affected.

(c) Purchase and maintain insurance and bonds.

(d) Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state.

(e) Hire employees and elect or appoint officers; fix the compensation of, define the duties of, and grant appropriate authority to such individuals to carry out the purposes of the compact; and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters.

(f) Accept any appropriate donations and grants of money, equipment, supplies, materials, and services and receive, use, and dispose of the same, provided that at all times the commission avoids any appearance of impropriety or conflict of interest.

(g) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use any property, real, personal, or mixed, provided that at all times the commission avoids any appearance of impropriety or conflict of interest.

(h) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

(i) Establish a budget and make expenditures.

(j) Borrow money.

(k) Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in the compact and the bylaws.

(l) Provide information to, receive information from, and cooperate with law enforcement agencies.

(m) Establish and elect an executive board.

(n) Perform such other functions as may be necessary or appropriate to achieve the purposes of the compact consistent with the state regulation of physical therapy licensure and practice.

(5) THE EXECUTIVE BOARD.—

(a) The executive board may act on behalf of the commission according to the terms of the compact.

(b) The executive board shall be composed of the following nine members:

1. Seven voting members who are elected by the commission from the current membership of the commission.

2. One ex officio, nonvoting member from the recognized national physical therapy professional association.

3. One ex officio, nonvoting member from the recognized membership organization of the physical therapy licensing boards.

(c) The ex officio members shall be selected by their respective organizations.

(d) The commission may remove any member of the executive board as provided in its bylaws.

(e) The executive board shall meet at least annually.

(f) The executive board shall do all of the following:

1. Recommend to the entire commission changes to the rules or bylaws, compact legislation, fees paid by compact member states, such as annual dues, and any commission compact fee charged to licensees for the compact privilege.

2. Ensure compact administration services are appropriately provided, contractually or otherwise.

3. Prepare and recommend the budget.

4. Maintain financial records on behalf of the commission.

5. Monitor compact compliance of member states and provide compliance reports to the commission.

6. Establish additional committees as necessary.

7. Perform other duties as provided in the rules or bylaws.

(6) FINANCING OF THE COMMISSION.—

(a) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(b) The commission may accept any appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(c) The commission may levy and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff. Such assessments and fees must total to an amount sufficient to cover the commission's annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount must be allocated based upon a formula to be determined by the commission, which shall adopt a rule binding upon all member states.

(d) The commission may not incur obligations of any kind before securing the funds adequate to meet such obligations; nor may the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(e) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission must be audited yearly by a certified or licensed public accountant, and the report of the audit must be included in and become part of the annual report of the commission.

(7) QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION.—

(a) The members, officers, executive director, employees, and representatives of the commission are immune from suit and liability, whether personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties, or responsibilities. However, this paragraph may not be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(b) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities. However, this subsection may not be construed to prohibit any member, officer, executive director, employee, or representative of the commission from retaining his or her own counsel or to require the commission to defend such person if the actual or alleged act, error, or omission resulted from that person's intentional, willful, or wanton misconduct.

(c) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of that person.

ARTICLE VIII

DATA SYSTEM

(1) The commission shall provide for the development, maintenance, and use of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensees in member states.

(2) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom the compact is applicable as required by the rules of the commission, which data set must include all of the following:

(a) Identifying information.

(b) Licensure data.

(c) Investigative information.

(d) Adverse actions against a license or compact privilege.

(e) Nonconfidential information related to alternative program participation.

(f) Any denial of application for licensure, and the reason for such denial.

(g) Other information that may facilitate the administration of the compact, as determined by the rules of the commission.

(3) Investigative information in the system pertaining to a licensee in any member state must be available only to other *party* ~~member~~ states.

(4) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license in a member state. Adverse action information pertaining to a licensee in any member state must be available to all other member states.

(5) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(6) Any information submitted to the data system which is subsequently required to be expunged by the laws of the member state contributing the information must be removed from the data system.

ARTICLE IX

RULEMAKING

(1) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this article and the rules adopted thereunder. Rules and amendments become binding as of the date specified in each rule or amendment.

(2) If a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact within 4 years after the date of adoption of the rule, such rule does not have further force and effect in any member state.

(3) Rules or amendments to the rules must be adopted at a regular or special meeting of the commission.

(4) Before adoption of a final rule by the commission, and at least 30 days before the meeting at which the rule will be considered and voted upon, the commission must file a notice of proposed rulemaking on all of the following:

(a) The website of the commission or another publicly accessible platform.

(b) The website of each member state physical therapy licensing board or another publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(5) The notice of proposed rulemaking must include all of the following:

(a) The proposed date, time, and location of the meeting in which the rule or amendment will be considered and voted upon.

(b) The text of the proposed rule or amendment and the reason for the proposed rule.

(c) A request for comments on the proposed rule or amendment from any interested person.

(d) The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(6) Before adoption of a proposed rule or amendment, the commission must allow persons to submit written data, facts, opinions, and arguments, which must be made available to the public.

(7) The commission must grant an opportunity for a public hearing before it adopts a rule or an amendment if a hearing is requested by any of the following:

(a) At least 25 persons.

(b) A state or federal governmental subdivision or agency.

(c) An association having at least 25 members.

(8) If a scheduled public hearing is held on the proposed rule or amendment, the commission must publish the date, time, and location of the hearing. If the hearing is held through electronic means, the commission must publish the mechanism for access to the electronic hearing.

(a) All persons wishing to be heard at the hearing must notify the executive director of the commission or another designated member in writing of their desire to appear and testify at the hearing at least 5 business days before the scheduled date of the hearing.

(b) Hearings must be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(c) All hearings must be recorded. A copy of the recording must be made available on request.

(d) This article may not be construed to require a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this article.

(9) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(10) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with adoption of the proposed rule without a public hearing.

(11) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(12) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this article are retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately in order to do any of the following:

(a) Meet an imminent threat to public health, safety, or welfare.

(b) Prevent a loss of commission or member state funds.

(c) Meet a deadline for the adoption of an administrative rule established by federal law or rule.

(d) Protect public health and safety.

(13) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions must be posted on the website of the commission. The revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the chair of the commission before the end of the notice period. If a challenge is not made, the revision takes effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

ARTICLE X

OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1) OVERSIGHT.—

(a) The executive, legislative, and judicial branches of state government in each member state shall enforce the compact and take all actions necessary and appropriate to carry out the compact's purposes and intent. The provisions of the compact and the rules adopted pursuant thereto shall have standing as statutory law.

(b) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the compact which may affect the powers, responsibilities, or actions of the commission.

(c) The commission is entitled to receive service of process in any such proceeding and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission renders a judgment or an order void as to the commission, the compact, or the adopted rules.

(2) DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION.—

(a) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the compact or the adopted rules, the commission must do all of the following:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, and any other action to be taken by the commission.

2. Provide remedial training and specific technical assistance regarding the default.

(b) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by the compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(c) Termination of membership in the compact may be imposed only after all other means of securing compliance have been exhausted. The commission shall give notice of intent to suspend or terminate a defaulting member state to the governor and majority and minority leaders of the defaulting state's legislature and to each of the member states.

(d) A state that has been terminated from the compact is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(e) The commission does not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(f) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(3) DISPUTE RESOLUTION.—

(a) Upon request by a member state, the commission must attempt to resolve disputes related to the compact which arise among member states and between member and nonmember states.

(b) The commission shall adopt a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(4) ENFORCEMENT.—

(a) The commission, in the reasonable exercise of its discretion, shall enforce the compact and the commission's rules.

(b) By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its adopted rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(c) The remedies under this article are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

ARTICLE XI

DATE OF IMPLEMENTATION OF THE PHYSICAL THERAPY COMPACT AND ASSOCIATED RULES; WITHDRAWAL; AND AMENDMENTS

(1) The compact becomes effective on the date that the compact statute is enacted into law in the tenth member state. The provisions that become effective at that time are limited to the powers granted to the commission relating to assembly and the adoption of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary for the implementation and administration of the compact.

(2) Any state that joins the compact subsequent to the commission's initial adoption of the rules is subject to the rules as they exist on the date that the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the day the compact becomes law in that state.

(3) Any member state may withdraw from the compact by enacting a statute repealing the same.

(a) A member state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

(b) Withdrawal does not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this act before the effective date of withdrawal.

(4) The compact may not be construed to invalidate or prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state which does not conflict with the provisions of the compact.

(5) The compact may be amended by the member states. An amendment to the compact does not become effective and binding upon any member state until it is enacted into the laws of all member states.

ARTICLE XII

CONSTRUCTION AND SEVERABILITY

The compact must be liberally construed so as to carry out the purposes thereof. The provisions of the compact are severable, and if any phrase, clause, sentence, or provision of the compact is declared to be contrary to the constitution of any *party* ~~member~~ state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of the compact and the applicability thereof to any government, agency, person, or circumstance is not affected thereby. If the compact is held contrary to the constitution of any *party* ~~member~~ state, the compact remains in full force and effect as to the remaining *party* ~~member~~ states and in full force and effect as to the *party* ~~member~~ state affected as to all severable matters.

Section 17. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, or, if this act fails to become a law until after June 1, 2025, it shall take effect upon becoming a law and shall operate retroactively to June 1, 2025, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Health; amending chapter 2023-43, Laws of Florida; revising the repeal date of the definition of the term "messenger ribonucleic acid vaccine"; providing for contingent retroactive operation; reenacting ss. 381.00316(2)(g) and 381.00319(1)(e), F.S., relating to the prohibition on discrimination by governmental and business entities based on health care choices and the prohibition on mask mandates and vaccination and testing mandates for educational institutions, respectively, for purposes of preserving the definition of the term "messenger ribonucleic acid vaccine," notwithstanding its scheduled repeal; amending s. 381.986, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana treatment centers; requiring medical marijuana treatment centers to notify the Department of Health through e-mail within a specified timeframe after an actual or attempted theft, diversion, or loss of marijuana; requiring medical marijuana treatment centers to report attempted thefts, in addition to actual thefts, to law enforcement within a specified timeframe; amending s. 381.988, F.S.; defining terms for purposes of background screening requirements for persons affiliated with medical marijuana testing laboratories; amending s. 456.0145, F.S.; revising eligibility criteria for licensure by endorsement under the MOBILE Act; amending s. 456.44, F.S.; revising the definition of the term "board-certified pain management physician" to replace the term "American Association of Physician Specialists" with "American Board of Physician Specialties"; making a technical change; amending s. 458.313, F.S.; revising the qualifications required for a person seeking licensure by endorsement as an allopathic physician; amending s. 458.3145, F.S.; revising the list of institutions at which the department is authorized to issue a medical faculty certificate to an individual who has been offered and has accepted a full-time faculty appointment; amending ss. 458.315 and 459.0076, F.S.; revising criteria authorizing physician assistants to be issued temporary certificates for practice in areas of critical need; amending ss. 458.3265, 458.3475, 459.0137, and 459.023, F.S.; revising definitions to replace the term "American Association of Physician Specialists" with "American Board of Physician Specialties"; amending s. 486.112, F.S.; defining the term "party state"; authorizing a remote state to issue subpoenas to individuals to testify or for the production of evidence from a party located in a party state; providing that such subpoenas are enforceable in the party state; requiring that investigative information pertaining to certain licensees in a certain system be available only to other party states; revising construction and severability of the compact to conform to changes made by the act; providing effective dates.

MOTIONS

On motion by Senator Jones, the time of adjournment was extended until completion of today's business.

On motion by Senator Collins, by two-thirds vote, **CS for CS for HB 1299**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Brodeur	Gaetz
Arrington	Burgess	Garcia
Avila	Burton	Grall
Berman	Calatayud	Gruters
Bernard	Collins	Harrell
Boyd	Davis	Hooper
Bradley	DiCeglie	Ingoglia

Jones	Pizzo	Truenow
Leek	Polsky	Trumbull
Martin	Rodriguez	Wright
McClain	Rouson	Yarborough
Osgood	Simon	
Passidomo	Smith	

Nays—None

Consideration of **CS for SB 1602** was deferred.

CS for CS for SB 1612—A bill to be entitled An act relating to financial services; amending s. 626.914, F.S.; deleting the definition of the term "diligent effort"; amending s. 626.916, F.S.; revising the conditions for insurance coverage to be eligible for export; providing that an insured is presumed to have been informed of the availability of other coverage under certain circumstances; deleting the Financial Services Commission's authority to adopt rules relating to insurance coverage or risk eligibility for export; deleting applicability; amending ss. 626.918, 626.932, 626.9325, 626.9541, and 627.715, F.S.; conforming cross-references and provisions to changes made by the act; amending s. 655.047, F.S.; requiring state financial institutions to pay a semiannual assessment for specified time periods; requiring that the semiannual assessment be received by the Office of Financial Regulation in a specified manner and by specified dates; amending s. 655.414, F.S.; authorizing the office to issue a specified certificate under certain circumstances; creating s. 655.97, F.S.; authorizing financial institutions to hold funds in specified trust accounts to be used for specified purposes; requiring such financial institutions to pay a certain minimum interest rate or dividend; requiring that the interest rate be a specified percentage; requiring a financial institution to submit a quarterly rate validation sheet and affidavit to the Chief Financial Officer attesting that it will pay a certain minimum interest rate or dividend; requiring that the affidavit attest that certain information is true and factual; requiring the Chief Financial Officer to verify certain information; providing applicability; amending s. 657.002, F.S.; revising the definition of the term "equity"; amending s. 657.028, F.S.; authorizing certain elected officers, directors, or committee members of a credit union to be reimbursed for certain expenses; amending s. 657.043, F.S.; conforming provisions to changes made by the act; amending s. 658.235, F.S.; revising the timeframe for certain requirements by the directors of a proposed bank or trust company; amending s. 658.25, F.S.; revising the timeframe within which a bank or trust company corporation is required to open and conduct specified business; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1612**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1549** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Grall, the rules were waived and—

CS for HB 1549—A bill to be entitled An act relating to financial institutions; amending s. 655.047, F.S.; requiring state financial institutions to pay a semiannual assessment for specified time periods; requiring that the semiannual assessment be received by the Office of Financial Regulation in a specified manner and by specified dates; amending s. 655.414, F.S.; authorizing the office to issue a specified certificate under certain circumstances; amending s. 657.002, F.S.; revising the definition of the term "equity"; amending s. 657.028, F.S.; authorizing an elected officer, director, or committee member of a credit union to be reimbursed for certain expenses; amending s. 657.043, F.S.; conforming provisions to changes made by the act; amending s. 658.235, F.S.; revising the timeframe for certain requirements by the directors of a proposed bank or trust company; amending s. 658.25, F.S.; revising the timeframe within which a bank or trust company corporation is required to open and conduct specified business; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1612** and read the second time by title.

Senator Grall moved the following amendment which was adopted:

Amendment 1 (102254) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (10) of section 560.103, Florida Statutes, is amended to read:

560.103 Definitions.—As used in this chapter, the term:

(10) "Control person" means, with respect to a money services business, any of the following:

(d) A shareholder in whose name shares are registered in the records of a corporation for profit, whether incorporated under the laws of this state or organized under the laws of any other jurisdiction and existing in that legal form, who *directly or indirectly has the power to vote 25 percent or more of a class of voting securities, or to sell or direct the sale of 25 percent or more of a class of voting securities* ~~owns 25 percent or more of a class of the company's equity securities~~.

Section 2. Subsection (4) of section 626.914, Florida Statutes, is amended to read:

626.914 Definitions.—As used in this Surplus Lines Law, the term:

~~(4) "Diligent effort" means seeking coverage from and having been rejected by at least three authorized insurers currently writing this type of coverage and documenting these rejections. However, if the residential structure has a dwelling replacement cost of $700,000 or more, the term means seeking coverage from and having been rejected by at least one authorized insurer currently writing this type of coverage and documenting this rejection.~~

Section 3. Paragraph (a) and present paragraph (e) of subsection (1) and subsections (2) and (3) of section 626.916, Florida Statutes, are amended to read:

626.916 Eligibility for export.—

(1) No insurance coverage shall be eligible for export unless it meets all of the following conditions:

~~(a) The full amount of insurance required must not be procurable, after a diligent effort has been made by the producing agent to do so, from among the insurers authorized to transact and actually writing that kind and class of insurance in this state, and the amount of insurance exported shall be only the excess over the amount so procurable from authorized insurers. Surplus lines agents must verify that a diligent effort has been made by requiring a properly documented statement of diligent effort from the retail or producing agent. However, to be in compliance with the diligent effort requirement, the surplus lines agent's reliance must be reasonable under the particular circumstances surrounding the export of that particular risk. Reasonableness shall be assessed by taking into account factors which include, but are not limited to, a regularly conducted program of verification of the information provided by the retail or producing agent. Declinations must be documented on a risk-by-risk basis. If it is not possible to obtain the full amount of insurance required by layering the risk, it is permissible to export the full amount.~~

(d)~~(e)~~ The insured has signed or otherwise provided documented acknowledgment of a disclosure in substantially the following form: "You are agreeing to place coverage in the surplus lines market. Coverage may be available in the admitted market. Persons insured by surplus lines carriers are not protected under the Florida Insurance Guaranty Act with respect to any right of recovery for the obligation of an insolvent unlicensed insurer. *Additionally, surplus lines insurers' policy rates and forms are not approved by any Florida regulatory agency.*" *If the acknowledgment of the disclosure is signed by the insured, the insured is presumed to have been informed and to know that other coverage may be available.*

~~(2) The commission may by rule declare eligible for export generally, and notwithstanding the provisions of paragraphs (a), (b), (c), and (d) of subsection (1), any class or classes of insurance coverage or risk for which it finds, after a hearing, that there is no reasonable or adequate market among authorized insurers. Any such rules shall continue in effect during the existence of the conditions upon which predicated, but subject to termination by the commission.~~

~~(3)(a) Subsection (1) does not apply to wet marine and transportation or aviation risks that are subject to s. 626.917.~~

~~(b) Subsection (1) does not apply to classes of insurance which are related to indemnity of deductibles for property insurance or are subject to s. 627.062(3)(d)1. These classes may be exportable under the following conditions:~~

~~1. The insurance must be placed only by or through a surplus lines agent licensed in this state;~~

~~2. The insurer must be made eligible under s. 626.918; and~~

~~3. The insured has complied with paragraph (1)(e). If the disclosure is signed by the insured, the insured is presumed to have been informed and to know that other coverage may be available, and, with respect to the diligent effort requirement under subsection (1), there is no liability on the part of, and no cause of action arises against, the retail agent presenting the form.~~

Section 4. Subsection (5) of section 626.918, Florida Statutes, is amended to read:

626.918 Eligible surplus lines insurers.—

(5) When it appears that any particular insurance risk which is eligible for export, but on which insurance coverage, in whole or in part, is not procurable from the eligible surplus lines insurers, after a search of eligible surplus lines insurers, then the surplus lines agent may file a supplemental signed statement setting forth such facts and advising the office that such part of the risk as shall be unprocurable, as aforesaid, is being placed with named unauthorized insurers, in the amounts and percentages set forth in the statement. Such named unauthorized insurer shall, however, before accepting any risk in this state, deposit with the department cash or securities acceptable to the office and department of the market value of $50,000 for each individual risk, contract, or certificate, which deposit shall be held by the department for the benefit of Florida policyholders only; and the surplus lines agent shall procure from such unauthorized insurer and file with the office a certified copy of its statement of condition as of the close of the last calendar year. If such statement reveals, including both capital and surplus, net assets of at least that amount required for licensure of a domestic insurer, then the surplus lines agent may proceed to consummate such contract of insurance. Whenever any insurance risk, or any part thereof, is placed with an unauthorized insurer, as provided herein, the policy, binder, or cover note shall contain a statement signed by the insured and the agent with the following notation: "The insured is aware that certain insurers participating in this risk have not been approved to transact business in Florida nor have they been declared eligible as surplus lines insurers by the Office of Insurance Regulation of Florida. The placing of such insurance by a duly licensed surplus lines agent in Florida shall not be construed as approval of such insurer by the Office of Insurance Regulation of Florida. Consequently, the insured is aware that the insured has severely limited the assistance available under the insurance laws of Florida. The insured is further aware that he or she may be charged a reasonable per policy fee, as provided in *s. 626.916(2)* ~~s. 626.916(4)~~, Florida Statutes, for each policy certified for export." All other provisions of this code shall apply to such placement the same as if such risks were placed with an eligible surplus lines insurer.

Section 5. Subsection (6) of section 626.932, Florida Statutes, is amended to read:

626.932 Surplus lines tax.—

(6) For the purposes of this section, the term "premium" means the consideration for insurance by whatever name called and includes any assessment, or any membership, policy, survey, inspection, service, or similar fee or charge in consideration for an insurance contract, which items are deemed to be a part of the premium. The per-policy fee authorized by *s. 626.916(2)* ~~s. 626.916(4)~~ is specifically included within the meaning of the term "premium." However, the service fee imposed pursuant to s. 626.9325 is excluded from the meaning of the term "premium."

Section 6. Subsection (6) of section 626.9325, Florida Statutes, is amended to read:

626.9325 Service fee.—

(6) For the purposes of this section, the term "premium" means the consideration for insurance by whatever name called and includes any assessment, or any membership, policy, survey, inspection, service, or similar fee or charge in consideration for an insurance contract, which items are deemed to be a part of the premium. The per-policy fee authorized by *s. 626.916(2)* ~~s. 626.916(4)~~ is specifically included within the meaning of the term "premium."

Section 7. Paragraph (o) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(o) Illegal dealings in premiums; excess or reduced charges for insurance.—

1. Knowingly collecting any sum as a premium or charge for insurance, which is not then provided, or is not in due course to be provided, subject to acceptance of the risk by the insurer, by an insurance policy issued by an insurer as permitted by this code.

2. Knowingly collecting as a premium or charge for insurance any sum in excess of or less than the premium or charge applicable to such insurance, in accordance with the applicable classifications and rates as filed with and approved by the office, and as specified in the policy; or, in cases when classifications, premiums, or rates are not required by this code to be so filed and approved, premiums and charges collected from a Florida resident in excess of or less than those specified in the policy and as fixed by the insurer. Notwithstanding any other provision of law, this provision shall not be deemed to prohibit the charging and collection, by surplus lines agents licensed under part VIII of this chapter, of the amount of applicable state and federal taxes, or fees as authorized by *s. 626.916(2)* ~~s. 626.916(4)~~, in addition to the premium required by the insurer or the charging and collection, by licensed agents, of the exact amount of any discount or other such fee charged by a credit card facility in connection with the use of a credit card, as authorized by subparagraph (q)3., in addition to the premium required by the insurer. This subparagraph shall not be construed to prohibit collection of a premium for a universal life or a variable or indeterminate value insurance policy made in accordance with the terms of the contract.

3.a. Imposing or requesting an additional premium for a policy of motor vehicle liability, personal injury protection, medical payment, or collision insurance or any combination thereof or refusing to renew the policy solely because the insured was involved in a motor vehicle accident unless the insurer's file contains information from which the insurer in good faith determines that the insured was substantially at fault in the accident.

b. An insurer which imposes and collects such a surcharge or which refuses to renew such policy shall, in conjunction with the notice of premium due or notice of nonrenewal, notify the named insured that he or she is entitled to reimbursement of such amount or renewal of the policy under the conditions listed below and will subsequently reimburse him or her or renew the policy, if the named insured demonstrates that the operator involved in the accident was:

(I) Lawfully parked;

(II) Reimbursed by, or on behalf of, a person responsible for the accident or has a judgment against such person;

(III) Struck in the rear by another vehicle headed in the same direction and was not convicted of a moving traffic violation in connection with the accident;

(IV) Hit by a "hit-and-run" driver, if the accident was reported to the proper authorities within 24 hours after discovering the accident;

(V) Not convicted of a moving traffic violation in connection with the accident, but the operator of the other automobile involved in such accident was convicted of a moving traffic violation;

(VI) Finally adjudicated not to be liable by a court of competent jurisdiction;

(VII) In receipt of a traffic citation which was dismissed or nolle prossed; or

(VIII) Not at fault as evidenced by a written statement from the insured establishing facts demonstrating lack of fault which are not rebutted by information in the insurer's file from which the insurer in good faith determines that the insured was substantially at fault.

c. In addition to the other provisions of this subparagraph, an insurer may not fail to renew a policy if the insured has had only one accident in which he or she was at fault within the current 3-year period. However, an insurer may nonrenew a policy for reasons other than accidents in accordance with s. 627.728. This subparagraph does not prohibit nonrenewal of a policy under which the insured has had three or more accidents, regardless of fault, during the most recent 3-year period.

4. Imposing or requesting an additional premium for, or refusing to renew, a policy for motor vehicle insurance solely because the insured committed a noncriminal traffic infraction as described in s. 318.14 unless the infraction is:

a. A second infraction committed within an 18-month period, or a third or subsequent infraction committed within a 36-month period.

b. A violation of s. 316.183, when such violation is a result of exceeding the lawful speed limit by more than 15 miles per hour.

5. Upon the request of the insured, the insurer and licensed agent shall supply to the insured the complete proof of fault or other criteria which justifies the additional charge or cancellation.

6. No insurer shall impose or request an additional premium for motor vehicle insurance, cancel or refuse to issue a policy, or refuse to renew a policy because the insured or the applicant is a handicapped or physically disabled person, so long as such handicap or physical disability does not substantially impair such person's mechanically assisted driving ability.

7. No insurer may cancel or otherwise terminate any insurance contract or coverage, or require execution of a consent to rate endorsement, during the stated policy term for the purpose of offering to issue, or issuing, a similar or identical contract or coverage to the same insured with the same exposure at a higher premium rate or continuing an existing contract or coverage with the same exposure at an increased premium.

8. No insurer may issue a nonrenewal notice on any insurance contract or coverage, or require execution of a consent to rate endorsement, for the purpose of offering to issue, or issuing, a similar or identical contract or coverage to the same insured at a higher premium rate or continuing an existing contract or coverage at an increased premium without meeting any applicable notice requirements.

9. No insurer shall, with respect to premiums charged for motor vehicle insurance, unfairly discriminate solely on the basis of age, sex, marital status, or scholastic achievement.

10. Imposing or requesting an additional premium for motor vehicle comprehensive or uninsured motorist coverage solely because the insured was involved in a motor vehicle accident or was convicted of a moving traffic violation.

11. No insurer shall cancel or issue a nonrenewal notice on any insurance policy or contract without complying with any applicable cancellation or nonrenewal provision required under the Florida Insurance Code.

12. No insurer shall impose or request an additional premium, cancel a policy, or issue a nonrenewal notice on any insurance policy or contract because of any traffic infraction when adjudication has been withheld and no points have been assessed pursuant to s. 318.14(9) and (10). However, this subparagraph does not apply to traffic infractions involving accidents in which the insurer has incurred a loss due to the fault of the insured.

Section 8. Subsection (4) of section 627.715, Florida Statutes, is amended to read:

627.715 Flood insurance.—An authorized insurer may issue an insurance policy, contract, or endorsement providing personal lines residential coverage for the peril of flood or excess coverage for the peril of flood on any structure or the contents of personal property contained therein, subject to this section. This section does not apply to commercial lines residential or commercial lines nonresidential coverage for the peril of flood. An insurer may issue flood insurance policies, contracts, endorsements, or excess coverage on a standard, preferred, customized, flexible, or supplemental basis.

(4) An agent may export a contract or an endorsement providing flood coverage to an eligible surplus lines insurer ~~without making a diligent effort to seek such coverage from three or more authorized insurers~~ under *s. 626.916* ~~s. 626.916(1)(a)~~.

Section 9. Section 655.047, Florida Statutes, is amended to read:

655.047 Assessments; financial institutions.—

(1) Each state financial institution shall pay to the office a semiannual assessment *for the 6-month periods beginning January 1 and July 1. Assessments must be* based on the total assets as shown on the statement of condition of the financial institution on the last business day in December and the last business day in June of each year.

(2) ~~If mailed,~~ The semiannual assessment must be received by the office *by mail, wire transfer, automated clearinghouse, or other electronic means approved by the office* on or before *March* ~~January~~ 31 and *September 30* ~~July 31~~ of each year *following the semiannual assessment period*. ~~If transmitted through a wire transfer, an automated clearinghouse, or other electronic means approved by the office, the semiannual assessment must be transmitted to the office on or before January 31 and July 31 of each year.~~ The office may levy a late payment penalty of up to $100 per day or part thereof that a semiannual assessment payment is overdue, unless it is excused for good cause. However, for intentional late payment of a semiannual assessment, the office shall levy an administrative fine of up to $1,000 a day for each day the semiannual assessment is overdue.

(3) ~~The assessments required by this section cover the 6-month period following the first day of the month in which they are due.~~ The office may prorate the amount of the semiannual assessment; however, no portion of a semiannual assessment is refundable.

Section 10. Subsection (5) of section 655.414, Florida Statutes, is amended to read:

655.414 Acquisition of assets; assumption of liabilities.—With prior approval of the office, and upon such conditions as the commission prescribes by rule, a financial institution may acquire 50 percent or more of the assets of, liabilities of, or a combination of assets and liabilities of any other financial institution in accordance with the procedures and subject to the following conditions and limitations:

(5) ADOPTED PLAN; *APPROVAL CERTIFICATION* ~~CERTIFICATE~~; ABANDONMENT*; CERTIFICATE OF ACQUISITION, ASSUMPTION, OR SALE*.—

(a) If the plan is adopted by the members or stockholders of the transferring financial institution, the president or vice president and the cashier, manager, or corporate secretary of such institution shall submit the adopted plan to the office, together with a certified copy of the resolution of the members or stockholders approving it.

(b) Upon receipt of the certified copies and evidence that the participating financial institutions have complied with all applicable state and federal law and rules, the office shall certify, in writing, to the participants that the plan has been approved.

(c) Notwithstanding approval of the members or stockholders or certification by the office, the board of directors of the transferring financial institution may abandon *the* ~~such a~~ transaction without further action or approval by the members or stockholders, subject to the rights of third parties under any contracts relating thereto.

(d) After the acquiring financial institution completes the plan and submits a request with any evidence required by the office to confirm the transaction's completion, the office may issue a certificate to the acquiring financial institution confirming that the acquisition, assumption, or sale transaction has been completed.

Section 11. Effective upon becoming a law, section 655.97, Florida Statutes, is created to read:

655.97 Lawyer or law firm trust account interest rates.—

(1) A financial institution may hold funds in an interest-bearing trust account of a lawyer or law firm in which the institution remits interest or dividends on the balance of the deposited funds to an entity established by the Supreme Court for the purpose of providing or facilitating the provision of free legal services to low-income individuals or for other purposes authorized by the Supreme Court. If the institution holds such an account, it must pay the highest interest rate or dividend generally available from the institution to its comparable business or consumer accounts or nonmaturing deposit accounts, provided that the trust account meets or exceeds the same minimum balance or other account requirements. The trust account interest rate must be at least 0.25 percent if the Federal Funds Effective Rate is less than 4 percent. The trust account interest rate must be at least 0.5 percent if the Federal Funds Effective Rate is 4 percent or greater.

(a) The financial institution must submit a rate validation sheet and affidavit to the Chief Financial Officer by the 10th day of each quarter attesting that it will pay the same interest rate or dividend on the lawyer or law firm trust accounts that it is paying on its comparable business or consumer accounts or nonmaturing deposit accounts and that the rate will be at least 0.25 percent if the Federal Funds Effective Rate is less than 4 percent or at least 0.5 percent if the Federal Funds Effective Rate is 4 percent or greater.

(b) The affidavit must attest that the rate information submitted on the rate validation sheet is true and factual.

(c) The Chief Financial Officer shall verify that the rate validation sheet and affidavit have been received by the Department of Financial Services.

(2) This section does not apply to interest rates established by written contract or obligations unrelated to the trust accounts described by this section.

Section 12. Subsection (6) of section 657.002, Florida Statutes, is amended to read:

657.002 Definitions.—As used in this chapter:

(6) "Equity" means undivided earnings~~, regular reserves,~~ and other reserves.

Section 13. Subsection (2) of section 657.028, Florida Statutes, is amended to read:

657.028 Activities of directors, officers, committee members, employees, and agents.—

(2) An elected officer, director, or committee member,~~-~~other than the chief executive officer, may not be compensated for her or his service *to the credit union, but an elected officer, director, or committee member may be reimbursed for necessary expenses incidental to performing official business for the credit union* ~~as such~~.

Section 14. Subsections (2) and (4) of section 657.043, Florida Statutes, are amended to read:

657.043 Reserves.—

~~(2) REGULAR RESERVE. The regular reserve shall belong to the credit union and shall be used to meet losses. The regular reserve may not be decreased without the prior written approval of the office or as provided by rule of the commission.~~

(3)~~(4)~~ SPECIAL RESERVES.~~ In addition to such regular reserve,~~ Special reserves shall be established:

(a) To protect members against losses resulting from credit extended or from risk assets when required by rule, or when found by the office, in any special case, to be necessary for that purpose; or

(b) As authorized by the board of directors.

Section 15. Subsection (1) of section 658.235, Florida Statutes, is amended to read:

658.235 Subscriptions for stock; approval of major shareholders.—

(1) ~~Within 6 months after commencement of corporate existence, and~~ At least 30 days *before* ~~prior to~~ opening, the directors shall have completed the stock offering and shall file with the office a final list of subscribers to all of the capital stock of the proposed bank or trust company showing the name and residence of each subscriber and the amount of stock of every class subscribed for by each.

Section 16. Subsection (1) of section 658.25, Florida Statutes, is amended to read:

658.25 Opening for business.—

(1) A bank or trust company corporation shall open and conduct a general commercial bank or trust business *within 18 months after the issuance of a final order of approval by the office* ~~no later than 12 months after the commencement of its corporate existence~~.

Section 17. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to financial services; amending s. 560.103, F.S.; revising the definition of the term "control person"; amending s. 626.914, F.S.; deleting the definition of the term "diligent effort"; amending s. 626.916, F.S.; revising the conditions for insurance coverage to be eligible for export; revising the provisions of a certain notice providing that an insured is presumed to have been informed of the availability of other coverage under certain circumstances; deleting the Financial Services Commission's authority to adopt rules relating to insurance coverage or risk eligibility for export; deleting applicability; amending ss. 626.918, 626.932, 626.9325, 626.9541, and 627.715, F.S.; conforming cross-references and provisions to changes made by the act; amending s. 655.047, F.S.; requiring state financial institutions to pay a semiannual assessment for specified time periods; requiring that the semiannual assessment be received by the Office of Financial Regulation in a specified manner and by specified dates; amending s. 655.414, F.S.; authorizing the office to issue a specified certificate under certain circumstances; creating s. 655.97, F.S.; authorizing financial institutions to hold funds in specified trust accounts to be used for specified purposes; requiring such financial institutions to pay a certain minimum interest rate or dividend; requiring that the interest rate be a specified percentage; requiring a financial institution to submit a quarterly rate validation sheet and affidavit to the Chief Financial Officer attesting that it will pay a certain minimum interest rate or dividend; requiring that the affidavit attest that certain information is true and factual; requiring the Chief Financial Officer to verify certain information; providing applicability; amending s. 657.002, F.S.; revising the definition of the term "equity"; amending s. 657.028, F.S.; authorizing certain elected officers, directors, or committee members of a credit union to be reimbursed for certain expenses; amending s. 657.043, F.S.; conforming provisions to changes made by the act; amending s. 658.235, F.S.; revising the timeframe for certain requirements by the directors of a proposed bank or trust company; amending s. 658.25, F.S.; revising the timeframe within which a bank or trust company corporation is required to open and conduct specified business; providing effective dates.

Pursuant to Rule 4.19, **CS for HB 1549**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1842—A bill to be entitled An act relating to health care provider referrals; amending s. 456.053, F.S.; requiring certain health care providers to disclose, in writing, specified informa-

tion to their patients before making a referral for certain health care services; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1842**, pursuant to Rule 3.11(3), there being no objection, **HB 1101** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Burton, the rules were waived and—

HB 1101—A bill to be entitled An act relating to out-of-network providers; amending s. 456.0575, F.S.; requiring a health care practitioner to notify a patient in writing upon referring the patient to certain providers; providing requirements for such notice; providing requirements for a practitioner to confirm network status; providing for health care practitioner disciplinary action under certain conditions; amending s. 627.6471, F.S.; requiring certain health insurers to apply payments for services provided by nonpreferred providers toward insureds' deductibles and out-of-pocket maximums if specified conditions are met; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1842** and read the second time by title.

Senator Burton moved the following amendment which was adopted:

Amendment 1 (525084) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (j) of subsection (5) of section 456.053, Florida Statutes, is amended to read:

456.053 Financial arrangements between referring health care providers and providers of health care services.—

(5) PROHIBITED REFERRALS AND CLAIMS FOR PAYMENT.—Except as provided in this section:

(j) A health care provider who meets the requirements of paragraphs (b) and (i) *shall* ~~must~~ disclose *the following information to his or her patient before making a referral:*

1. His or her investment interest ~~to his or her patients~~ as provided in s. 456.052*; and*

2. His or her status with the entity in which the health care provider has an investment interest as a nonparticipating provider for nonemergency services, as those terms are defined in s. 627.64194, or to a provider, as defined in s. 641.47, not under contract with the patient's health maintenance organization. The disclosure must be in writing and state that the services will be provided on an out-of-network basis, which may result in additional cost-sharing responsibilities for the patient.

Section 2. This act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care provider referrals; amending s. 456.053, F.S.; requiring certain health care providers to disclose, in writing, specified information to their patients before making a referral for certain health care services; providing an effective date.

Pursuant to Rule 4.19, **HB 1101**, as amended, was placed on the calendar of Bills on Third Reading.

CS for SB 1568—A bill to be entitled An act relating to electronic prescribing; amending s. 456.42, F.S.; revising health care practitioners who may only electronically transmit prescriptions for certain drugs; revising exceptions; providing construction; republishing s. 456.43(1), F.S., relating to electronic prescribing for medicinal drugs; amending ss. 458.347 and 459.022, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1568**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1427** was withdrawn from the Committee on Rules.

On motion by Senator Brodeur, the rules were waived and—

CS for HB 1427—A bill to be entitled An act relating to health care; amending s. 381.402, F.S.; revising eligibility requirements for the Florida Reimbursement Assistance for Medical Education Program; creating s. 381.403, F.S.; creating the Rural Access to Primary and Preventive Care Grant Program within the Department of Health for a specified purpose; creating s. 381.9856, F.S.; creating the Stroke, Cardiac, and Obstetric Response and Education Grant Program within the Department of Health; amending s. 395.6061, F.S.; providing that rural hospital capital grant improvement program funding may be awarded to rural hospitals to establish mobile care units and telehealth kiosks for specified purposes; amending s. 409.906, F.S.; authorizing Medicaid to reimburse for dental services provided in a mobile dental unit that is owned by, operated by, or contracted with a health access setting or another similar setting or program; amending s. 456.0575, F.S.; requiring a health care practitioner to notify a patient in writing upon referring the patient to certain providers; providing requirements for such notice; providing requirements for a practitioner to confirm network status; providing for health care practitioner disciplinary action under certain conditions; amending s. 456.42, F.S.; revising health care practitioners who may only electronically transmit prescriptions for certain drugs; revising exceptions; providing construction; amending ss. 458.347 and 459.022, F.S.; conforming cross-references; amending s. 627.6471, F.S.; requiring certain health insurers to apply payments for services provided by nonpreferred providers toward insureds' deductibles and out-of-pocket maximums if specified conditions are met; amending s. 466.001, F.S.; revising legislative purpose and intent; amending s. 466.002, F.S.; providing applicability; amending s. 466.003, F.S.; defining the terms "dental therapist" and "dental therapy"; amending s. 466.004, F.S.; requiring the chair of the Board of Dentistry to appoint a Council on Dental Therapy, effective after a specified timeframe; providing for membership, meetings, and the purpose of the council; amending s. 466.006, F.S.; revising the definitions of the terms "full-time practice" and "full-time practice of dentistry within the geographic boundaries of this state within 1 year" to include full-time faculty members of certain dental therapy schools; amending s. 466.009, F.S.; requiring the Department of Health to allow any person who fails the dental therapy examination to retake the examination; providing that a person who fails a practical or clinical examination to practice dental therapy and who has failed one part or procedure of the examination may be required to retake only that part or procedure to pass the examination; amending s. 466.011, F.S.; requiring the board to certify an applicant for licensure as a dental therapist; creating s. 466.0136, F.S.; requiring the board to require each licensed dental therapist to complete a specified number of hours of continuing education; requiring the board to adopt rules and guidelines; authorizing the board to excuse licensees from continuing education requirements in certain circumstances; amending s. 466.016, F.S.; requiring a practitioner of dental therapy to post and display her or his license in each office where she or he practices; amending s. 466.017, F.S.; requiring the board to adopt certain rules relating to dental therapists; authorizing a dental therapist to administer local anesthesia under certain circumstances; authorizing a dental therapist under the direct supervision of a dentist to perform certain duties if specified requirements are met; authorizing a dental therapist providing services in a mobile dental unit under the general supervision of a dentist to perform certain duties if specified requirements are met; requiring a dental therapist to notify the board in writing within a specified timeframe after specified adverse incidents; requiring a complete written report to be filed with the board within a specified timeframe; providing for disciplinary action of a dental therapist; amending s. 466.018, F.S.; providing that a dentist of record remains primarily responsible for the dental treatment of a patient regardless of whether the treatment is provided by a dental therapist; requiring that the initials of a dental therapist who renders treatment to a patient be placed in the record of the patient; creating s. 466.0225, F.S.; providing application requirements and examination and licensure qualifications for dental therapists; creating s. 466.0227, F.S.; authorizing a dental therapist to perform specified services under the general supervision of a dentist under certain conditions; requiring that a collaborative management agreement be signed by a supervising dentist and a dental therapist and to include certain information; requiring the supervising dentist to determine the number of hours of

practice that a dental therapist must complete before performing certain authorized services; authorizing a supervising dentist to restrict or limit the dental therapist's practice in a collaborative management agreement; providing that a supervising dentist may authorize a dental therapist to provide dental therapy services to a patient before the dentist examines or diagnoses the patient under certain conditions; requiring a supervising dentist to be licensed and practicing in this state; specifying that the supervising dentist is responsible for certain services; amending s. 466.023, F.S.; authorizing dental hygienists to use a dental diode laser for specified purposes under certain circumstances; providing requirements for the use of such laser by dental hygienists; amending s. 466.026, F.S.; providing criminal penalties; amending s. 466.028, F.S.; revising grounds for denial of a license or disciplinary action to include the practice of dental therapy; amending s. 466.0285, F.S.; prohibiting persons other than licensed dentists from employing a dental therapist in the operation of a dental office and from controlling the use of any dental equipment or material in certain circumstances; amending s. 921.0022, F.S.; conforming a provision to changes made by the act; requiring the department, in consultation with the board and the Agency for Health Care Administration, to provide reports to the Legislature by specified dates; requiring that certain information and recommendations be included in the reports; providing an effective date.

—a companion measure, was substituted for **CS for SB 1568** and read the second time by title.

Senator Simon moved the following amendment:

Amendment 1 (189260) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (h) is added to subsection (2) of section 381.402, Florida Statutes, and paragraph (b) of subsection (3) of that section is amended, to read:

381.402 Florida Reimbursement Assistance for Medical Education Program.—

(2) The following licensed or certified health care practitioners are eligible to participate in the program:

(h) Medical doctors or doctors of osteopathic medicine who are board certified or board eligible in emergency medicine and employed by or under contract with a rural hospital as defined in s. 395.602(2)(b) or a rural emergency hospital as defined in s. 395.607(1)(a) to provide medical care in the rural hospital's or rural emergency hospital's emergency department.

Primary care medical specialties for physicians include obstetrics, gynecology, general and family practice, geriatrics, internal medicine, pediatrics, psychiatry, and other specialties which may be identified by the Department of Health.

(3) From the funds available, the Department of Health shall make payments as follows:

(b) All payments are contingent on continued proof of:

1.a. Primary care practice in a rural hospital as defined in s. 395.602(2)(b) or an underserved area designated by the Department of Health, provided the practitioner accepts Medicaid reimbursement if eligible for such reimbursement; ~~or~~

b. Emergency medicine practice in a rural hospital as defined in s. 395.602(2)(b) or rural emergency hospital as defined in s. 395.607(1)(a), provided the practitioner accepts Medicaid reimbursement if eligible for such reimbursement; or

c.~~b.~~ For practitioners other than physicians, practice in other settings, including, but not limited to, a nursing home facility as defined in s. 400.021, a home health agency as defined in s. 400.462, or an intermediate care facility for the developmentally disabled as defined in s. 400.960. Any such setting must be located in, or serve residents or patients in, an underserved area designated by the Department of Health and must provide services to Medicaid patients.

2. Providing 25 hours annually of volunteer ~~primary care~~ services *within the practitioner's scope of practice* in a free clinic as specified in s. 766.1115(3)(d)14. or through another volunteer program operated ~~by the state~~ pursuant to part IV of chapter 110 *and approved by the department*. In order to meet the requirements of this subparagraph, the volunteer hours must be verifiable in a manner determined by the department.

Section 2. Section 381.403, Florida Statutes, is created to read:

381.403 Rural Access to Primary and Preventive Care Grant Program.—The Legislature recognizes that access to primary and preventive health care is critical for the well-being of the residents of this state. The Legislature also recognizes that many rural areas of this state have significantly fewer available physicians, physician assistants, and autonomous advanced practice registered nurses who serve those areas. To increase the availability of health care in such underserved rural areas, there is created the Rural Access to Primary and Preventive Care Grant Program within the Department of Health to use grants to incentivize the creation or expansion of health care practices in those areas.

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

(a) "Autonomous advanced practice registered nurse" means an advanced practice registered nurse who is registered under s. 464.0123 to engage in autonomous practice.

(b) "Majority ownership" means ownership of more than 50 percent of the interests in a private practice.

(c) "Physician" means a physician licensed under chapter 458 or chapter 459.

(d) "Physician assistant" means a physician assistant licensed under chapter 458 or chapter 459 to perform medical services delegated by a supervising physician.

(e) "Preventive care" means routine health care services designed to prevent illness. The term includes, but is not limited to, general physical examinations provided on an annual basis, screenings for acute or chronic illnesses, and patient counseling to promote overall wellness and avoid the need for emergency services.

(f) "Primary care" means health care services focused primarily on preventive care, wellness care, and treatment for common illnesses. The term may include the health care provider serving as a patient's entry point into the overall health care system and coordinating a patient's care among specialists or acute care settings. The term does not include elective services provided solely for cosmetic purposes.

(g) "Program" means the Rural Access to Primary and Preventive Care Grant Program.

(h) "Qualifying rural area" means a rural community as defined in s. 288.0657 in this state which is also designated as a health professional shortage area by the Health Resources and Services Administration of the United States Department of Health and Human Services.

(2) The department shall award grants under the program to physicians, physician assistants, and autonomous advanced practice registered nurses who intend to open a new private practice in a qualifying rural area or who intend to open a new location within a qualifying rural area if the current private practice is located in a different county. To qualify for a grant, an applicant must meet all of the following criteria:

(a) The practice must:

1. Have majority ownership by physicians, physician assistants, or autonomous advanced practice registered nurses, or a combination thereof.

2. Be physically located in a qualifying rural area and serve at that location patients who live in that qualifying rural area or in other nearby qualifying rural areas. The practice may also serve patients who reside outside of a qualifying rural area. While the practice may use telehealth to supplement the services provided at the location, the majority of services provided by the practice must be provided in person at the physical location.

3. Accept Medicaid patients.

4. Provide services solely in primary care or preventive care, except that a physician, and any nurse licensed under chapter 464 or any physician assistant supervised by the physician, may provide services at the practice in primary care or preventative care, or services that are within the practitioner's scope of practice based on the physician's board-certified specialty in obstetrics, gynecology, general and family practice, geriatrics, internal medicine, pediatrics, or psychiatry.

(b) The owners of the practice must commit to providing the following information to the department on an annual basis, and upon request by the department, for the duration of the contract entered into pursuant to subsection (6):

1. Deidentified patient encounter data.

2. A detailed report on the use of grant funds until such funds are expended.

(3) By March 1, 2026, the department shall create an application process for eligible physicians, physician assistants, and autonomous advanced practice registered nurses to apply for grants under the program. The application must require a detailed budget of anticipated use of grant funds and how the new or existing practice will meet the requirements of subsection (2). The department shall establish a ranking system to determine which applicants will be awarded grants if there are more applicants for the program than can be awarded grants with available appropriated funds.

(4) Subject to specific appropriation, the department may award grants of up to $250,000 to eligible applicants. Only one grant may be awarded per practice. Grant funds awarded for establishing a new private practice or a new practice location may be used for any of the following expenses:

(a) Facility construction, acquisition, renovation, or lease.

(b) Purchasing medical equipment.

(c) Purchasing or implementing information technology equipment or services.

(d) Purchasing or implementing telehealth technology.

(e) Training on the use of medical equipment, information technology, or telehealth technology implemented under paragraph (b), paragraph (c), or paragraph (d), respectively.

(5) Grant funds may not be used for any of the following:

(a) Salaries.

(b) Utilities.

(c) Internet or telecommunications services other than those necessary for implementing telehealth technology under paragraph (4)(d).

(d) Insurance.

(e) Incidental maintenance and repairs.

(f) Disposable medical supplies.

(g) Medicines or vaccines.

(h) Licensing or certification fees, including costs for continuing education other than training under paragraph (4)(e).

(6) The department shall enter into a contract with each grant recipient which details the requirements for the expenditure of grant funds for that recipient. The contract must include, at a minimum, all of the following:

(a) The purpose of the contract.

(b) Specific performance standards and responsibilities for the recipient under the contract, including penalties for not meeting such performance standards and responsibilities.

(c) A detailed project or contract budget, if applicable.

(d) Reporting requirements for grant recipients to provide information to the department under paragraph (2)(b) as well as any additional information the department deems necessary for the administration of the program.

(7) The department may adopt rules to implement the program.

(8) Beginning July 1, 2026, and each year thereafter in which there are outstanding contracts with grant recipients under subsection (6), the department shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes, but need not be limited to, all of the following:

(a) Each grant awarded, including the proposed uses for each grant.

(b) The progress on each outstanding contract.

(c) The number of patients residing in rural areas who were served by grant awardees.

(d) The number of Medicaid recipients who were served by grant awardees.

(e) The number and types of services provided during patient encounters in locations opened under the program.

(f) The number of health care practitioners, delineated by licensure type, providing services in locations opened under the program.

(9) This section is repealed July 1, 2035, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 3. Section 381.9856, Florida Statutes, is created to read:

381.9856 Stroke, Cardiac, and Obstetric Response and Education Grant Program.—

(1) PROGRAM CREATION.—The Stroke, Cardiac, and Obstetric Response and Education (SCORE) Grant Program is created within the Department of Health.

(2) PURPOSE.—The purpose of the program is to improve patient outcomes and the coordination of emergency medical care in rural communities by increasing access to high-quality stroke, cardiac, and obstetric care through the application of technology and innovative training, such as blended learning training programs. Blended learning training programs ensure that participants gain both the theoretical foundations of diagnosis and management as well as real-world clinical experience through scenario-based learning, ultimately enhancing decisionmaking and patient outcomes.

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

(a) "Blended learning training program" means a structured educational model that uses blended learning methodologies, including simulation-based training, virtual reality, and distance learning technologies, in conjunction with hands-on instruction, such as simulation-based practice, and in-person skills sessions to provide comprehensive education.

(b) "High-risk care provider" means a licensed health care facility or licensed ambulance service that regularly provides emergency or ongoing care to patients experiencing a stroke, heart attack, or pregnancy-related emergency.

(c) "Rural community" has the same meaning as provided in s. 288.0657.

(4) GRANT PROGRAM REQUIREMENTS.—

(a) The department shall award grants to high-risk care providers serving rural communities to accomplish at least one of the following initiatives:

1. Implement a blended learning training program for health care providers in stroke care protocols and best practices.

2. Purchase simulation equipment and technology for training.

3. Establish telehealth capabilities between prehospital providers, such as paramedics or emergency medical technicians, and in-hospital providers, such as neurologists, to expedite emergency stroke care, emergency cardiac care, or emergency obstetric care.

4. Develop quality improvement programs in one or more of the following specialty areas: emergency stroke care, emergency cardiac care, or emergency obstetric care.

(b) Priority must be given to proposals that:

1. Demonstrate collaboration between prehospital and in-hospital providers; or

2. Show potential for significant improvement in patient outcomes in rural communities.

(5) FUNDING LIMITS; REPORTING.—

(a) Individual grants may not exceed $100,000 per year.

(b) Grant recipients must submit quarterly reports to the department documenting program activities, expenditures, and outcomes.

(6) ADMINISTRATION.—The department shall monitor program implementation and outcomes. The department shall submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1 of each year, detailing program implementation and outcomes.

(7) RULEMAKING.—The department may adopt rules to implement this section.

(8) IMPLEMENTATION.—This section may be implemented only to the extent specifically funded by legislative appropriation.

(9) REPEAL.—This section is repealed July 1, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 4. Subsection (2) of section 395.6061, Florida Statutes, is amended to read:

395.6061 Rural hospital capital improvement.—There is established a rural hospital capital improvement grant program.

(2)*(a)* Each rural hospital as defined in s. 395.602 shall receive a minimum of $100,000 annually, subject to legislative appropriation, upon application to the Department of Health, for projects to acquire, repair, improve, or upgrade systems, facilities, or equipment. *Such projects may include, but are not limited to, the following:*

1. Establishing mobile care units to provide primary care services, behavioral health services, or obstetric and gynecological services in rural health professional shortage areas.

2. Establishing telehealth kiosks to provide urgent care and primary care services remotely in rural health professional shortage areas.

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

1. "Preventive care" means routine health care services designed to prevent illness. The term includes, but is not limited to, general physical examinations provided on an annual basis, screenings for acute or chronic illnesses, and patient counseling to promote overall wellness and avoid the need for emergency services.

2. "Primary care" means health care services focused primarily on preventive care, wellness care, and treatment for common illnesses. The term may include the health care provider serving as a patient's entry point into the overall health care system and coordinating a patient's care among specialists or acute care settings. The term does not include elective services provided solely for cosmetic purposes.

3. "Rural health professional shortage area" means a rural community as defined in s. 288.0657 which is also designated as a health professional shortage area by the Health Resources and Services Administration of the United States Department of Health and Human Services.

Section 5. Subsection (1) of section 409.904, Florida Statutes, is amended to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(1)*(a)* Subject to federal waiver approval, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of the federal poverty level, whose assets do not exceed established limitations, and who is not eligible for Medicare or, if eligible for Medicare, is also eligible for and receiving Medicaid-covered institutional care services, hospice services, or home and community-based services. The agency shall seek federal authorization through a waiver to provide this coverage.

(b)1. A person who was initially determined eligible for Medicaid under paragraph (a) and is receiving Medicaid-covered institutional care services, hospice services, or home and community-based services pursuant to s. 393.066 or s. 409.978 and who is permanently disabled shall be presumed eligible for continued coverage for these Medicaid-covered services during any redetermination process, and the agency shall continue to make payments for such services, unless the person experiences a material change in his or her disability or economic status which results in a loss of eligibility. In the event of such a change in disability or economic status, the person or his or her designated caregiver or responsible party shall notify the agency and the Department of Children and Families of such change, and the Department of Children and Families may conduct a redetermination of eligibility. If such redetermination is conducted, the Department of Children and Families must notify the person or his or her designated caregiver or responsible party before the commencement of the redetermination and, at its conclusion, the results of the redetermination.

2. As used in this paragraph, the term "permanently disabled" means that a person has been determined to be disabled under paragraph (a) and has had his or her qualifying disability or disabilities certified by a physician licensed under chapter 458 or chapter 459 as permanent in nature. The agency shall, no later than October 1, 2025, seek federal authorization to exempt a Medicaid-eligible permanently disabled person from annual redetermination of eligibility under the parameters of this paragraph.

3. The agency and the Department of Children and Families shall develop a process to facilitate the notifications required under subparagraph 1.

Section 6. Subsections (5) and (6) are added to section 395.1012, Florida Statutes, to read:

395.1012 Patient safety.—

(5)(a) Each hospital with an emergency department must:

1. Develop and implement policies and procedures for pediatric patient care in the emergency department which reflect evidence-based best practices relating to, at a minimum:

a. Triage.

b. Measuring and recording vital signs.

c. Weighing and recording weights in kilograms.

d. Calculating medication dosages.

e. Use of pediatric instruments.

2. Conduct training at least annually on the policies and procedures developed under this subsection. The training must include, at a minimum:

a. The use of pediatric instruments, as applicable to each licensure type, using clinical simulation as defined in s. 464.003.

b. Drills that simulate emergency situations. Each emergency department must conduct drills at least annually.

(b) Each hospital emergency department must:

1. Designate a pediatric emergency care coordinator. The pediatric emergency care coordinator must be a physician or a physician assistant licensed under chapter 458 or chapter 459, a nurse licensed under chapter 464, or a paramedic licensed under chapter 401. The pediatric emergency care coordinator is responsible for implementation of and ensuring fidelity to the policies and procedures adopted under this subsection.

2. Conduct the National Pediatric Readiness Assessment developed by the National Pediatric Readiness Project, in accordance with timelines established by the National Pediatric Readiness Project.

(6) Each hospital with an emergency department may conduct the National Pediatric Readiness Project's Open Assessment during a year in which the National Pediatric Readiness Assessment is not conducted.

Section 7. Present subsections (4) through (19) of section 395.1055, Florida Statutes, are redesignated as subsections (5) through (20), respectively, paragraph (c) of subsection (1) is amended, and a new subsection (4) is added to that section, to read:

395.1055 Rules and enforcement.—

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

(c) A comprehensive emergency management plan is prepared and updated annually. Such standards must be included in the rules adopted by the agency after consulting with the Division of Emergency Management. At a minimum, the rules must provide for plan components that address emergency evacuation transportation; adequate sheltering arrangements; postdisaster activities, including emergency power, food, and water; postdisaster transportation; supplies; staffing; emergency equipment; individual identification of residents and transfer of records, ~~and~~ responding to family inquiries*, and the needs of pediatric and neonatal patients*. The comprehensive emergency management plan is subject to review and approval by the local emergency management agency. During its review, the local emergency management agency shall ensure that the following agencies, at a minimum, are given the opportunity to review the plan: the Department of Elderly Affairs, the Department of Health, the Agency for Health Care Administration, and the Division of Emergency Management. Also, appropriate volunteer organizations must be given the opportunity to review the plan. The local emergency management agency shall complete its review within 60 days and either approve the plan or advise the facility of necessary revisions.

(4) The agency, in consultation with the Florida Emergency Medical Services for Children State Partnership Program, shall adopt rules that establish minimum standards for pediatric patient care in hospital emergency departments, including, but not limited to, availability and immediate access to pediatric specific equipment and supplies.

Section 8. Paragraph (n) is added to subsection (3) of section 408.05, Florida Statutes, to read:

408.05 Florida Center for Health Information and Transparency.—

(3) HEALTH INFORMATION TRANSPARENCY.—In order to disseminate and facilitate the availability of comparable and uniform health information, the agency shall perform the following functions:

(n)1. Collect the overall assessment score of National Pediatric Readiness Assessments conducted by hospital emergency departments pursuant to s. 395.1012(5), from the Florida Emergency Medical Services for Children State Partnership Program by December 31, 2026, and by each December 31 during a year in which the National Pediatric Readiness Assessment is conducted thereafter.

2. By April 1, 2027, and each April 1 following a year in which the National Pediatric Readiness Assessment is conducted thereafter, publish the overall assessment score for each hospital emergency department, and provide a comparison to the national average score when it becomes available.

3. Collect and publish no more than one overall assessment score per hospital, per year, of assessments conducted pursuant to s. 395.1012(6), and provide a comparison to the hospital emergency department's most recently published score pursuant to subparagraph 2. of this paragraph.

Section 9. Present subsections (1) and (2) of section 456.42, Florida Statutes, are redesignated as subsections (2) and (3), respectively, and present subsection (3) of that section is redesignated as subsection (1) and amended, to read:

456.42 ~~Written~~ Prescriptions for medicinal drugs.—

(1)~~(3)~~ A health care practitioner licensed by law to prescribe a medicinal drug who ~~maintains a system of electronic health records as defined in s. 408.051(2)(c), or who~~ prescribes medicinal drugs as an owner, an employee, or a contractor of a licensed health care facility or practice that maintains ~~such~~ a system *of electronic health records as defined in s. 408.051(2)(c)* and who is prescribing in his or her capacity as such an owner, an employee, or a contractor~~,~~ may only electronically transmit prescriptions for such drugs. This requirement applies to such a health care practitioner upon renewal of the health care practitioner's license or by July 1, *2026* ~~2021~~, whichever is earlier, but does not apply if:

(a) The practitioner prescribes fewer than 100 such prescriptions annually;

(b) The practitioner is located in an area for which a state of emergency is declared pursuant to s. 252.36;

~~(a) The practitioner and the dispenser are the same entity;~~

~~(b) The prescription cannot be transmitted electronically under the most recently implemented version of the National Council for Prescription Drug Programs SCRIPT Standard;~~

(c) The practitioner has been issued a waiver by the department, not to exceed 1 year in duration, from the requirement to use electronic prescribing due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the practitioner, or another exceptional circumstance demonstrated by the practitioner;

(d) The practitioner reasonably determines that it would be impractical for the patient in question to obtain a medicinal drug prescribed by electronic prescription in a timely manner and such delay would adversely impact the patient's medical condition;

(e) *The prescription cannot be electronically prescribed due to a temporary technological or electrical failure that is not in the control of the prescribing practitioner, and such failure is documented in the patient record* ~~The practitioner is prescribing a drug under a research protocol~~;

(f) ~~The prescription is for a drug for which the federal Food and Drug Administration requires the prescription to contain elements that may not be included in electronic prescribing;~~

~~(g)~~ The prescription is issued to an individual receiving hospice care ~~or who is a resident of a nursing home facility~~; or

(g)~~(h)~~ The practitioner determines that it is in the best interest of the patient, or the patient determines that it is in his or her own best interest, to compare prescription drug prices among area pharmacies. The practitioner must document such determination in the patient's medical record.

The department, in consultation with the Board of Medicine, the Board of Osteopathic Medicine, the Board of Podiatric Medicine, the Board of Dentistry, the Board of Nursing, and the Board of Optometry, may adopt rules to implement this subsection. *This subsection does not prohibit a pharmacist licensed in this state from filling or refilling a valid prescription submitted electronically or in writing, or require or authorize a change in prescription drug claims adjudication and review procedures by payors related to filling or refilling a valid prescription submitted electronically or in writing. This subsection does not prohibit a pharmacist licensed in this state from filling or refilling a valid pre-*

scription that is issued in writing by a prescriber located in another state or that is transcribed by the pharmacy when a prescription is called in by telephone.

Section 10. Subsection (1) of section 456.43, Florida Statutes, is republished to read:

456.43 Electronic prescribing for medicinal drugs.—

(1) Electronic prescribing may not interfere with a patient's freedom to choose a pharmacy.

Section 11. Paragraph (e) of subsection (4) of section 458.347, Florida Statutes, is amended to read:

458.347 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervising physician may delegate to a fully licensed physician assistant the authority to prescribe or dispense any medication used in the supervising physician's practice unless such medication is listed on the formulary created pursuant to paragraph (f). A fully licensed physician assistant may only prescribe or dispense such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that he or she is a physician assistant.

2. The supervising physician must notify the department of his or her intent to delegate, on a department-approved form, before delegating such authority and of any change in prescriptive privileges of the physician assistant. Authority to dispense may be delegated only by a supervising physician who is registered as a dispensing practitioner in compliance with s. 465.0276.

3. A fully licensed physician assistant may procure medical devices and drugs unless the medication is listed on the formulary created pursuant to paragraph (f).

4. The physician assistant must complete a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal. Three of the 10 hours must consist of a continuing education course on the safe and effective prescribing of controlled substance medications which is offered by a statewide professional association of physicians in this state accredited to provide educational activities designated for the American Medical Association Physician's Recognition Award Category 1 credit, designated by the American Academy of Physician Assistants as a Category 1 credit, or designated by the American Osteopathic Association as a Category 1-A credit.

5. The prescription may be in paper or electronic form but must comply with ss. 456.0392(1) and *456.42(2)* ~~456.42(1)~~ and chapter 499 and must contain the physician assistant's name, address, and telephone number and the name of each of his or her supervising physicians. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465 and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465.

6. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

Section 12. Paragraph (e) of subsection (4) of section 459.022, Florida Statutes, is amended to read:

459.022 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervising physician may delegate to a fully licensed physician assistant the authority to prescribe or dispense any medication used in the supervising physician's practice unless such medication is listed on the formulary created pursuant to s. 458.347. A fully licensed physician assistant may only prescribe or dispense such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that she or he is a physician assistant.

2. The supervising physician must notify the department of her or his intent to delegate, on a department-approved form, before delegating such authority and of any change in prescriptive privileges of the physician assistant. Authority to dispense may be delegated only by a supervising physician who is registered as a dispensing practitioner in compliance with s. 465.0276.

3. A fully licensed physician assistant may procure medical devices and drugs unless the medication is listed on the formulary created pursuant to s. 458.347(4)(f).

4. The physician assistant must complete a minimum of 10 continuing medical education hours in the specialty practice in which the physician assistant has prescriptive privileges with each licensure renewal. Three of the 10 hours must consist of a continuing education course on the safe and effective prescribing of controlled substance medications which is offered by a provider that has been approved by the American Academy of Physician Assistants and which is designated for the American Medical Association Physician's Recognition Award Category 1 credit, designated by the American Academy of Physician Assistants as a Category 1 credit, or designated by the American Osteopathic Association as a Category 1-A credit.

5. The prescription may be in paper or electronic form but must comply with ss. 456.0392(1) and *456.42(2)* ~~456.42(1)~~ and chapter 499 and must contain the physician assistant's name, address, and telephone number and the name of each of his or her supervising physicians. Unless it is a drug or drug sample dispensed by the physician assistant, the prescription must be filled in a pharmacy permitted under chapter 465, and must be dispensed in that pharmacy by a pharmacist licensed under chapter 465.

6. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

Section 13. Paragraph (d) of subsection (4) and subsection (6) of section 381.026, Florida Statutes, are amended to read:

381.026 Florida Patient's Bill of Rights and Responsibilities.—

(4) RIGHTS OF PATIENTS.—Each health care facility or provider shall observe the following standards:

(d) Access to health care.—

1. A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

2. A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide such treatment.

3. A patient has the right to access any mode of treatment that is, in his or her own judgment and the judgment of his or her health care practitioner, in the best interests of the patient, including complementary or alternative health care treatments, in accordance with the provisions of s. 456.41.

4. A patient shall not be denied admission, care, or services by a health care facility based solely on the patient's vaccination status.

(6) SUMMARY OF RIGHTS AND RESPONSIBILITIES.—Any health care provider who treats a patient in an office or any health care facility licensed under chapter 395 that provides emergency services and care or outpatient services and care to a patient, or admits and treats a patient, shall adopt and make available to the patient, in writing, a statement of the rights and responsibilities of patients, including the following:

SUMMARY OF THE FLORIDA PATIENT'S BILL OF RIGHTS AND RESPONSIBILITIES

Florida law requires that your health care provider or health care facility recognize your rights while you are receiving medical care and that you respect the health care provider's or health care facility's right to expect certain behavior on the part of patients. You

may request a copy of the full text of this law from your health care provider or health care facility. A summary of your rights and responsibilities follows:

A patient has the right to be treated with courtesy and respect, with appreciation of his or her individual dignity, and with protection of his or her need for privacy.

A patient has the right to a prompt and reasonable response to questions and requests.

A patient has the right to know who is providing medical services and who is responsible for his or her care.

A patient has the right to know what patient support services are available, including whether an interpreter is available if he or she does not speak English.

A patient has the right to bring any person of his or her choosing to the patient-accessible areas of the health care facility or provider's office to accompany the patient while the patient is receiving inpatient or outpatient treatment or is consulting with his or her health care provider, unless doing so would risk the safety or health of the patient, other patients, or staff of the facility or office or cannot be reasonably accommodated by the facility or provider.

A patient has the right to know what rules and regulations apply to his or her conduct.

A patient has the right to be given by the health care provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis.

A patient has the right to refuse any treatment, except as otherwise provided by law.

A patient has the right to be given, upon request, full information and necessary counseling on the availability of known financial resources for his or her care.

A patient who is eligible for Medicare has the right to know, upon request and in advance of treatment, whether the health care provider or health care facility accepts the Medicare assignment rate.

A patient has the right to receive, upon request, prior to treatment, a reasonable estimate of charges for medical care.

A patient has the right to receive a copy of a reasonably clear and understandable, itemized bill and, upon request, to have the charges explained.

A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.

A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide treatment.

A patient shall not be denied admission, care, or services by a health care facility based solely on the patient's vaccination status.

A patient has the right to know if medical treatment is for purposes of experimental research and to give his or her consent or refusal to participate in such experimental research.

A patient has the right to express grievances regarding any violation of his or her rights, as stated in Florida law, through the grievance procedure of the health care provider or health care facility which served him or her and to the appropriate state licensing agency.

A patient is responsible for providing to the health care provider, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to his or her health.

A patient is responsible for reporting unexpected changes in his or her condition to the health care provider.

A patient is responsible for reporting to the health care provider whether he or she comprehends a contemplated course of action and what is expected of him or her.

A patient is responsible for following the treatment plan recommended by the health care provider.

A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the health care provider or health care facility.

A patient is responsible for his or her actions if he or she refuses treatment or does not follow the health care provider's instructions.

A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.

A patient is responsible for following health care facility rules and regulations affecting patient care and conduct.

Section 14. Subsection (4) of section 466.006, Florida Statutes, is amended to read:

466.006 Examination of dentists.—

(4) Notwithstanding any other provision of law in chapter 456 pertaining to the clinical dental licensure examination or national examinations, to be licensed as a dentist in this state, an applicant must successfully complete *all* ~~both~~ of the following:

(a) A written examination on the laws and rules of the state regulating the practice of dentistry.

(b) A practical or clinical examination, which must be the American Dental Licensing Examination produced by the American Board of Dental Examiners, Inc., or its successor entity, if any, which is administered in this state, provided that the board has attained, and continues to maintain thereafter, representation on the board of directors of the American Board of Dental Examiners, the examination development committee of the American Board of Dental Examiners, and such other committees of the American Board of Dental Examiners as the board deems appropriate by rule to assure that the standards established herein are maintained organizationally.

1. As an alternative to such practical or clinical examination, an applicant may submit scores from an American Dental Licensing Examination previously administered in a jurisdiction other than this state after October 1, 2011, and such examination results are recognized as valid for the purpose of licensure in this state. A passing score on the American Dental Licensing Examination administered out of state is the same as the passing score for the American Dental Licensing Examination administered in this state. The applicant must have completed the examination after October 1, 2011. This subparagraph may not be given retroactive application.

2. If the date of an applicant's passing American Dental Licensing Examination scores from an examination previously administered in a jurisdiction other than this state under subparagraph 1. is older than 365 days, such scores are nevertheless valid for the purpose of licensure in this state, but only if the applicant demonstrates that all of the following additional standards have been met:

a. The applicant completed the American Dental Licensing Examination after October 1, 2011. This sub-subparagraph may not be given retroactive application.

b. The applicant graduated from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor entity, if any, or any other dental accrediting organization recognized by the United States Department of Education. Provided, however, if the applicant did not graduate from such a dental school, the applicant may submit proof of having successfully completed a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation of at least 2 consecutive academic years at such accredited sponsoring institution. Such program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. For purposes of this sub-

subparagraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty.

c. The applicant currently possesses a valid and active dental license in good standing, with no restriction, which has never been revoked, suspended, restricted, or otherwise disciplined, from another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

d. The applicant must disclose to the board during the application process if he or she has been reported to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, or the American Association of Dental Boards Clearinghouse. This sub-subparagraph does not apply if the applicant successfully appealed to have his or her name removed from the data banks of these agencies.

e.(I)(A) The applicant submits proof of having been consecutively engaged in the full-time practice of dentistry in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico in the 5 years immediately preceding the date of application for licensure in this state; or

(B) If the applicant has been licensed in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico for less than 5 years, the applicant submits proof of having been engaged in the full-time practice of dentistry since the date of his or her initial licensure.

(II) As used in this section, "full-time practice" is defined as a minimum of 1,200 hours per year for each year in the consecutive 5-year period or, when applicable, the period since initial licensure, and must include any combination of the following:

(A) Active clinical practice of dentistry providing direct patient care.

(B) Full-time practice as a faculty member employed by a dental or dental hygiene school approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(C) Full-time practice as a student at a postgraduate dental education program approved by the board or accredited by the American Dental Association Commission on Dental Accreditation.

(III) The board shall develop rules to determine what type of proof of full-time practice is required and to recoup the cost to the board of verifying full-time practice under this section. Such proof must, at a minimum, be:

(A) Admissible as evidence in an administrative proceeding;

(B) Submitted in writing;

(C) Further documented by an applicant's annual income tax return filed with the Internal Revenue Service for each year in the preceding 5-year period or, if the applicant has been practicing for less than 5 years, the period since initial licensure; and

(D) Specifically found by the board to be both credible and admissible.

(IV) The board may excuse applicants from the 1,200-hour requirement in the event of hardship, as defined by the board.

f. The applicant submits documentation that he or she has completed, or will complete before he or she is licensed in this state, continuing education equivalent to this state's requirements for the last full reporting biennium.

g. The applicant proves that he or she has never been convicted of, or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession in any jurisdiction.

h. The applicant has successfully passed a written examination on the laws and rules of this state regulating the practice of dentistry and the computer-based diagnostic skills examination.

i. The applicant submits documentation that he or she has successfully completed the applicable examination administered by the Joint Commission on National Dental Examinations or its successor organization.

(c) The educational requirements provided under paragraph (2)(b) or subsection (3).

Section 15. Paragraph (d) of subsection (3) of section 766.1115, Florida Statutes, is amended to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

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

(d) "Health care provider" or "provider" means:

1. A birth center licensed under chapter 383.

2. An ambulatory surgical center licensed under chapter 395.

3. A hospital licensed under chapter 395.

4. A physician or physician assistant licensed under chapter 458.

5. An osteopathic physician or osteopathic physician assistant licensed under chapter 459.

6. A chiropractic physician licensed under chapter 460.

7. A podiatric physician licensed under chapter 461.

8. A registered nurse, nurse midwife, licensed practical nurse, or advanced practice registered nurse licensed or registered under part I of chapter 464 or any facility which employs nurses licensed or registered under part I of chapter 464 to supply all or part of the care delivered under this section.

9. A midwife licensed under chapter 467.

10. A health maintenance organization certificated under part I of chapter 641.

11. A health care professional association and its employees or a corporate medical group and its employees.

12. Any other medical facility the primary purpose of which is to deliver human medical diagnostic services or which delivers nonsurgical human medical treatment, and which includes an office maintained by a provider.

13. A dentist or dental hygienist licensed under chapter 466.

14. A free clinic that delivers only medical diagnostic services or nonsurgical medical treatment free of charge to all low-income recipients.

15. Any other health care professional, practitioner, provider, or facility under contract with a governmental contractor, including a student enrolled in an accredited program that prepares the student for licensure as any one of the professionals listed in subparagraphs 4.-9. *and 13*.

The term includes any nonprofit corporation qualified as exempt from federal income taxation under s. 501(a) of the Internal Revenue Code, and described in s. 501(c) of the Internal Revenue Code, which delivers health care services provided by licensed professionals listed in this paragraph, any federally funded community health center, and any volunteer corporation or volunteer health care provider that delivers health care services.

Section 16. Subsection (2) of section 456.003, Florida Statutes, is amended to read:

456.003 Legislative intent; requirements.—

(2) The Legislature further *finds* ~~believes~~ that such professions *must* ~~shall~~ be regulated only for the preservation of the health, safety, and welfare of the public under the police powers of the state*, and that the health, safety, and welfare of the public may be harmed or endangered by the unlawful practice of a profession; by a misleading, de-*

ceptive, or fraudulent representation relating to a person's authority to practice a profession lawfully; or when patients are uninformed about the profession under which a health care practitioner is practicing before receiving professional consultation or services from the practitioner. As a matter of great public importance, such professions *must* ~~shall~~ be regulated when:

(a) Their unregulated practice can harm or endanger the health, safety, and welfare of the public, and when the potential for such harm is recognizable and clearly outweighs any anticompetitive impact which may result from regulation.

(b) The public is not effectively protected by other means, including, but not limited to, other state statutes, local ordinances, or federal legislation.

(c) Less restrictive means of regulation are not available.

Section 17. Paragraph (a) of subsection (2) of section 456.065, Florida Statutes, is amended to read:

456.065 Unlicensed practice of a health care profession; intent; cease and desist notice; penalties; enforcement; citations; fees; allocation and disposition of moneys collected.—

(2) The penalties for unlicensed practice of a health care profession shall include the following:

(a)*1.* When the department has probable cause to believe that any person not licensed by the department, or the appropriate regulatory board within the department, has violated any provision of this chapter or any statute that relates to the practice of a profession regulated by the department, or any rule adopted pursuant thereto, the department may issue and deliver to such person a notice to cease and desist from such violation.

2. When the department has probable cause to believe that any licensed health care practitioner has engaged in the unlicensed practice of a health care profession by violating s. 456.65, the department may issue and deliver to such health care practitioner a notice to cease and desist from such violation and may pursue other remedies authorized under this section which apply to the unlicensed practice of a health care profession.

3. In addition *to the remedies under subparagraphs 1. and 2.*, the department may issue and deliver a notice to cease and desist to any person who aids and abets the unlicensed practice of a profession by employing *the* ~~such unlicensed~~ person *engaging in the unlicensed practice*.

4. The issuance of a notice to cease and desist shall not constitute agency action for which a hearing under ss. 120.569 and 120.57 may be sought. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provisions of such order.

Section 18. Section 456.65, Florida Statutes, is created to read:

456.65 Specialties.—

(1)(a) A health care practitioner not licensed as a physician under chapter 458 may not hold himself or herself out to a patient or the public at large as a specialist by describing himself or herself or his or her practice through the use of any specialist title or designation specifically listed under s. 458.3312(2), either alone or in combination, or in connection with other words, unless the practitioner is authorized to use such specialist title or designation under subsection (3).

(b) A health care practitioner not licensed as a physician under chapter 459 may not hold himself or herself out to a patient or the public at large as a specialist by describing himself or herself or his or her practice through the use of any specialist title or designation specifically listed under s. 459.0152(2), either alone or in combination, or in connection with other words, unless the practitioner is authorized to use such specialist title or designation under subsection (3).

(2) A violation of subsection (1) constitutes the unlicensed practice of medicine or osteopathic medicine, as applicable, and the department may pursue remedies under s. 456.065 for such violation.

(3) Notwithstanding subsection (1):

(a) A licensed health care practitioner may use the name or title of his or her profession which is authorized under his or her practice act, and any corresponding designations or initials so authorized, to describe himself or herself and his or her practice.

(b) A licensed health care practitioner who has a specialty area of practice authorized under his or her practice act may use the following format to identify himself or herself or describe his or her practice: "(name or title of the practitioner's profession), specializing in (name of the practitioner's specialty)."

(c) A chiropractic physician licensed under chapter 460 may use the title "chiropractic radiologist" and other titles, abbreviations, or designations authorized under his or her practice act reflecting those chiropractic specialty areas in which the chiropractic physician has attained diplomate status as recognized by the American Chiropractic Association, the International Chiropractors Association, the International Academy of Clinical Neurology, or the International Chiropractic Pediatric Association.

(d) A podiatric physician licensed under chapter 461 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "podiatric surgeon," "Fellow in the American College of Foot and Ankle Surgeons," and any other titles or abbreviations authorized under his or her practice act.

(e) A dentist licensed under chapter 466 may use the following titles and abbreviations as applicable to his or her license, specialty, and certification: "doctor of dental surgery," "D.D.S.," "oral surgeon," "maxillofacial surgeon," "oral and maxillofacial surgeon," "O.M.S.," "dental anesthesiologist," "oral pathologist," "oral radiologist," and any other titles or abbreviations authorized under his or her practice act.

(f) An anesthesiologist assistant licensed under chapter 458 or chapter 459 may use the titles "anesthesiologist assistant" or "certified anesthesiologist assistant" and the abbreviations "A.A." or "C.A.A.," as applicable.

(g) A physician licensed under chapter 458 or chapter 459 may use a specialist title or designation according to s. 458.3312 or s. 459.0152, as applicable.

Section 19. Section 458.3312, Florida Statutes, is amended to read:

458.3312 Specialties.—

(1) A physician licensed under this chapter may not hold himself or herself out as a board-certified specialist unless the physician has received formal recognition as a specialist from a specialty board of the American Board of Medical Specialties or other recognizing agency that has been approved by the board. However, a physician may indicate the services offered and may state that his or her practice is limited to one or more types of services when this accurately reflects the scope of practice of the physician.

(2) Specialist titles and designations to which subsection (1) applies include:

(a) Surgeon.

(b) Neurosurgeon.

(c) General surgeon.

(d) Plastic surgeon.

(e) Thoracic surgeon.

(f) Allergist.

(g) Anesthesiologist.

(h) Cardiologist.

(i) Dermatologist.

(j) Endocrinologist.

(k) Gastroenterologist.

(l) Geriatrician.

(m) Gynecologist.

(n) Hematologist.

(o) Hospitalist.

(p) Immunologist.

(q) Intensivist.

(r) Internist.

(s) Laryngologist.

(t) Nephrologist.

(u) Neurologist.

(v) Neurotologist.

(w) Obstetrician.

(x) Oncologist.

(y) Ophthalmologist.

(z) Orthopedic surgeon.

(aa) Orthopedist.

(bb) Otologist.

(cc) Otolaryngologist.

(dd) Otorhinolaryngologist.

(ee) Pathologist.

(ff) Pediatrician.

(gg) Proctologist.

(hh) Psychiatrist.

(ii) Pulmonologist.

(jj) Radiologist.

(kk) Rheumatologist.

(ll) Rhinologist.

(mm) Urologist.

(3) The board may adopt by rule additional specialist titles and designations to which subsection (1) applies.

Section 20. Section 459.0152, Florida Statutes, is amended to read:

459.0152 Specialties.—

(1) An osteopathic physician licensed under this chapter may not hold himself or herself out as a board-certified specialist unless the osteopathic physician has successfully completed the requirements for certification by the American Osteopathic Association or the Accreditation Council on Graduate Medical Education and is certified as a specialist by a certifying agency approved by the board. However, an osteopathic physician may indicate the services offered and may state that his or her practice is limited to one or more types of services when this accurately reflects the scope of practice of the osteopathic physician.

(2) Specialist titles and designations to which subsection (1) applies include:

(a) Surgeon.

(b) Neurosurgeon.

(c) General surgeon.

(d) Plastic surgeon.

(e) Thoracic surgeon.

(f) Allergist.

(g) Anesthesiologist.

(h) Cardiologist.

(i) Dermatologist.

(j) Endocrinologist.

(k) Gastroenterologist.

(l) Geriatrician.

(m) Gynecologist.

(n) Hematologist.

(o) Hospitalist.

(p) Immunologist.

(q) Intensivist.

(r) Internist.

(s) Laryngologist.

(t) Nephrologist.

(u) Neurologist.

(v) Neurotologist.

(w) Obstetrician.

(x) Oncologist.

(y) Ophthalmologist.

(z) Orthopedic surgeon.

(aa) Orthopedist.

(bb) Otologist.

(cc) Otolaryngologist.

(dd) Otorhinolaryngologist.

(ee) Pathologist.

(ff) Pediatrician.

(gg) Proctologist.

(hh) Psychiatrist.

(ii) Pulmonologist.

(jj) Radiologist.

(kk) Rheumatologist.

(ll) Rhinologist.

(mm) Urologist.

(3) The board may adopt by rule additional specialist titles and designations to which subsection (1) applies.

Section 21. Paragraph (a) of subsection (2) of section 463.0055, Florida Statutes, is amended to read:

463.0055 Administration and prescription of ocular pharmaceutical agents.—

(2)(a) The board shall establish a formulary of topical ocular pharmaceutical agents *and their generic or therapeutic equivalents* that may be prescribed and administered by a certified optometrist. The formulary *must* ~~shall~~ consist of those topical ocular pharmaceutical agents *and the generic or therapeutic equivalent for any such agent included in the formulary which* ~~that~~ are appropriate to treat or diagnose ocular diseases and disorders and that the certified optometrist is qualified to use in the practice of optometry. The board shall establish, add to, delete from, or modify the topical formulary by rule. Notwithstanding any provision of chapter 120 to the contrary, the topical formulary rule becomes effective 60 days from the date it is filed with the Secretary of State.

Section 22. This act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care; amending s. 381.402, F.S.; revising eligibility requirements for the Florida Reimbursement Assistance for Medical Education Program; revising the proof required to make payments for participation in the program; creating s. 381.403, F.S.; providing legislative findings; creating the Rural Access to Primary and Preventive Care Grant Program within the Department of Health for a specified purpose; defining terms; requiring the department to award grants under the program to physicians, physician assistants, and autonomous advanced practice registered nurses intending to open new practices or practice locations in qualifying rural areas; specifying eligibility criteria for the grants; requiring the department, by a specified date, to create an application process for applying for grants under the program; specifying requirements for the application and application process; authorizing the department, subject to specific appropriation, to award grants under the program; specifying limitations on the awarding of grants; specifying expenses for which grant funds are authorized and prohibited; requiring the department to enter into a contract with each grant recipient; specifying requirements for the contracts; authorizing the department to adopt rules; requiring the department, beginning on a specified date and annually thereafter, to provide a report containing specified information to the Governor and the Legislature; providing for future legislative review and repeal of the program; creating s. 381.9856, F.S.; creating the Stroke, Cardiac, and Obstetric Response and Education Grant Program within the department; specifying the purpose of the program; defining terms; requiring the department to award grants under the program to certain entities meeting specified criteria; requiring the department to give priority to certain applicants; limiting individual grants to a specified amount per year; requiring grant recipients to submit quarterly reports to the department; requiring the department to monitor program implementation and outcomes; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; authorizing the department to adopt rules; providing construction; providing for future legislative review and repeal of the program; amending s. 395.6061, F.S.; providing that rural hospital capital grant improvement program funding may be awarded to rural hospitals to establish mobile care units and telehealth kiosks for specified purposes; defining terms; amending s. 409.904, F.S.; requiring that certain Medicaid-eligible persons who receive specified Medicaid-covered services and who are permanently disabled be presumed eligible for continued Medicaid coverage during redetermination processes; requiring the Agency for Health Care Administration to continue to make payments for such services; providing exceptions; requiring certain persons to notify the agency and the Department of Children and Families of certain changes in disability or economic status; authorizing the department to conduct a redetermination of eligibility under certain circumstances; requiring the department to make notifications under certain circumstances; defining the term "permanently disabled"; requiring the agency to seek federal authorization to exempt certain persons from annual redetermination of eligibility; requiring the agency and the department to develop a specified process; amending s. 395.1012, F.S.; requiring hospital emergency departments to develop and implement policies and procedures, conduct training, record weights in a certain manner, designate a pediatric emergency care coordinator, and conduct specified assessments; authorizing a hospital with an emergency department to conduct the National Pediatric Readiness Project's Open Assessment under certain conditions; amending s. 395.1055, F.S.; requiring the agency to adopt certain rules for comprehensive emergency management plans, and, in consultation with the Florida Emergency Medical Services for Children State Partnership Program, establish minimum standards for pediatric patient care in hospital emergency departments; amending s. 408.05, F.S.; requiring the agency to collect and publish the results of specified assessments submitted by hospitals by specified dates; providing requirements for the collection and publication of such assessment scores; amending s. 456.42, F.S.; revising health care practitioners who may only electronically transmit prescriptions for certain drugs; revising exceptions; providing construction; republishing s. 456.43(1), F.S., relating to electronic prescribing for medicinal drugs; amending ss. 458.347 and 459.022, F.S.; conforming cross-references; amending s. 381.026, F.S.; revising the rights of patients, which each health care provider and facility are required to observe, to include that such facilities shall not deny admission, care, or services based solely on a patient's vaccination status; amending s. 466.006, F.S.; revising the requirements for licensure as a dentist; amending s. 766.1115, F.S.; revising the definition of the term "health care provider" or "provider"; amending s. 456.003, F.S.; revising legislative findings; amending s. 456.065, F.S.; providing circumstances under which the Department of Health may issue a notice to cease and desist and pursue other remedies upon finding probable cause; creating s. 456.65, F.S.; prohibiting the use of specified titles and designations by health care practitioners not licensed as physicians or osteopathic physicians, as applicable, with an exception; providing that the use of such titles and designations constitutes the unlicensed practice of medicine or osteopathic medicine, as applicable; authorizing the department to pursue specified remedies for such violations; authorizing health care practitioners to use names and titles, and their corresponding designations and initials, authorized by their respective practice acts; specifying the manner in which health care practitioners may represent their specialty practice areas; specifying titles and abbreviations certain health care practitioners may use; amending ss. 458.3312 and 459.0152, F.S.; specifying specialist titles and designations that physicians and osteopathic physicians, respectively, are prohibited from using unless they have received formal recognition by the appropriate recognizing agency for such specialty certifications; authorizing the Board of Medicine and the Board of Osteopathic Medicine, as applicable, to adopt certain rules; amending s. 463.0055, F.S.; requiring the Board of Optometry to establish a formulary of the generic or therapeutic equivalents of topical ocular pharmaceutical agents for specific purposes; providing requirements for the formulary; providing an effective date.

Senator Polsky moved the following amendment to **Amendment 1 (189260)** which was adopted:

Amendment 1A (338350)—Delete lines 499-500 and insert:
hospice care ~~or who is a resident of a nursing home facility~~; ~~or~~

(g) The prescription is for a newly approved drug for which information is not yet available in the electronic prescribing system; or

(h) The practitioner determines that it is in the best

Amendment 1 (189260), as amended, was adopted.

Pursuant to Rule 4.19, **CS for HB 1427** as amended, was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1726** and **CS for SB 1242** was deferred.

SENATOR BRODEUR PRESIDING

CS for CS for SB 1760—A bill to be entitled An act relating to public officers and employees; creating s. 20.71, F.S.; requiring that, beginning on a specified date, secretaries and executive directors of departments, chief administrative officers of certain units of state government, members of commissions and licensing boards, chairs of governing

boards or certain chief executives of certain statewide entities, or any persons appointed to hold state office in the executive branch of state government be United States citizens and residents of this state; providing that a specified provision applies to each such office; requiring that, beginning on a specified date, members of the board of trustees for state universities be United States citizens and residents of this state or graduates of the state university that the board oversees; requiring that, beginning on a specified date, members of the Board of Governors of the State University System be United States citizens and either residents of this state or have graduated from a state university; providing that if any such requirements are not met, the office is deemed vacant; amending s. 104.31, F.S.; revising construction of provisions relating to political activities of state, county, and municipal officers and employees; amending s. 110.233, F.S.; prohibiting career service employees from using the influence of their positions for specified purposes; amending s. 112.061, F.S.; prohibiting the authorization or approval of reimbursements for travel expenses to and from the person's residence and his or her headquarters for specified positions; defining the term "residence"; requiring that the official headquarters for specified positions be the city or town in which the department's official headquarters is located; prohibiting persons serving in specified positions from being reimbursed for certain travel expenses; creating s. 112.31251, F.S.; defining the term "office" for purposes of s. 5(a), Art. II of the State Constitution; defining the term "employment"; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1760**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1445** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

CS for HB 1445—A bill to be entitled An act relating to public officers and employees; creating s. 20.70, F.S.; requiring certain public officers and employees to be United States citizens and residents of this state, and, for specified public officers and employees, to reside in a certain county or within a certain area by a specified date; requiring members of a state university board of trustees and members of the Board of Governors to be United States citizens and either a resident of this state or a graduate of a state university beginning on a specified date; providing that specified offices are deemed vacant under certain circumstances; amending s. 104.31, F.S.; narrowing applicability of certain prohibitions regarding political activities; creating s. 104.315, F.S.; providing definitions; prohibiting certain state officers and employees from engaging in certain political activities; prohibiting certain state officers from using the authority or influence of their positions for certain purposes; prohibiting certain supervisors from engaging in certain conduct; providing construction; providing a criminal penalty; amending s. 110.233, F.S.; prohibiting Career Service System employees from using the authority or influence of their positions for certain purposes; creating s. 112.31251, F.S.; defining the term "office" for purposes of s. 5(a), Art. II of the State Constitution; defining the term "employment"; amending s. 1001.71, F.S.; conforming a provision to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1760** and read the second time by title.

Senator Grall moved the following amendment which was adopted:

Amendment 1 (915478) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 20.71, Florida Statutes, is created to read:

20.71 Residency requirements.—Notwithstanding any other law:

(1)(a) Effective October 1, 2025, each of the following persons must be a United States citizen and a resident of this state:

1. The secretary of a department.

2. The executive director of a department.

3. The chief administrative officer of any unit of state government which is housed under a department for administrative purposes but is not subject to the control, supervision, or direction of such department.

4. A member of a commission.

5. A member of a licensing board.

6. The chair of the governing board, or the chief executive, of a statewide entity that is explicitly created or established by statute, regardless of its legal form, for a public purpose or to carry out a government program and that is not under the direct control of a governmental entity.

7. Any other person appointed to hold state office in the executive branch of state government.

(b) If a person listed in paragraph (a) does not meet the requirements of that paragraph, such person's office is automatically deemed vacant.

(2) Effective January 6, 2027, each member of a state university board of trustees must be a United States citizen and either a resident of this state or a graduate of the state university, the administration of which is overseen by such board of trustees. If any member of a state university board of trustees does not meet the requirements of this subsection, such member's office is automatically deemed vacant.

(3) Effective January 6, 2027, each member of the Board of Governors must be a United States citizen and either a resident of this state or a graduate of a state university as defined in s. 1000.21. If any member of the Board of Governors does not meet the requirements of this subsection, such member's office is automatically deemed vacant.

Section 2. Subsections (1) and (2) of section 104.31, Florida Statutes, are amended to read:

104.31 Political activities of state, county, and municipal officers and employees.—

(1) No officer or employee of the state, or of any county or municipality thereof, except as hereinafter exempted from provisions hereof, shall:

(a) Use his or her official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.

(b) *Use his or her official authority or influence to* directly or indirectly coerce or attempt to coerce, command, *solicit,* or advise any other *person* ~~officer or employee~~ to *make a contribution as defined in s. 106.011 or to* pay, lend, or contribute ~~any part of his or her salary, or any~~ money~~,~~ or anything else of value to any *political* party, *candidate for public office, political* committee, organization, agency, or person ~~for political purposes~~. Nothing in this paragraph or in any county or municipal charter or ordinance shall prohibit an *officer or* employee from suggesting to another *person* ~~employee~~ in a noncoercive manner that he or she may voluntarily *make a contribution as defined in s. 106.011 or pay, lend, or* contribute *money or anything else of value to any political party, candidate for public office, political committee, organization, agency, or person* ~~to a fund which is administered by a party, committee, organization, agency, person, labor union or other employee organization for political purposes~~.

(c) Directly or indirectly coerce or attempt to coerce, command, and advise any such officer or employee as to where he or she might purchase commodities or to interfere in any other way with the personal right of said officer or employee.

The provisions of this section *may* ~~shall~~ not be construed so as to prevent any person from becoming a candidate for and actively campaigning for any elective office in this state. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. The provisions of paragraph (a) *may* ~~shall~~ not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature, of elected officials or candidates for public office in the state or of any county or municipality thereof~~; and the provisions of paragraph (a) shall not be construed so as to limit the political activity in general or special elections of the officials appointed as the heads or directors of state administrative agencies, boards, commissions, or committees or of the members of state boards, commissions, or committees, whether they be salaried, nonsalaried, or reimbursed for expense. In the event of a dual capacity of any member of a state board,~~

~~commission, or committee, any restrictive provisions applicable to either capacity shall apply. The provisions of paragraph (a) shall not be construed so as to limit the political activity in a general, special, primary, bond, referendum, or other election of any kind or nature of the Governor, the elected members of the Governor's Cabinet, or the members of the Legislature~~. The provisions of paragraphs (b) and (c) shall apply to all officers and employees of the state or of any county or municipality thereof, whether elected, appointed, or otherwise employed, or whether the activity shall be in connection with a primary, general, special, bond, referendum, or other election of any kind or nature.

(2) An employee of the state or any political subdivision may not participate in any political campaign ~~for an elective office~~ while on duty.

Section 3. Subsection (4) of section 112.061, Florida Statutes, is amended, and paragraph (j) is added to subsection (3) of that section, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons; statewide travel management system.—

(3) AUTHORITY TO INCUR TRAVEL EXPENSES.—

(j) Reimbursement of transportation expenses as provided in subsection (7) may not be authorized or approved for travel of a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. between the person's residence and his or her official headquarters. Per diem and subsistence allowances as provided in subsection (6) may not be authorized or approved for a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. when that person remains overnight in the person's county of residence. For the purposes of this section, the term "residence" means the dwelling in which the person permanently resides.

(4) OFFICIAL HEADQUARTERS.—The official headquarters of *a person serving in a position described in s. 20.71(1)(a)1., 2., or 3. must be the city or town in which the department's official headquarters is located, and the official headquarters of any other* ~~an~~ officer or employee assigned to an office *must* ~~shall~~ be the city or town in which the office is located except that:

(a) The official headquarters of a person located in the field *must* ~~shall~~ be the city or town nearest to the area where the majority of the person's work is performed, or such other city, town, or area as may be designated by the agency head provided that in all cases such designation must be in the best interests of the agency and not for the convenience of the person.

(b) When any state employee is stationed in any city or town for a period of *more than* ~~over~~ 30 continuous workdays, such city or town *must* ~~shall~~ be deemed to be the employee's official headquarters, and he or she *may* ~~shall~~ not be allowed per diem or subsistence, as provided in this section, after *such* ~~the said~~ period of 30 continuous workdays has elapsed, unless this period of time is extended by the express approval of the agency head or his or her designee.

(c) A traveler may leave his or her assigned post to return *to his or her residence* ~~home~~ overnight, over a weekend, or during a holiday, but any time lost from regular duties *must* ~~shall~~ be taken as annual leave and authorized in the usual manner. The traveler *may* ~~shall~~ not be reimbursed for travel expenses in excess of the established rate for per diem allowable had he or she remained at his or her assigned post. *A person serving in a position described in s. 20.71(1)(a)1., 2., or 3. may not be reimbursed for travel expenses for travel between the person's assigned post and residence.* However, when a traveler has been temporarily assigned away from his or her official headquarters for an approved period extending beyond 30 days, he or she *is* ~~shall be~~ entitled to reimbursement for travel expenses at the established rate of one round trip for each 30-day period actually taken to his or her *residence* ~~home~~ in addition to pay and allowances otherwise provided.

(d) A Lieutenant Governor who permanently resides outside of Leon County, may, if he or she so requests, have an appropriate facility in his or her county designated as his or her official headquarters for purposes of this section. This official headquarters may only serve as the Lieutenant Governor's personal office. The Lieutenant Governor may not use state funds to lease space in any facility for his or her official headquarters.

1. A Lieutenant Governor for whom an official headquarters is established in his or her county of residence pursuant to this paragraph is eligible for subsistence at a rate to be established by the Governor for each day or partial day that the Lieutenant Governor is at the State Capitol to conduct official state business. In addition to the subsistence allowance, a Lieutenant Governor is eligible for reimbursement for transportation expenses as provided in subsection (7) for travel between the Lieutenant Governor's official headquarters and the State Capitol to conduct state business.

2. Payment of subsistence and reimbursement for transportation between a Lieutenant Governor's official headquarters and the State Capitol shall be made to the extent appropriated funds are available, as determined by the Governor.

3. This paragraph expires July 1, 2025.

Section 4. Section 112.31251, Florida Statutes, is created to read:

112.31251 Definition of the term "office."—

(1)(a) For purposes of s. 5(a), Art. II of the State Constitution, the term "office," when referring to an office in this state, means any position in state, county, or municipal government to which all of the following apply:

1. Delegates to the individual holding such position a portion of the sovereign power of the government.

2. Requires the exercise of independent governmental authority, which is performed in an official capacity and is not based solely on a contractual or employment relationship.

3. Has a prescribed tenure.

4. Exists independently of the individual holding such position.

(b) The term "office" includes, but is not limited to, each of the following positions:

1. The Governor.

2. The Lieutenant Governor.

3. A member of the Cabinet.

4. A state senator.

5. A state representative.

6. A county commissioner.

7. A sheriff.

8. A tax collector.

9. A property appraiser.

10. A supervisor of elections.

11. A clerk of the circuit court.

12. A member of the Board of Governors of the State University System.

13. A member of a board of trustees for a state university.

14. A member of a district school board.

15. A member of a state, county, or municipal board or commission that exercises governmental authority and is not purely advisory in nature.

16. A member of the Board of Governors for the Citizens Property Insurance Corporation established under s. 627.351(6).

17. A member of the board of directors for the Florida Housing Finance Corporation established under s. 420.504.

18. A member of the board of directors for the Florida Healthy Kids Corporation established under s. 624.91, other than the member appointed pursuant to s. 624.91(6)(a)9.

19. An administrator or a manager of a county, a municipality, or a corporation established under s. 420.504, s. s. 624.91, or s. 627.351(6) who exercises in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

20. The director of a county or municipal emergency management agency who exercises in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

21. A state, county, or municipal law enforcement officer with the authority to arrest without a warrant.

22. Any position that meets all the criteria enumerated in paragraph (a).

(2) The term "office" does not include either of the following:

(a) A legislative designation of an officer to perform ex officio the functions of another office; or

(b) The position of an individual whose relationship with a state, county, or municipal government is considered employment. For purposes of this paragraph, the term "employment" means a relationship with a state, county, or municipal government where an individual does not exercise in his or her own right any sovereign power or any prescribed independent authority of a governmental nature.

Section 5. Present paragraphs (b), (c), and (d) of subsection (1) and present subsection (8) of section 112.3261, Florida Statutes, are redesignated as paragraphs (c), (d), and (e) of subsection (1) and subsection (9), respectively, a new paragraph (b) is added to subsection (1) and a new subsection (8) is added to that section, and subsection (7) of that section is amended, to read:

112.3261 Lobbying before water management districts; registration and reporting.—

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

(b) "Expenditure" has the same meaning as in s. 112.3215.

(7) Upon receipt of a sworn complaint alleging that a lobbyist or principal has failed to register with a district*, has made a prohibited expenditure,* or has knowingly submitted false information in a report or registration required under this section, the commission shall investigate a lobbyist or principal pursuant to the procedures established under s. 112.324. The commission shall provide the Governor with a report of its findings and recommendations in any investigation conducted pursuant to this subsection. The Governor is authorized to enforce the commission's findings and recommendations.

(8) Notwithstanding s. 112.3148, s. 112.3149, or any other law, a lobbyist or principal may not make, directly or indirectly, and a district governing board member, executive director, or any district employee who qualifies as a local officer as defined in s. 112.3145(1) may not knowingly accept, directly or indirectly, any expenditure.

Section 6. Subsection (1) of section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(1) Pursuant to s. 7(c), Art. IX of the State Constitution, each local constituent university shall be administered by a university board of trustees comprised of 13 members as follows: 6 citizen members appointed by the Governor subject to confirmation by the Senate; 5 citizen members appointed by the Board of Governors subject to confirmation by the Senate; the chair of the faculty senate or the equivalent; and the president of the student body of the university. The appointed members shall serve staggered 5-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments by the Governor, 2 members shall serve 2-year terms, 3 members shall serve 3-year terms, and 1 member shall serve a 5-year term and of the initial appointments by the Board of Governors, 2 members shall serve 2-year terms, 2 members shall serve 3-year terms, and 1 member shall serve a 5-year term. ~~There shall be no state residency requirement~~ For university board members, ~~but~~ the Governor and the Board of Governors shall consider diversity and regional representation. Beginning July 2, 2020, for purposes of this subsection, regional representation shall include the chair of a campus board established pursuant to s. 1004.341.

Section 7. This act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public officers and employees; creating s. 20.71, F.S.; requiring that, beginning on a specified date, secretaries and executive directors of departments, chief administrative officers of certain units of state government, members of commissions and licensing boards, chairs of governing boards or certain chief executives of certain statewide entities, or any persons appointed to hold state office in the executive branch of state government be United States citizens and residents of this state; providing that a specified provision applies to each such offices; requiring that, beginning on a specified date, members of the board of trustees for state universities be United States citizens and residents of this state or graduates of the state university that the board oversees; requiring that, beginning on a specified date, members of the Board of Governors of the State University System be United States citizens and either residents of this state or graduates of a state university; providing that if any such requirements are not met, the office is deemed vacant; amending s. 104.31, F.S.; prohibiting state, county, and municipal officers and employees from using their official authority or influence to solicit another person to make certain contributions; revising construction of provisions relating to political activities of state, county, and municipal officers and employees; amending s. 112.061, F.S.; prohibiting the authorization or approval of reimbursements for travel expenses between the personal residence and official headquarters of persons in specified positions; defining the term "residence"; requiring that the official headquarters for specified positions be the city or town in which the department's official headquarters is located; prohibiting persons serving in specified positions from being reimbursed for certain travel expenses; creating s. 112.31251, F.S.; defining the term "office" for purposes of s. 5(a), Art. II of the State Constitution; defining the term "employment"; amending s. 112.3261, F.S.; defining the term "expenditure"; requiring the Commission on Ethics to investigate certain lobbyists or principals who make prohibited expenditures; prohibiting lobbyists or principals from making, and district governing board members, executive directors, or certain employees from accepting, any expenditure; amending s. 1001.71, F.S.; conforming a provision to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 1445**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1606—A bill to be entitled An act relating to patient access to records; amending s. 394.4615, F.S.; requiring a mental health service provider to furnish records within a specified timeframe after receiving a request for such records; authorizing an extension of the timeframe under certain circumstances; requiring such providers to furnish records in the form and format chosen by the requester, if readily producible; amending s. 395.3025, F.S.; deleting provisions requiring hospitals and ambulatory surgical centers to furnish patient records only after discharge, to conform to changes made by the act; establishing that the Department of Health, rather than the Agency for Health Care Administration, has the authority to issue subpoenas for patient records from hospitals and ambulatory surgical centers in certain circumstances; amending s. 397.501, F.S.; requiring a substance abuse service provider to furnish and provide access to records within a specified timeframe after receiving a written request from an individual or the individual's legal representative; authorizing an extension of the timeframe under certain circumstances; requiring such service providers to furnish records in the manner chosen by the requester, if readily producible; amending s. 400.145, F.S.; revising the timeframe within which a nursing home facility must provide access to, and copies of, resident records after receiving a request for such records; republishing s. 408.803(6), F.S., relating to the definition of the term "client" used in part II of ch. 408, F.S.; creating s. 408.833, F.S.; defining the terms "designated record set" and "legal representative"; requiring a provider to furnish and provide access to records within a specified timeframe after receiving a written request from a client or the client's

legal representative; authorizing an extension of the timeframe under certain circumstances; requiring providers to furnish records in the form and format chosen by the requester, if readily producible; providing exceptions for providers governed by specified provisions; amending s. 456.057, F.S.; defining the terms "designated record set" and "legal representative"; requiring certain health care practitioners to furnish and provide access to records within a specified timeframe after receiving a written request from a patient or the patient's legal representative; authorizing an extension of the timeframe under certain circumstances; requiring health care practitioners to furnish records in the form and format chosen by the requester, if readily producible; amending ss. 316.1932, 316.1933, 395.4025, 397.702, 429.294, 440.185, and 456.47, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1606**, pursuant to Rule 3.11(3), there being no objection, **CS for HB 1083** was withdrawn from the Committee on Rules.

On motion by Senator Grall—

CS for HB 1083—A bill to be entitled An act relating to patient access to records; amending s. 394.4615, F.S.; requiring a service provider to furnish and provide access to records within a specified timeframe after receiving a request for such records; requiring that certain service providers furnish such records in the manner chosen by the requester; amending s. 395.3025, F.S.; removing provisions requiring a licensed facility to furnish patient records only after discharge to conform to changes made by the act; revising provisions relating to the appropriate disclosure of patient records without consent; amending s. 397.501, F.S.; requiring a service provider to furnish and provide access to records within a specified timeframe after receiving a request from an individual or the individual's legal representative; requiring that certain service providers furnish such records in the manner chosen by the requester; amending s. 400.145, F.S.; revising the timeframe within which a nursing home facility must provide access to and copies of resident records after receiving a request for such records; creating s. 408.833, F.S.; defining the term "legal representative"; requiring a provider to furnish and provide access to records within a specified timeframe after receiving a request from a client or the client's legal representative; requiring that certain providers furnish such records in the manner chosen by the requester; authorizing a provider to impose reasonable terms necessary to preserve such records; providing exceptions; amending s. 456.057, F.S.; requiring certain licensed health care practitioners to furnish and provide access to copies of reports and records within a specified timeframe after receiving a request from a patient or the patient's legal representative; requiring that certain licensed health care practitioners furnish such reports and records in the manner chosen by the requester; defining the term "legal representative"; authorizing such licensed health care practitioners to impose reasonable terms necessary to preserve such reports and records; amending ss. 316.1932, 316.1933, 395.4025, 429.294, 440.185, and 456.47, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1606** and read the second time by title.

Senator Grall moved the following amendment which was adopted:

Amendment 1 (606324) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Present subsections (3) through (12) of section 394.4615, Florida Statutes, are redesignated as subsections (4) through (13), respectively, a new subsection (3) is added to that section, and paragraphs (a), (b), and (c) of subsection (2) of that section are republished, to read:

394.4615 Clinical records; confidentiality.—

(2) The clinical record shall be released when:

(a) The patient or the patient's guardian or legal custodian authorizes the release. The guardian, guardian advocate, or legal custodian shall be provided access to the appropriate clinical records of the patient. The patient or the patient's guardian, guardian advocate, or legal custodian may authorize the release of information and clinical records to appropriate persons to ensure the continuity of the patient's health care or mental health care. A receiving facility must document that, within 24 hours of admission, individuals admitted on a voluntary basis have been provided with the option to authorize the release of information from their clinical record to the individual's health care surrogate or proxy, attorney, representative, or other known emergency contact.

(b) The patient is represented by counsel and the records are needed by the patient's counsel for adequate representation.

(c) The court orders such release. In determining whether there is good cause for disclosure, the court shall weigh the need for the information to be disclosed against the possible harm of disclosure to the person to whom such information pertains.

(3) For requests made in writing and in accordance with paragraphs (2)(a), (b), and (c), a service provider shall furnish the requested clinical records in the provider's possession within 14 business days after receiving the request. A service provider may extend the time for furnishing the requested records by up to 14 business days if the provider notifies the requester of the delay in writing within the first 14 business days after receiving the request and provides the expected date when the records will be made available, which must be no later than 14 business days after the original deadline for providing the records. The records must be provided in the form and format requested by the requester if the requested records are readily producible in that form and format. If the requested records are not readily producible in the requested form or format, the service provider must produce the records in another electronic form and format agreed to by the provider and requester or in a readable hard copy format. Forms of access to records may include, but are not limited to: through a web-based application or patient portal, by secure download, via electronic copy delivered by e-mail, on physical media such as a disc or USB drive, by United States mail, or as printed paper records.

Section 2. Subsections (1), (2), and (3), paragraph (e) of subsection (4), paragraph (a) of subsection (7), and subsection (8) of section 395.3025, Florida Statutes, are amended to read:

395.3025 Patient and personnel records; *copy costs* ~~copies~~; examination.—

(1) ~~Any licensed facility shall, upon written request, and only after discharge of the patient, furnish, in a timely manner, without delays for legal review, to any person admitted therein for care and treatment or treated thereat, or to any such person's guardian, curator, or personal representative, or in the absence of one of those persons, to the next of kin of a decedent or the parent of a minor, or to anyone designated by such person in writing, a true and correct copy of all patient records, including X-rays, and insurance information concerning such person, which records are in the possession of the licensed facility, provided the person requesting such records agrees to pay a charge.~~ The exclusive charge for copies of patient records may include sales tax and actual postage, and, except for nonpaper records that are subject to a charge not to exceed $2, may not exceed $1 per page. A fee of up to $1 may be charged for each year of records requested. These charges shall apply to all records furnished, whether directly from the facility or from a copy service providing these services on behalf of the facility. However, a patient whose records are copied or searched for the purpose of continuing to receive medical care is not required to pay a charge for copying or for the search. ~~The licensed facility shall further allow any such person to examine the original records in its possession, or microforms or other suitable reproductions of the records, upon such reasonable terms as shall be imposed to assure that the records will not be damaged, destroyed, or altered.~~

~~(2) This section does not apply to records maintained at any licensed facility the primary function of which is to provide psychiatric care to its patients, or to records of treatment for any mental or emotional condition at any other licensed facility which are governed by the provisions of s. 394.4615.~~

~~(3) This section does not apply to records of substance abuse impaired persons, which are governed by s. 397.501.~~

(2)~~(4)~~ Patient records are confidential and must not be disclosed without the consent of the patient or his or her legal representative, but appropriate disclosure may be made without such consent to:

(e) The *Department of Health* ~~agency~~ upon subpoena issued pursuant to s. 456.071, but the records obtained thereby must be used solely for the purpose of the *department* ~~agency~~ and the appropriate professional board in its investigation, prosecution, and appeal of disciplinary proceedings. If the *department* ~~agency~~ requests copies of the records, the facility shall charge no more than its actual copying costs, including reasonable staff time. The records must be sealed and must not be available to the public pursuant to s. 119.07(1) or any other statute providing access to records, nor may they be available to the public as part of the record of investigation for and prosecution in disciplinary proceedings made available to the public by the *department* ~~agency~~ or the appropriate regulatory board. However, the *department* ~~agency~~ must make available, upon written request by a practitioner against whom probable cause has been found, any such records that form the basis of the determination of probable cause.

(5)(a)~~(7)(a)~~ If the content of any record of patient treatment is provided under this section, the recipient~~, if other than the patient or the patient's representative,~~ may use such information only for the purpose provided and may not further disclose any information to any other person or entity, unless expressly permitted by the written consent of the patient. A general authorization for the release of medical information is not sufficient for this purpose. The content of such patient treatment record is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(6)~~(8)~~ Patient records at hospitals and ambulatory surgical centers are exempt from disclosure under s. 119.07(1), except as provided by subsections *(2) and (3)* ~~(1)-(5)~~.

Section 3. Present subsections (8), (9), and (10) of section 397.501, Florida Statutes, are redesignated as subsections (9), (10), and (11), respectively, a new subsection (8) is added to that section, and paragraph (d) of subsection (7) of that section is republished, to read:

397.501 Rights of individuals.—Individuals receiving substance abuse services from any service provider are guaranteed protection of the rights specified in this section, unless otherwise expressly provided, and service providers must ensure the protection of such rights.

(7) RIGHT TO CONFIDENTIALITY OF INDIVIDUAL RECORDS.—

(d) Any answer to a request for a disclosure of individual records which is not permissible under this section or under the appropriate federal regulations must be made in a way that will not affirmatively reveal that an identified individual has been, or is being diagnosed or treated for substance abuse. The regulations do not restrict a disclosure that an identified individual is not and has never received services.

(8) RIGHT TO ACCESS INDIVIDUAL RECORDS.—

(a) For requests from an individual, or from an individual's legal representative as that term is defined in s. 456.057(6)(a), made in writing and in accordance with subsection (7), a service provider shall furnish the requested individual records in the provider's possession within 14 business days after receiving the request. A service provider may extend the time for furnishing the requested records by up to 14 business days if the provider notifies the requester of the delay in writing within the first 14 business days after receiving the request and provides the expected date when the records will be made available, which must be no later than 14 business days after the original deadline for providing the records. The records must be provided in the form and format requested by the requester if the requested records are readily producible in that form and format. If the requested records are not readily producible in the requested form or format, the service provider must produce the records in another electronic form and format agreed to by the provider and requester or in a readable hard copy format. Forms of access to records may include, but are not limited to: through a web-based application or patient portal, by secure download, via electronic copy delivered by e-mail, on physical media such as a disc or USB drive, by United States mail, or as printed paper records.

(b) Within 10 business days after receiving such a written request, a service provider shall provide access to examine the original records in its possession, or microforms or other suitable reproductions of the records in accordance with subsection (7). The service provider may impose any reasonable terms necessary to ensure that the records will not be damaged, destroyed, or altered.

Section 4. Subsection (1) of section 400.145, Florida Statutes, is amended to read:

400.145 Copies of records of care and treatment of resident.—

(1) Upon receipt of a written request that complies with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and this section, a nursing home facility shall furnish to a competent resident, or to a representative of that resident who is authorized to make requests for the resident's records under HIPAA or subsection (2), copies of the resident's paper and electronic records that are in possession of the facility. Such records must include any medical records and records concerning the care and treatment of the resident performed by the facility, except for progress notes and consultation report sections of a psychiatric nature. The facility shall provide *a resident with access to* the requested records within *24 hours, excluding weekends and holidays, and provide copies of the requested records within 2 business* ~~14 working~~ days after receipt of a request relating to a current resident or within 30 *business* ~~working~~ days after receipt of a request relating to a former resident.

Section 5. Subsection (6) of section 408.803, Florida Statutes, is republished to read:

408.803 Definitions.—As used in this part, the term:

(6) "Client" means any person receiving services from a provider listed in s. 408.802.

Section 6. Section 408.833, Florida Statutes, is created to read:

408.833 Client access to medical records.—

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

(a) "Designated record set" means a group of records maintained by or for a provider which:

1. Includes the medical records and billing records about a client maintained by or for the provider; or

2. Is used, in whole or in part, to make decisions regarding a client's care, coverage, or benefits.

(b) "Legal representative" means:

1. A legally recognized guardian of the client;

2. A court-appointed representative of the client;

3. A person designated by the client or by a court of competent jurisdiction to receive copies of the client's medical records, care and treatment records, or interdisciplinary records; or

4. An attorney who has been designated by a client to receive copies of the client's medical records, care and treatment records, or interdisciplinary records.

(2)(a) Within 14 business days after receiving a written request from a client or a client's legal representative, a provider shall furnish a true and correct copy of the requested records within the designated record set which are in the provider's possession.

(b) Within 28 business days after receiving a written request from a client or a client's legal representative, a provider shall furnish a true and correct copy of additional requested records, including medical records, care and treatment records, and interdisciplinary records, as applicable, that are in the provider's possession.

(c) Within 10 business days after receiving a request from a client or a client's legal representative, a provider shall provide access to examine the original records in its possession, or microforms or other suitable

reproductions of the records. A provider may impose any reasonable terms necessary to ensure that the records will not be damaged, destroyed, or altered.

(3) A provider may extend the time for furnishing the requested records by up to 14 business days if the provider:

(a) Notifies the client or legal representative of the delay in writing within the first 14 business days after receiving the request; and

(b) Provides the expected date when the records will be made available, which must be no later than 14 business days after the original deadline for providing the records.

(4) The records must be provided in the form and format requested by the client or legal representative if the requested records are readily producible in that form and format. If the requested records are not readily producible in the requested form or format, the provider must produce the records in another electronic form and format agreed to by the requester and the provider or in a readable hard copy format. Forms of access to records may include, but are not limited to: through a web-based application or patient portal, by secure download, via electronic copy delivered by e-mail, on physical media such as a disc or USB drive, by United States mail, or as printed paper records.

(5) This section does not apply to:

(a) Records maintained at a licensed facility as defined in s. 395.002, the primary function of which is to provide psychiatric care to its patients, or to records of treatment for any mental or emotional condition at any other licensed facility which are governed by s. 394.4615;

(b) Records of substance abuse impaired persons which are governed by s. 397.501; or

(c) Records of a resident of a nursing home facility which are governed by s. 400.145.

Section 7. Subsection (6) of section 456.057, Florida Statutes, is amended to read:

456.057 Ownership and control of patient records; report or copies of records to be furnished; disclosure of information.—

(6)*(a) As used in this subsection, the term:*

1. "Designated record set" means a group of records maintained by or for the health care practitioner which:

a. Includes the medical records and billing records about a patient maintained by or for a practitioner; or

b. Is used, in whole or in part, to make decisions regarding the patient's care, coverage, or benefits.

2. "Legal representative" means:

a. A legally recognized guardian of the patient;

b. A court-appointed representative of the patient;

c. A person designated by the patient or by a court of competent jurisdiction to receive copies of the patient's medical records, care and treatment records, or interdisciplinary records; or

d. An attorney who has been designated by a patient to receive copies of the patient's medical records, care and treatment records, or interdisciplinary records.

(b)1. Within 14 business days after receiving a written ~~Any health care practitioner licensed by the department or a board within the department who makes a physical or mental examination of, or administers treatment or dispenses legend drugs to, any person shall, upon~~ request *from a patient* ~~of such person~~ or the *patient's* ~~person's~~ legal representative, *a health care practitioner shall* furnish *a true and correct copy of the requested records within the designated record set which are in the provider's possession.*

2. Within 28 business days after receiving a written request from a patient or a patient's legal representative, a health care practitioner shall furnish a true and correct copy of additional requested records, including medical records, care and treatment records, and interdisciplinary records, as applicable, that are in the practitioner's possession.

3. Within 10 business days after receiving a request from a patient or a patient's legal representative, a health care practitioner shall provide access to examine the original records in its possession, or microforms or other suitable reproductions of the records. A health care practitioner may impose any reasonable terms necessary to ensure that the records will not be damaged, destroyed, or altered~~, in a timely manner, without delays for legal review, copies of all reports and records relating to such examination or treatment, including X rays and insurance information~~.

However, when a patient's psychiatric, chapter 490 psychological, or chapter 491 psychotherapeutic records are requested by the patient or the patient's legal representative, the health care practitioner may provide a report of examination and treatment in lieu of copies of records. Upon a patient's written request, complete copies of the patient's psychiatric records shall be provided directly to a subsequent treating psychiatrist. The furnishing of such report or copies *may* ~~shall~~ not be conditioned upon payment of a fee for services rendered.

(c) A health care practitioner may extend the time for furnishing the requested records by up to 14 business days if the health care practitioner:

1. Notifies the patient or legal representative of the delay in writing within the first 14 business days after receiving the request; and

2. Provides the expected date when the records will be made available, which must be no later than 14 business days after the original deadline for providing the records.

(d) The records must be provided in the form and format requested by the patient or legal representative if the requested records are readily producible in that form and format. If the requested records are not readily producible in the requested form or format, the health care practitioner must produce the records in another electronic form and format agreed to by the requester and the practitioner or in a readable hard copy format. Forms of access to records may include, but are not limited to: through a web-based application or patient portal, by secure download, via electronic copy delivered by e-mail, on physical media such as a disc or USB drive, by United States mail, or as printed paper records.

Section 8. Paragraph (f) of subsection (1) of section 316.1932, Florida Statutes, is amended to read:

316.1932 Tests for alcohol, chemical substances, or controlled substances; implied consent; refusal.—

(1)

(f)1. The tests determining the weight of alcohol in the defendant's blood or breath shall be administered at the request of a law enforcement officer substantially in accordance with rules of the Department of Law Enforcement. Such rules must specify precisely the test or tests that are approved by the Department of Law Enforcement for reliability of result and ease of administration, and must provide an approved method of administration which must be followed in all such tests given under this section. However, the failure of a law enforcement officer to request the withdrawal of blood does not affect the admissibility of a test of blood withdrawn for medical purposes.

2.a. Only a physician, certified paramedic, registered nurse, licensed practical nurse, other personnel authorized by a hospital to draw blood, or duly licensed clinical laboratory director, supervisor, technologist, or technician, acting at the request of a law enforcement officer, may withdraw blood for the purpose of determining its alcoholic content or the presence of chemical substances or controlled substances therein. However, the failure of a law enforcement officer to request the withdrawal of blood does not affect the admissibility of a test of blood withdrawn for medical purposes.

b. Notwithstanding any provision of law pertaining to the confidentiality of hospital records or other medical records, if a health care provider, who is providing medical care in a health care facility to a person injured in a motor vehicle crash, becomes aware, as a result of any blood test performed in the course of that medical treatment, that

the person's blood-alcohol level meets or exceeds the blood-alcohol level specified in s. 316.193(1)(b), the health care provider may notify any law enforcement officer or law enforcement agency. Any such notice must be given within a reasonable time after the health care provider receives the test result. Any such notice shall be used only for the purpose of providing the law enforcement officer with reasonable cause to request the withdrawal of a blood sample pursuant to this section.

c. The notice shall consist only of the name of the person being treated, the name of the person who drew the blood, the blood-alcohol level indicated by the test, and the date and time of the administration of the test.

d. Nothing contained in *s. 395.3025(2)* ~~s. 395.3025(4)~~, s. 456.057, or any applicable practice act affects the authority to provide notice under this section, and the health care provider is not considered to have breached any duty owed to the person under *s. 395.3025(2)* ~~s. 395.3025(4)~~, s. 456.057, or any applicable practice act by providing notice or failing to provide notice. It shall not be a breach of any ethical, moral, or legal duty for a health care provider to provide notice or fail to provide notice.

e. A civil, criminal, or administrative action may not be brought against any person or health care provider participating in good faith in the provision of notice or failure to provide notice as provided in this section. Any person or health care provider participating in the provision of notice or failure to provide notice as provided in this section shall be immune from any civil or criminal liability and from any professional disciplinary action with respect to the provision of notice or failure to provide notice under this section. Any such participant has the same immunity with respect to participating in any judicial proceedings resulting from the notice or failure to provide notice.

3. The person tested may, at his or her own expense, have a physician, registered nurse, other personnel authorized by a hospital to draw blood, or duly licensed clinical laboratory director, supervisor, technologist, or technician, or other person of his or her own choosing administer an independent test in addition to the test administered at the direction of the law enforcement officer for the purpose of determining the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances at the time alleged, as shown by chemical analysis of his or her blood or urine, or by chemical or physical test of his or her breath. The failure or inability to obtain an independent test by a person does not preclude the admissibility in evidence of the test taken at the direction of the law enforcement officer. The law enforcement officer shall not interfere with the person's opportunity to obtain the independent test and shall provide the person with timely telephone access to secure the test, but the burden is on the person to arrange and secure the test at the person's own expense.

4. Upon the request of the person tested, full information concerning the results of the test taken at the direction of the law enforcement officer shall be made available to the person or his or her attorney. Full information is limited to the following:

a. The type of test administered and the procedures followed.

b. The time of the collection of the blood or breath sample analyzed.

c. The numerical results of the test indicating the alcohol content of the blood and breath.

d. The type and status of any permit issued by the Department of Law Enforcement which was held by the person who performed the test.

e. If the test was administered by means of a breath testing instrument, the date of performance of the most recent required inspection of such instrument.

Full information does not include manuals, schematics, or software of the instrument used to test the person or any other material that is not in the actual possession of the state. Additionally, full information does not include information in the possession of the manufacturer of the test instrument.

5. A hospital, clinical laboratory, medical clinic, or similar medical institution or physician, certified paramedic, registered nurse, licensed practical nurse, other personnel authorized by a hospital to draw blood, or duly licensed clinical laboratory director, supervisor, technologist, or technician, or other person assisting a law enforcement officer does not incur any civil or criminal liability as a result of the withdrawal or analysis of a blood or urine specimen, or the chemical or physical test of a person's breath pursuant to accepted medical standards when requested by a law enforcement officer, regardless of whether or not the subject resisted administration of the test.

Section 9. Paragraph (a) of subsection (2) of section 316.1933, Florida Statutes, is amended to read:

316.1933 Blood test for impairment or intoxication in cases of death or serious bodily injury; right to use reasonable force.—

(2)(a) Only a physician, certified paramedic, registered nurse, licensed practical nurse, other personnel authorized by a hospital to draw blood, or duly licensed clinical laboratory director, supervisor, technologist, or technician, acting at the request of a law enforcement officer, may withdraw blood for the purpose of determining the alcoholic content thereof or the presence of chemical substances or controlled substances therein. However, the failure of a law enforcement officer to request the withdrawal of blood shall not affect the admissibility of a test of blood withdrawn for medical purposes.

1. Notwithstanding any provision of law pertaining to the confidentiality of hospital records or other medical records, if a health care provider, who is providing medical care in a health care facility to a person injured in a motor vehicle crash, becomes aware, as a result of any blood test performed in the course of that medical treatment, that the person's blood-alcohol level meets or exceeds the blood-alcohol level specified in s. 316.193(1)(b), the health care provider may notify any law enforcement officer or law enforcement agency. Any such notice must be given within a reasonable time after the health care provider receives the test result. Any such notice shall be used only for the purpose of providing the law enforcement officer with reasonable cause to request the withdrawal of a blood sample pursuant to this section.

2. The notice shall consist only of the name of the person being treated, the name of the person who drew the blood, the blood-alcohol level indicated by the test, and the date and time of the administration of the test.

3. Nothing contained in *s. 395.3025(2)* ~~s. 395.3025(4)~~, s. 456.057, or any applicable practice act affects the authority to provide notice under this section, and the health care provider is not considered to have breached any duty owed to the person under *s. 395.3025(2)* ~~s. 395.3025(4)~~, s. 456.057, or any applicable practice act by providing notice or failing to provide notice. It shall not be a breach of any ethical, moral, or legal duty for a health care provider to provide notice or fail to provide notice.

4. A civil, criminal, or administrative action may not be brought against any person or health care provider participating in good faith in the provision of notice or failure to provide notice as provided in this section. Any person or health care provider participating in the provision of notice or failure to provide notice as provided in this section shall be immune from any civil or criminal liability and from any professional disciplinary action with respect to the provision of notice or failure to provide notice under this section. Any such participant has the same immunity with respect to participating in any judicial proceedings resulting from the notice or failure to provide notice.

Section 10. Subsection (13) of section 395.4025, Florida Statutes, is amended to read:

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

(13) Patient care, transport, or treatment records or reports, or patient care quality assurance proceedings, records, or reports obtained or made pursuant to this section, *s. 395.3025(2)(f)* ~~s. 395.3025(4)(f)~~, s. 395.401, s. 395.4015, s. 395.402, s. 395.403, s. 395.404, s. 395.4045, s. 395.405, s. 395.50, or s. 395.51 must be held confidential by the department or its agent and are exempt from the provisions of s. 119.07(1). Patient care quality assurance proceedings, records, or reports obtained or made pursuant to these sections are not subject to discovery or introduction into evidence in any civil or administrative action.

Section 11. Paragraph (c) of subsection (2) of section 397.702, Florida Statutes, is amended to read:

397.702 Authorization of local ordinances for treatment of habitual abusers in licensed secure facilities.—

(2) Ordinances for the treatment of habitual abusers must provide:

(c) That the court with jurisdiction to make the determination authorized by this section shall hear the petition on an emergency basis as soon as practicable but not later than 10 days after the date the petition was filed. If the allegations of the petition indicate that the respondent has requested the appointment of an attorney, or otherwise indicate the absence of any competent person to speak at the hearing on behalf of the respondent, the court shall immediately appoint an attorney to represent the respondent pursuant to *s. 397.501(9)* ~~s. 397.501(8)~~, and shall provide notice of the hearing to the attorney. When the court sets a hearing date the petitioner shall provide notice of the hearing and a copy of the petition to all of the persons named in the petition pursuant to subparagraph (b)2., and to such other persons as may be ordered by the court to receive notice.

Section 12. Subsection (1) of section 429.294, Florida Statutes, is amended to read:

429.294 Availability of facility records for investigation of resident's rights violations and defenses; penalty.—

(1) Failure to provide complete copies of a resident's records, including, but not limited to, all medical records and the resident's chart, within the control or possession of the facility in accordance with *s. 408.833* ~~s. 400.145~~, shall constitute evidence of failure of that party to comply with good faith discovery requirements and shall waive the good faith certificate and presuit notice requirements under this part by the requesting party.

Section 13. Subsection (4) of section 440.185, Florida Statutes, is amended to read:

440.185 Notice of injury or death; reports; penalties for violations.—

(4) Additional reports with respect to such injury and of the condition of such employee, including copies of medical reports, funeral expenses, and wage statements, shall be filed by the employer or carrier to the department at such times and in such manner as the department may prescribe by rule. In carrying out its responsibilities under this chapter, the department or agency may by rule provide for the obtaining of any medical records relating to medical treatment provided pursuant to this chapter, notwithstanding the provisions of ss. 90.503 and *395.3025(2)* ~~395.3025(4)~~.

Section 14. Subsection (3) of section 456.47, Florida Statutes, is amended to read:

456.47 Use of telehealth to provide services.—

(3) RECORDS.—A telehealth provider shall document in the patient's medical record the health care services rendered using telehealth according to the same standard as used for in-person services. Medical records, including video, audio, electronic, or other records generated as a result of providing such services, are confidential pursuant to *ss. 395.3025(2) and 456.057* ~~ss. 395.3025(4) and 456.057~~.

Section 15. This act shall take effect January 1, 2026.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to patient access to records; amending s. 394.4615, F.S.; requiring a mental health service provider to furnish records within a specified timeframe after receiving a request for such records; authorizing an extension of the timeframe under certain circumstances; requiring such providers to furnish records in the form and format chosen by the requester, if readily producible; amending s. 395.3025, F.S.; deleting provisions requiring hospitals and ambulatory surgical centers to furnish patient records only after discharge, to conform to changes made by the act; establishing that the Department of Health, rather than the Agency for Health Care Administration, has the authority to issue subpoenas for patient records from hospitals and ambulatory surgical centers in certain circumstances; amending s. 397.501, F.S.; requiring a substance abuse service provider to furnish and provide access to records within a specified timeframe after receiving a written request from an individual or the individual's legal representative; authorizing an extension of the timeframe under certain circumstances; requiring such service providers to furnish records in the form and format chosen by the requester, if readily producible; amending s. 400.145, F.S.; revising the timeframe within which a nursing home facility must provide access to, and copies of, resident records after receiving a request for such records; republishing s. 408.803(6), F.S., relating to the definition of the term "client" used in part II of ch. 408, F.S.; creating s. 408.833, F.S.; defining the terms "designated record set" and "legal representative"; requiring a provider to furnish and provide access to records within a specified timeframe after receiving a written request from a client or the client's legal representative; authorizing an extension of the timeframe under certain circumstances; requiring providers to furnish records in the form and format chosen by the requester, if readily producible; providing exceptions for providers governed by specified provisions; amending s. 456.057, F.S.; defining the terms "designated record set" and "legal representative"; requiring certain health care practitioners to furnish and provide access to records within a specified timeframe after receiving a written request from a patient or the patient's legal representative; authorizing an extension of the timeframe under certain circumstances; requiring health care practitioners to furnish records in the form and format chosen by the requester, if readily producible; amending ss. 316.1932, 316.1933, 395.4025, 397.702, 429.294, 440.185, and 456.47, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 1083**, as amended, was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1050—A bill to be entitled An act relating to services for individuals with developmental disabilities; amending s. 393.0662, F.S.; requiring the Agency for Persons with Disabilities to provide a list of all qualified organizations located within the region in which the client resides and to post its quarterly reconciliation reports on its website within a specified timeframe; amending s. 393.065, F.S.; requiring that online applications include an application for crisis enrollment; requiring the agency to participate in transition planning activities and to post the total number of individuals in each priority category on its website; reordering and amending s. 393.502, F.S.; establishing the Statewide Family Care Council; providing for the purpose, membership, and duties of the council; providing for appointment of local council members; providing for the creation of family-led nominating committees; requiring local family care councils to report to the statewide council policy changes and program recommendations in an annual report; providing duties of the agency relating to the statewide council and local councils; amending s. 409.972, F.S.; requiring certain Medicaid-eligible persons to take certain actions before enrollment; prohibiting the agency from automatically enrolling such persons; amending s. 409.9855, F.S.; revising implementation and eligibility requirements of the pilot program for individuals with developmental disabilities; providing for a method of voluntarily choosing to enroll in the pilot program; requiring the agency to transmit to the Agency for Health Care Administration weekly data files of specified clients; requiring the Agency for Health Care Administration to provide a call center for specified purposes and to coordinate with the Department of Children and Families and the Agency for Persons with Disabilities to disseminate information about the pilot program; revising pilot program benefits; revising provider qualifications; requiring participating plans to conduct an individualized assessment of each enrollee within a specified timeframe for certain purposes and to offer certain services to such enrollees; requiring the Agency for Health Care Administration to conduct monitoring and evaluations and require corrective actions or payment of penalties under certain circumstances; deleting coordination requirements for the agency when submitting certain reports, establishing specified measures, and conducting quality assurance monitoring of the pilot program; revising the dates by which the Agency for Persons with Disabilities shall submit progress reports to the Governor and Legislature; requiring the Agency for Persons with Disabilities to contract for a specified study and provide to the Governor and the Legislature a specified report by specified date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1050**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for HB 1103** was withdrawn from the Committee on Appropriations.

On motion by Senator Bradley—

CS for CS for HB 1103—A bill to be entitled An act relating to services for individuals with developmental disabilities; amending s. 393.0662, F.S.; requiring the Agency for Person with Disabilities to provide a list of all qualified organizations located within the region in which the client resides and to post its quarterly reconciliation reports on its website within specified timeframes; amending s. 393.065, F.S.; requiring the agency to participate in transition planning activities and to post the total number of individuals in each priority category on its website; amending s. 393.502, F.S.; establishing the Statewide Family Care Council; providing for the purpose, membership, and duties of the council; requiring local family care councils to report to the statewide council policy changes and program recommendations in an annual report; providing for appointments of local council members; providing for the creation of family-led nominating committees; providing duties of the agency relating to the statewide council and local councils; amending s. 409.972, F.S.; providing for a method of voluntarily choosing to enroll in Medicaid managed care; amending s. 409.9855, F.S.; revising implementation and eligibility requirements of the pilot program for individuals with developmental disabilities; providing for a method of voluntarily choosing to enroll in the pilot program; requiring the Agency for Persons with Disabilities to transmit to the Agency for Health Care Administration weekly data files of specified clients; requiring the Agency for Health Care Administration to provide a call center for specified purposes and to coordinate with the Department of Children and Families and the Agency for Persons with Disabilities to disseminate information about the pilot program; revising pilot program benefits; revising provider qualifications; requiring participating plans to conduct an individualized assessment of each enrollee within a specified timeframe for certain purposes and to offer certain services to such enrollees; requiring the Agency for Health Care Administration to conduct monitoring and evaluations and require corrective actions or payment of penalties under certain circumstances; removing coordination requirements for the agency when submitting certain reports, establishing specified measures, and conducting quality assurance monitoring of the pilot program; revising specified dates for submitting certain status reports; requiring the Agency for Persons with Disabilities to contract for a specified study and provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a specified report by specified date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1050** and read the second time by title.

Senator Bradley moved the following amendments which were adopted:

Amendment 1 (499294)—Delete line 445 and insert:
specified, ss. 409.961-409.969 apply to the pilot program. For purposes of the pilot program, compliance with s. 409.966 is deemed satisfied by the competitive procurement procedures conducted for contracts effective on February 1, 2025. ~~The~~

Amendment 2 (933562) (with directory and title amendments)—Between lines 608 and 609 insert:

(4) ELIGIBLE PLANS; PLAN SELECTION.—

(c) A plan selected by the agency pursuant to this subsection is responsible for implementing the pilot program in its initial stage and through any subsequent expansion until it is reprocured in accordance with s. 409.967(1).

And the directory clause is amended as follows:

Delete line 431 and insert: 409.9855, Florida Statutes, are amended, and paragraph (c) is added to subsection (4) of that section, to read:

And the title is amended as follows:

Delete line 41 and insert: services to such enrollees; providing pilot program implementation requirements for selected plans; requiring the Agency for

On motion by Senator Bradley, by two-thirds vote, **CS for CS for HB 1103**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

Consideration of **CS for CS for SB 1624** was deferred.

CS for CS for SB 628—A bill to be entitled An act relating to boating safety; providing a short title; amending s. 327.02, F.S.; revising the definition of the term "livery vessel"; amending s. 327.30, F.S.; revising and providing penalties for vessel collisions, accidents, and casualties; amending s. 327.33, F.S.; revising and providing penalties for reckless or careless operation of a vessel; creating s. 327.35105, F.S.; requiring the suspension of driver licenses for boating under the influence and reckless or careless operation of a vessel; amending s. 327.54, F.S.; revising the definition of the term "livery"; amending s. 327.731, F.S.; requiring a person convicted of a certain criminal violation or certain noncriminal infractions within a specified period to complete a boater safety education course; amending s. 782.072, F.S.; defining the term "unborn child"; revising the definition of the term "vessel homicide"; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 628**, pursuant to Rule 3.11(3), there being no objection, **CS for CS for CS for HB 289** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Martin—

CS for CS for CS for HB 289—A bill to be entitled An act relating to boating safety; providing a short title; amending s. 327.02, F.S.; revising the definition of the term "livery vessel"; amending s. 327.30, F.S.; revising and providing penalties for vessel collisions, accidents, and casualties; defining the term "serious bodily injury"; creating s. 327.3015, F.S.; prohibiting a person from knowingly providing false information in specified reports; providing a criminal penalty; amending s. 327.33, F.S.; revising and providing penalties for the reckless operation of a vessel; amending s. 327.35, F.S.; defining the term "unborn child"; requiring a minimum mandatory prison term for boating under the influence manslaughter; amending s. 327.395, F.S.; revising requirements for operating certain vessels; amending s. 327.54, F.S.; revising the definition of the term "livery"; amending s. 327.731, F.S.; requiring a person convicted of certain noncriminal infractions to pay a fine; requiring such proceeds to be deposited into the Marine Resources Conservation Trust Fund for specified purposes; amending s. 327.73, F.S.; conforming a cross-reference; amending s. 782.072, F.S.; defining the term "unborn child"; revising the definition of the term "vessel homicide"; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 628** and read the second time by title.

Senator Martin moved the following amendment which was adopted:

Amendment 1 (212806) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as "Lucy's Law."*

Section 2. Subsection (24) of section 327.02, Florida Statutes, is amended to read:

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

(24) "Livery vessel" means a *leased or rented* vessel ~~leased, rented, or chartered to another for consideration~~.

Section 3. Subsection (5) of section 327.30, Florida Statutes, is amended to read:

327.30 Collisions, accidents, and casualties.—

(5) It is unlawful for a person operating a vessel involved in an accident or injury to leave the scene of the accident or injury without giving all possible aid to all persons involved and making a reasonable effort to locate the owner or persons affected and subsequently complying with and notifying the appropriate law enforcement official as required under this section.

(a) If a ~~Any~~ person ~~who~~ violates this subsection *and the* ~~with respect to an~~ accident *results* ~~resulting~~ in*:*

1. Property damage only, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

2. Injury to a person other than serious bodily injury, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Serious bodily injury, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. The death of another person or an unborn child, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) If a person operating a vessel involved in an accident that results in the death of another person or an unborn child provides a false statement to an investigating law enforcement officer, the person ~~personal injury~~ commits a felony of the third degree, punishable as provided in *s. 775.082 or s. 775.083* ~~s. 775.082, s. 775.083, or s. 775.084. Any person who violates this subsection with respect to an accident resulting in property damage only commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083~~.

Section 4. Subsection (1) of section 327.33, Florida Statutes, is amended to read:

327.33 Reckless or careless operation of vessel.—

(1) It is unlawful to operate a vessel in a reckless manner. A person who operates any vessel, or manipulates any water skis, aquaplane, or similar device, in willful or wanton disregard for the safety of persons or property at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, or injure a person is guilty of reckless operation of a vessel. Reckless operation of a vessel includes, but is not limited to, a violation of s. 327.331(6). *If* a person ~~who~~ violates this subsection *and the violation:*

(a) Does not result in an accident, the person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Results in an accident that causes damage to the property or person of another, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) Results in an accident that causes serious bodily injury as defined in s. 316.192, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 5. Subsection (10) of section 327.395, Florida Statutes, is amended to read:

327.395 Boating safety education.—

(10) The commission shall design forms and adopt rules pursuant to chapter 120 to implement this section. *Any such rules must establish minimum standards for online boating safety education courses offered, including curriculum requirements, assessment methods, and provider qualifications. The standards must, at a minimum, align with the education standards set by the National Association of State Boating Law Administrators and may include additional requirements as necessary to promote effective and accessible online boating safety education in this state. All online course providers must be approved by the commission and demonstrate compliance with the standards prescribed by commission rule before offering courses to the public.*

Section 6. Paragraph (c) of subsection (1) of section 327.54, Florida Statutes, is amended to read:

327.54 Liveries; safety regulations; penalty.—

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

(c) "Livery" means a person who advertises and offers a livery vessel for use by another in exchange for any type of consideration when such person does not also provide *or does not require* the lessee or renter *to provide as a condition of the rental or lease agreement a person licensed by the United States Coast Guard to serve as master of the vessel or to* ~~with a~~ captain~~, a crew, or any type of staff or personnel to operate, oversee, maintain,~~ or manage the vessel. The owner of a vessel who does not advertise his or her vessel for use by another for consideration and who loans or offers his or her vessel for use to another known to him or her either for consideration or without consideration is not a livery. A public or private school or postsecondary institution located within this state is not a livery. A vessel rented or leased by a livery is a livery vessel as defined in s. 327.02.

Section 7. Present subsections (2), (3), and (4) of section 327.731, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and subsection (1) and present subsection (3) of that section are amended, to read:

327.731 Mandatory education for violators.—

(1) A person convicted of a criminal violation under this chapter, convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, or convicted of *a* ~~two~~ noncriminal *infraction* ~~infractions~~ as specified in s. 327.73(1)(h)-(k), ~~(m),~~ (o), (p), *(t), (u), (w), (x), and (y)* ~~and (s) (y), the infractions occurring within a 12-month period,~~ must:

(a) Enroll in, attend, and successfully complete, at his or her own expense, a classroom or online boating safety course that is approved by and meets the minimum standards established by commission rule;

(b) File with the commission within 90 days proof of successful completion of the course; *and*

(c) Refrain from operating a vessel until he or she has filed proof of successful completion of the course with the commission~~; and~~

~~(d) Pay a fine of $500. The clerk of the court shall remit all fines assessed and collected under this paragraph to the Department of Revenue to be deposited into the Marine Resources Conservation Trust Fund to support law enforcement activities~~.

(2) A person convicted of a criminal violation under this chapter, convicted of a noncriminal infraction under this chapter if the infraction resulted in a reportable boating accident, or convicted of two noncriminal infractions as specified in s. 327.73(1)(h)-(k), (o), (p), (t), (u), (w), (x), and (y), occurring within a 12-month period, must pay a fine of $500 and complete a boater safety education course that meets the requirements of s. 327.395. The clerk of the court shall remit all fines assessed and collected under this subsection to the Department of Revenue to be deposited into the Marine Resources Conservation Trust Fund to support law enforcement activities.

(4)~~(3)~~ The commission shall print on the reverse side of the defendant's copy of the boating citation a notice of the provisions of this section. Upon conviction, the clerk of the court shall notify the defendant that it is unlawful for him or her to operate any vessel until he or she has complied with this section, but failure of the clerk of the court to provide such a notice shall not be a defense to a charge of unlawful operation of a vessel under subsection *(3)* ~~(2)~~.

Section 8. Section 782.072, Florida Statutes, is amended to read:

782.072 Vessel homicide.—

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

(a) "Unborn child" has the same meaning as in s. 775.021(5)(e).

(b) "Vessel homicide" *means* ~~is~~ the killing of a human being*, including the death of an unborn child caused by injury to the mother,* by the operation of a vessel as defined in s. 327.02 by another in a reckless manner likely to cause the death of, or great bodily harm to, another.

(2) Vessel homicide is:

(a)~~(1)~~ A felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b)~~(2)~~ A felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if:

1.~~(a)~~ At the time of the accident, the person knew, or should have known, that the accident occurred; and

2.~~(b)~~ The person failed to give information and render aid as required by s. 327.30(1).

This subsection does not require that the person knew that the accident resulted in injury or death.

Section 9. Paragraphs (b), (e), (f), and (h) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida Statute	Felony Degree	Description
327.33(1)(c)	*2nd*	*Reckless or careless operation of a vessel resulting in an accident that causes serious bodily injury.*
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(6)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07(2)	3rd	Failure to furnish a prospectus meeting requirements.
590.28(1)	3rd	Intentional burning of lands.
784.03(3)	3rd	Battery during a riot or an aggravated riot.
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
806.13(1)(b)3.	3rd	Criminal mischief; damage $1,000 or more to public communication or any other public service.
806.13(3)	3rd	Criminal mischief; damage of $200 or more to a memorial or historic property.
810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
810.09(2)(d)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; $750 or more but less than $5,000.
812.014(2)(d)1.	3rd	Grand theft, 3rd degree; $40 or more but less than $750, taken from dwelling or its unenclosed curtilage.
812.014(2)(e)2.	3rd	Petit theft, 1st degree; less than $40 taken from dwelling or its unenclosed curtilage with one prior theft conviction.
812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over $300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
817.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over $100 or more within 6 months.
826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.

Florida Statute	Felony Degree	Description
832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
843.01(2)	3rd	Resist police canine or police horse with violence; under certain circumstances.
843.08	3rd	False personation.
843.19(3)	3rd	Touch or strike police, fire, SAR canine or police horse.
893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs other than cannabis.
893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.

(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)(a)2. ~~327.30(5)~~	3rd	Vessel accidents involving personal *injuries other than serious bodily* injury; leaving scene.
379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected $20,000 or more but less than $100,000.
626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
790.01(3)	3rd	Unlawful carrying of a concealed firearm.
790.162	2nd	Threat to throw or discharge destructive device.
790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
810.145(4)(c)	3rd	Commercial digital voyeurism dissemination.
810.145(7)(a)	2nd	Digital voyeurism; 2nd or subsequent offense.
810.145(8)(a)	2nd	Digital voyeurism; certain minor victims.
812.014(2)(d)3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
812.0145(2)(b)	2nd	Theft from person 65 years of age or older; $10,000 or more but less than $50,000.
812.015 (8)(a) & (c)-(e)	3rd	Retail theft; property stolen is valued at $750 or more and one or more specified acts.
812.015(8)(f)	3rd	Retail theft; multiple thefts within specified period.
812.015(8)(g)	3rd	Retail theft; committed with specified number of other persons.
812.019(1)	2nd	Stolen property; dealing in or trafficking in.
812.081(3)	2nd	Trafficking in trade secrets.
812.131(2)(b)	3rd	Robbery by sudden snatching.

Florida Statute	Felony Degree	Description
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value $20,000 to $50,000.
817.234(11)(b)	2nd	Insurance fraud; property value $20,000 or more but less than $100,000.
817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, $5,000 or more or use of personal identification information of 10 or more persons.
817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.
847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).
893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.
893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.
893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
327.30(5)(a)3.	*2nd*	*Vessel accidents involving serious bodily injury; leaving the scene.*
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048(3)	3rd	Aggravated stalking; credible threat.

Florida Statute	Felony Degree	Description
784.048(5)	3rd	Aggravated stalking of person under 16.
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
794.05(1)	2nd	Unlawful sexual activity with specified minor.
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
810.145(8)(b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
812.014(2)(b)1.	2nd	Property stolen $20,000 or more, but less than $100,000, grand theft in 2nd degree.
812.014(2)(c)5.	3rd	Grand theft; third degree; firearm.
812.014(6)	2nd	Theft; property stolen $3,000 or more; coordination of others.
812.015(9)(a)	2nd	Retail theft; property stolen $750 or more; second or subsequent conviction.
812.015(9)(b)	2nd	Retail theft; aggregated property stolen within 120 days is $3,000 or more; coordination of others.
812.015(9)(d)	2nd	Retail theft; multiple thefts within specified period.
812.015(9)(e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
817.49(2)(b)2.	2nd	Willful making of a false report of a crime resulting in death.
817.505(4)(b)	2nd	Patient brokering; 10 or more patients.
817.5695(3)(b)	2nd	Exploitation of person 65 years of age or older, value $10,000 or more, but less than $50,000.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than $10,000.
827.03(2)(c)	3rd	Abuse of a child.
827.03(2)(d)	3rd	Neglect of a child.
827.071(5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
828.126(3)	3rd	Sexual activities involving animals.
836.05	2nd	Threats; extortion.
836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
843.12	3rd	Aids or assists person to escape.
847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.

Florida Statute	Felony Degree	Description
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
918.13(2)(b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
944.40	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)(i)	3rd	Firearm or weapon introduced into county detention facility.

(h) LEVEL 8

Florida Statute	Felony Degree	Description
316.193 (3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
499.0051(6)	1st	Knowing trafficking in contraband prescription drugs.
499.0051(7)	1st	Knowing forgery of prescription labels or prescription drug labels.
560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding $20,000, but less than $100,000 by money transmitter.
560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding $20,000, but less than $100,000.
655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding $20,000, but less than $100,000 by financial institutions.
777.03(2)(a)	1st	Accessory after the fact, capital felony.
782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.
782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
782.072(2)(b)	1st	Committing vessel homicide and failing to render aid or give information.
~~782.072(2)~~		
787.06(3)(a)1.	1st	Human trafficking for labor and services of a child.
787.06(3)(b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
787.06(3)(e)1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
787.06(3)(f)2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
794.011(5)(a)	1st	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.
794.011(5)(b)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
794.011(5)(c)	2nd	Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.
794.011(5)(d)	1st	Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.
794.08(3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
800.04(4)(b)	2nd	Lewd or lascivious battery.
800.04(4)(c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02(2)(a)	1st, PBL	Burglary with assault or battery.
810.02(2)(b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.

Florida Statute	Felony Degree	Description
810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or $1,000 or more property damage.
812.014(2)(a)2.	1st	Property stolen; cargo valued at $50,000 or more, grand theft in 1st degree.
812.015(11)(b)	1st	Retail theft; possession of a firearm during commission of offense.
812.13(2)(b)	1st	Robbery with a weapon.
812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
817.418(2)(b)	2nd	Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.
817.504(1)(b)	2nd	Offering or advertising a vaccine with intent to defraud; second or subsequent offense.
817.505(4)(c)	1st	Patient brokering; 20 or more patients.
817.535(2)(b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
817.535(3)(a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
817.535(4)(a)1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
817.535(5)(a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
817.611(2)(c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
825.102(2)	1st	Aggravated abuse of an elderly person or disabled adult.
825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
825.103(3)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at $50,000 or more.
837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135 (1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.135 (1)(c)2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
893.135 (1)(c)3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
893.135 (1)(c) 4.b.(II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
893.135 (1)(d)1.b.	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
893.135 (1)(e)1.b.	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
893.135 (1)(f)1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
893.135 (1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.135 (1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.135 (1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
893.135 (1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
893.135 (1)(m)2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
893.135 (1)(n)2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.

Florida Statute	Felony Degree	Description
896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding $20,000, but less than $100,000.
896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding $20,000 but less than $100,000.

Section 10. This act shall take effect July 1, 2025.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to boating safety; providing a short title; amending s. 327.02, F.S.; revising the definition of the term "livery vessel"; amending s. 327.30, F.S.; revising and providing penalties for vessel collisions, accidents, and casualties; amending s. 327.33, F.S.; revising and providing penalties for reckless or careless operation of a vessel; amending s. 327.395, F.S.; requiring the Fish and Wildlife Conservation Commission to adopt certain rules regarding standards for online boating safety education courses; specifying requirements regarding such rules; amending s. 327.54, F.S.; revising the definition of the term "livery"; amending s. 327.731, F.S.; requiring a person convicted of a certain criminal violation or certain noncriminal infractions within a specified period to complete a boating safety education course and pay a specified fine; requiring that such fines be remitted to a specified trust fund; amending s. 782.072, F.S.; defining the term "unborn child"; revising the definition of the term "vessel homicide"; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; conforming a provision to changes made by the act; conforming a cross-reference; providing an effective date.

On motion by Senator Martin, by two-thirds vote, **CS for CS for CS for HB 289**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Grall, the Senate reconsidered the action by which—

CS for HB 1549—A bill to be entitled An act relating to financial institutions; amending s. 655.047, F.S.; requiring state financial institutions to pay a semiannual assessment for specified time periods; requiring that the semiannual assessment be received by the Office of Financial Regulation in a specified manner and by specified dates; amending s. 655.414, F.S.; authorizing the office to issue a specified certificate under certain circumstances; amending s. 657.002, F.S.; revising the definition of the term "equity"; amending s. 657.028, F.S.; authorizing an elected officer, director, or committee member of a credit union to be reimbursed for certain expenses; amending s. 657.043, F.S.; conforming provisions to changes made by the act; amending s. 658.235, F.S.; revising the timeframe for certain requirements by the directors of a proposed bank or trust company; amending s. 658.25, F.S.; revising the timeframe within which a bank or trust company corporation is required to open and conduct specified business; providing an effective date.

—as amended this day, was placed on the calendar of Bills on Third Reading.

On motion by Senator Grall, by two-thirds vote, **CS for HB 1549**, as amended, was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—27

Mr. President	DiCeglie	McClain
Avila	Gaetz	Passidomo
Boyd	Grall	Pizzo
Bradley	Gruters	Polsky
Brodeur	Harrell	Simon
Burgess	Hooper	Truenow
Burton	Ingoglia	Trumbull
Calatayud	Leek	Wright
Collins	Martin	Yarborough

Nays—10

Arrington	Garcia	Rouson
Berman	Jones	Smith
Bernard	Osgood	
Davis	Rodriguez	

BILLS ON THIRD READING

CS for CS for HB 443—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing requirements for specified deadlines for charter schools; authorizing charter school governing boards to adopt codes of student conduct; providing requirements for such codes; providing requirements for the resolution of complaints or appeals relating to such codes; revising the criteria for a charter school to give enrollment preferences or limit the enrollment process to certain students; requiring charter schools to be in compliance with specified provisions relating to student welfare; revising the factors considered for the determination of a charter school's capacity; revising the facilities and land exempt from specified ad valorem taxes; authorizing a charter school to increase its student enrollment under certain circumstances; providing requirements for such charter school's facilities; providing requirements for notification of increased enrollment; requiring sponsors and the Department of Education to provide specified access and data to a charter school and the school's contractor; prohibiting certain persons from serving as members of a charter school governing board; amending s. 1002.331, F.S.; providing that certain students are excluded from specified calculations relating to a high-performing charter school's facility capacity; authorizing high-performing charter schools to assume the charters of certain charter schools; providing requirements for a request for a high-performing charter school to assume a charter; authorizing high-performing charter schools to provide virtual courses to certain students; providing funding requirements for such courses; amending s. 1013.15, F.S.; providing for the lease of specified lands, facilities, or educational plants; requiring district school boards to take specified actions before the sale, transfer, lease, or disposal of any land, facilities, or educational plants; providing that a charter school may exercise right of first refusal for such property; requiring a charter school to submit a proposal within a specific timeframe; requiring district school boards to evaluate such proposal and award a contract using specified criteria; authorizing a school board to act if no proposals from a charter school are accepted; amending s. 1013.28, F.S.; requiring district school boards to comply with specified requirements for the sale, transfer, lease, or disposal of any land, facilities, or educational plants before the disposal of any land or real property; providing an effective date.

—as amended April 29, was read the third time by title.

On motion by Senator Rodriguez, **CS for CS for HB 443**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	DiCeglie	Martin
Avila	Gaetz	McClain
Bernard	Garcia	Passidomo
Boyd	Grall	Pizzo
Bradley	Gruters	Rodriguez
Brodeur	Harrell	Simon
Burgess	Hooper	Truenow
Burton	Ingoglia	Trumbull
Calatayud	Jones	Wright
Collins	Leek	Yarborough

Nays—7

Arrington	Osgood	Smith
Berman	Polsky	
Davis	Rouson	

CS for HB 1609—A bill to be entitled An act relating to waste incineration; amending ss. 403.706 and 403.707, F.S.; prohibiting a local government or the Department of Environmental Protection, respectively, from issuing a construction permit for a certain new solid waste disposal facility or a waste-to-energy facility in specified areas; providing applicability; conforming cross-references; amending ss. 403.703, 403.7049, and 403.705, F.S.; conforming cross-references; providing an effective date.

—as amended April 29, was read the third time by title.

On motion by Senator Martin, **CS for HB 1609**, as amended, was passed and certified to the House. The vote on passage was:

Yeas—24

Mr. President	DiCeglie	Martin
Avila	Gaetz	McClain
Boyd	Grall	Passidomo
Brodeur	Gruters	Simon
Burgess	Harrell	Truenow
Burton	Hooper	Trumbull
Calatayud	Ingoglia	Wright
Collins	Leek	Yarborough

Nays—13

Arrington	Garcia	Rodriguez
Berman	Jones	Rouson
Bernard	Osgood	Smith
Bradley	Pizzo	
Davis	Polsky	

HB 653—A bill to be entitled An act relating to aggravating factors for capital felonies; amending s. 921.141, F.S.; adding as an aggravating factor that the capital felony was committed against the head of a state, or in an attempt to commit such crime a capital felony was committed against another individual; providing an effective date.

—was read the third time by title.

On motion by Senator Ingoglia, **HB 653** was passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Burgess	Gaetz
Avila	Burton	Gruters
Boyd	Calatayud	Harrell
Bradley	Collins	Hooper
Brodeur	DiCeglie	Ingoglia
Leek	Rodriguez	Wright
Martin	Simon	Yarborough
McClain	Truenow	
Passidomo	Trumbull	

Nays—12

Arrington	Garcia	Pizzo
Berman	Grall	Polsky
Bernard	Jones	Rouson
Davis	Osgood	Smith

Vote after roll call:

Nay to Yea—Pizzo

CS for CS for HB 481—A bill to be entitled An act relating to anchoring limitation areas; amending s. 327.60, F.S.; restricting local regulation of vessels outside the marked boundaries of mooring fields in certain counties; amending s. 327.4108, F.S.; designating specified sections of Biscayne Bay in Miami-Dade County as grandfathered-in anchoring limitation areas; amending s. 327.4109, F.S.; increasing the prohibited anchoring and mooring distance of vessels and floating structures near public mooring fields; providing an effective date.

—was read the third time by title.

On motion by Senator Martin, **CS for CS for HB 481** was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Collins	McClain
Avila	Davis	Passidomo
Berman	DiCeglie	Pizzo
Bernard	Gaetz	Rodriguez
Boyd	Gruters	Simon
Bradley	Harrell	Truenow
Brodeur	Hooper	Trumbull
Burgess	Ingoglia	Wright
Burton	Leek	Yarborough
Calatayud	Martin	

Nays—8

Arrington	Jones	Rouson
Garcia	Osgood	Smith
Grall	Polsky	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 234, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 234—A bill to be entitled An act relating to criminal offenses against law enforcement officers and other personnel; providing a short title; amending s. 776.051, F.S.; revising a prohibition on the use or threatened use of force to resist arrest or detention; defining the term "acting in good faith"; amending s. 782.065, F.S.; providing for enhanced punishment for manslaughter when committed against specified officers; revising applicability; amending s. 784.07, F.S.; revising the definition of the term "law enforcement officer"; revising provisions concerning assault or battery upon specified officers and other personnel; amending s. 843.01, F.S.; revising a provision concerning resisting, obstructing, or opposing specified officers or legally authorized persons; amending s. 921.0022, F.S.; increasing the level on the offense severity ranking chart for committing battery on law enforcement officers and other specified personnel; providing an effective date.

House Amendment 1 (469307)—Remove line 32 and insert: of force to resist *any* ~~an~~ arrest *or*

On motion by Senator Leek, the Senate refused to concur in **House Amendment 1 (469307)** to **SB 234** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 994, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

SB 994—A bill to be entitled An act relating to driver safety; amending s. 316.305, F.S.; revising penalties for the use of a wireless communications device while operating a motor vehicle; authorizing certain persons to participate in a distracted driving safety program approved by the Department of Highway Safety and Motor Vehicles; authorizing the waiver of certain penalties and associated costs, and requiring the waiver of the assessment of points, upon completion of such program; amending s. 316.306, F.S.; authorizing a person to participate in a distracted driving safety program, upon completion of which certain penalties and associated costs may, and the assessment of points must, be waived for certain offenses; amending s. 318.1451, F.S.; requiring the department to create a specified driver improvement course related to distracted driving which driver improvement schools shall offer to certain persons; requiring basic driver improvement courses to include certain content relating to distracted driving; amending s. 322.095, F.S.; specifying the age at which an applicant for a driver license must complete a traffic law and substance abuse education course; amending s. 322.1615, F.S.; requiring an applicant for a learner's driver license to complete a certain driver education course approved by the department; providing an effective date.

House Amendment 1 (746171) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 322.095, Florida Statutes, is amended to read:

322.095 Traffic law and substance abuse education program for driver license applicants.—

(1) Each applicant for a driver license *who is 18 years of age or older* must complete a traffic law and substance abuse education course, unless the applicant has been licensed in another jurisdiction or has satisfactorily completed a Department of Education driver education course offered pursuant to s. 1003.48.

Section 2. Paragraph (c) of subsection (1) of section 322.1615, Florida Statutes, is amended to read:

322.1615 Learner's driver license.—

(1) The department may issue a learner's driver license to a person who is at least 15 years of age and who:

(c) Has *satisfactorily* completed *a driver education course approved by the department which meets or exceeds the Department of Education Driver Education/Traffic Safety-Classroom 1900300 course version description* ~~the traffic law and substance abuse education course prescribed in s. 322.095~~; and

Section 3. This act shall take effect July 1, 2025.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to driver license education requirements; amending s. 322.095, F.S.; specifying the age at which an applicant for a driver license must complete a traffic law and substance abuse education course; amending s. 322.1615, F.S.; requiring an applicant for a learner's driver license to complete a certain driver education course approved by the Department of Highway Safety and Motor Vehicles; providing an effective date.

Senators Simon and Collins moved the following amendment which was adopted:

Senate Amendment 1 (689718) (with title amendment) to House Amendment 1 (746171)—Delete lines 5-24 and insert:

Section 1. Paragraph (a) of subsection (3) and paragraph (c) of subsection (10) of section 20.60, Florida Statutes, are amended, and paragraph (a) of subsection (5) of that section is reenacted, to read:

20.60 Department of Commerce; creation; powers and duties.—

(3)(a) The following divisions and offices of the Department of Commerce are established:

1. The Division of Economic Development.

2. The Division of Community Development.

3. The Division of Workforce Services.

4. The Division of Finance and Administration.

5. The Division of Information Technology.

6. The Office of the Secretary.

7. *The Office of Rural Prosperity.*

8. The Office of Economic Accountability and Transparency, which shall:

a. Oversee the department's critical objectives as determined by the secretary and make sure that the department's key objectives are clearly communicated to the public.

b. Organize department resources, expertise, data, and research to focus on and solve the complex economic challenges facing the state.

c. Provide leadership for the department's priority issues that require integration of policy, management, and critical objectives from multiple programs and organizations internal and external to the department; and organize and manage external communication on such priority issues.

d. Promote and facilitate key department initiatives to address priority economic issues and explore data and identify opportunities for innovative approaches to address such economic issues.

e. Promote strategic planning for the department.

(5) The divisions within the department have specific responsibilities to achieve the duties, responsibilities, and goals of the department. Specifically:

(a) The Division of Economic Development shall:

1. Analyze and evaluate business prospects identified by the Governor and the secretary.

2. Administer certain tax refund, tax credit, and grant programs created in law. Notwithstanding any other provision of law, the department may expend interest earned from the investment of program funds deposited in the Grants and Donations Trust Fund to contract for the administration of those programs, or portions of the programs, assigned to the department by law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

3. Develop measurement protocols for the state incentive programs and for the contracted entities which will be used to determine their performance and competitive value to the state. Performance measures, benchmarks, and sanctions must be developed in consultation with the legislative appropriations committees and the appropriate substantive committees, and are subject to the review and approval process provided in s. 216.177. The approved performance measures, standards, and sanctions shall be included and made a part of the strategic plan for contracts entered into for delivery of programs authorized by this section.

4. Develop a 5-year statewide strategic plan. The strategic plan must include, but need not be limited to:

a. Strategies for the promotion of business formation, expansion, recruitment, and retention through aggressive marketing, attraction of venture capital and finance development, domestic trade, international development, and export assistance, which lead to more and better jobs and higher wages for all geographic regions, disadvantaged communities, and populations of the state, including rural areas, minority businesses, and urban core areas.

b. The development of realistic policies and programs to further the economic diversity of the state, its regions, and their associated industrial clusters.

c. Specific provisions for the stimulation of economic development and job creation in rural areas and midsize cities and counties of the state, including strategies for rural marketing and the development of infrastructure in rural areas.

d. Provisions for the promotion of the successful long-term economic development of the state with increased emphasis in market research and information.

e. Plans for the generation of foreign investment in the state which create jobs paying above-average wages and which result in reverse investment in the state, including programs that establish viable overseas markets, assist in meeting the financing requirements of export-ready firms, broaden opportunities for international joint venture relationships, use the resources of academic and other institutions, coordinate trade assistance and facilitation services, and facilitate availability of and access to education and training programs that assure requisite skills and competencies necessary to compete successfully in the global marketplace.

f. The identification of business sectors that are of current or future importance to the state's economy and to the state's global business image, and development of specific strategies to promote the development of such sectors.

g. Strategies for talent development necessary in the state to encourage economic development growth, taking into account factors such as the state's talent supply chain, education and training opportunities, and available workforce.

h. Strategies and plans to support this state's defense, space, and aerospace industries and the emerging complementary business activities and industries that support the development and growth of defense, space, and aerospace in this state.

5. Update the strategic plan every 5 years.

6. Involve CareerSource Florida, Inc.; direct-support organizations of the department; local governments; the general public; local and regional economic development organizations; other local, state, and federal economic, international, and workforce development entities; the business community; and educational institutions to assist with the strategic plan.

7. Coordinate with the Florida Tourism Industry Marketing Corporation in the development of the 4-year marketing plan pursuant to s. 288.1226(13).

8. Administer and manage relationships, as appropriate, with the entities and programs created pursuant to the Florida Capital Formation Act, ss. 288.9621-288.96255.

(10) The department shall, by November 1 of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the condition of the business climate and economic development in the state.

(c) The report must incorporate annual reports of other programs, including:

1. A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.

2. ~~The Rural Economic Development Initiative established under s. 288.0656.~~

~~3.~~ A detailed report of the performance of the Florida Development Finance Corporation and a summary of the corporation's report required under s. 288.9610.

3.~~4.~~ Information provided by Space Florida under s. 331.3051 and an analysis of the activities and accomplishments of Space Florida.

Section 2. Subsection (5) is added to section 163.3168, Florida Statutes, to read:

163.3168 Planning innovations and technical assistance.—

(5) When selecting applications for funding for technical assistance, the state land planning agency shall give preference to local governments located in a rural area of opportunity as defined in s. 288.0656. The state land planning agency shall consult with the Office of Rural Prosperity when awarding funding pursuant to this section.

Section 3. Paragraph (i) is added to subsection (4) of section 201.15, Florida Statutes, to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the costs of collection and enforcement under this section. Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), the lesser of 8 percent of the remainder or $150 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be expended pursuant to s. 420.50871. If 8 percent of the remainder is greater than $150 million in any fiscal year, the difference between 8 percent of the remainder and $150 million shall be paid into the State Treasury to the credit of the General Revenue Fund. The remainder shall be distributed as follows:

(i) A total of $30 million shall be paid to the credit of the State Transportation Trust Fund, which funds are exclusively for the use of the Florida Arterial Road Modernization Program as provided in s. 339.68.

Section 4. Paragraph (c) of subsection (2) of section 202.18, Florida Statutes, is amended to read:

202.18 Allocation and disposition of tax proceeds.—The proceeds of the communications services taxes remitted under this chapter shall be treated as follows:

(2) The proceeds of the taxes remitted under s. 202.12(1)(b) shall be allocated as follows:

(c)1. *After the distribution required under paragraph (b), the remainder* ~~During each calendar year, the remaining portion of the proceeds~~ shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund~~. Seventy percent of such proceeds shall be~~ *and* allocated in the same proportion as the allocation of total receipts of the half-cent sales tax under s. 218.61 and the emergency distribution under s. 218.65 in the prior state fiscal year. ~~Thirty percent of such proceeds shall be distributed pursuant to s. 218.67.~~

2. The proportion of the proceeds allocated based on the emergency distribution under s. 218.65 shall be distributed pursuant to s. 218.65.

3. In each calendar year, the proportion of the proceeds allocated based on the half-cent sales tax under s. 218.61 shall be allocated to each county in the same proportion as the county's percentage of total sales tax allocation for the prior state fiscal year and distributed pursuant to s. 218.62.

4. The department shall distribute the appropriate amount to each municipality and county each month at the same time that local communications services taxes are distributed pursuant to subsection (3).

Section 5. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of $500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less $5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. *After the distributions required under subparagraphs 1.-5., the greater of $50 million or 0.1438 percent of the available proceeds shall be transferred in each fiscal year to fiscally constrained counties pursuant to s. 218.67.*

7. Of the remaining proceeds:

a. In each fiscal year, the sum of $29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute $166,667 monthly to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to $41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than $416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.11621(3).

c. The department shall distribute up to $83,333 monthly to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to $166,667 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 20 years to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise or not more than 25 years to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).

d. The department shall distribute $15,333 monthly to the State Transportation Trust Fund.

e.(I) On or before July 25, 2021, August 25, 2021, and September 25, 2021, the department shall distribute $324,533,334 in each of those months to the Unemployment Compensation Trust Fund, less an adjustment for refunds issued from the General Revenue Fund pursuant to s. 443.131(3)(e)3. before making the distribution. The adjustments made by the department to the total distributions shall be equal to the total refunds made pursuant to s. 443.131(3)(e)3. If the amount of refunds to be subtracted from any single distribution exceeds the distribution, the department may not make that distribution and must subtract the remaining balance from the next distribution.

(II) Beginning July 2022, and on or before the 25th day of each month, the department shall distribute $90 million monthly to the Unemployment Compensation Trust Fund.

(III) If the ending balance of the Unemployment Compensation Trust Fund exceeds $4,071,519,600 on the last day of any month, as determined from United States Department of the Treasury data, the Office of Economic and Demographic Research shall certify to the department that the ending balance of the trust fund exceeds such amount.

(IV) This sub-subparagraph is repealed, and the department shall end monthly distributions under sub-sub-subparagraph (II), on the date the department receives certification under sub-sub-subparagraph (III).

f. Beginning July 1, 2023, in each fiscal year, the department shall distribute $27.5 million to the Florida Agricultural Promotional Campaign Trust Fund under s. 571.26, for further distribution in accordance with s. 571.265.

8. ~~7.~~ All other proceeds must remain in the General Revenue Fund.

Section 6. Paragraph (h) of subsection (1) of section 215.971, Florida Statutes, is amended to read:

215.971 Agreements funded with federal or state assistance.—

(1) An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, must include all of the following:

(h)*1.* If the agency agreement provides federal or state financial assistance to a county or municipality that is a rural community or rural area of opportunity as those terms are defined in s. 288.0656(2), a provision allowing the agency to provide for the payment of invoices to the county, municipality, or rural area of opportunity as that term is defined in s. 288.0656(2), for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement. *This provision is not intended to require reimbursement to the county, municipality, or rural area of opportunity for invoices paid, but to allow the agency to provide for the payment of invoices due. The agency shall expedite such payment requests in order to facilitate the timely payment of invoices received by the county, municipality, or rural area of opportunity.* This provision is included to alleviate the financial hardships that certain rural counties and municipalities encounter when administering agreements, and must be exercised by the agency when a county or municipality demonstrates financial hardship, to the extent that federal or state law, rule, or other regulation allows such payments. This paragraph may not be construed to alter or limit any other provisions of federal or state law, rule, or other regulation.

2. By August 1, 2026, and each year thereafter, each state agency shall report to the Office of Rural Prosperity summarizing the implementation of this paragraph for the preceding fiscal year. The Office of Rural Prosperity shall summarize the information received pursuant to this paragraph in its annual report as required in s. 288.013.

Section 7. Section 218.67, Florida Statutes, is amended to read:

218.67 Distribution for fiscally constrained counties.—

(1) Each county ~~that is entirely within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or each county~~ for which the value of a mill will raise no more than *$10* ~~$5~~ million in revenue, based on the taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1, shall be considered a fiscally constrained county.

(2) Each fiscally constrained county government that participates in the local government half-cent sales tax shall be eligible to receive an additional distribution ~~from the Local Government Half-cent Sales Tax Clearing Trust Fund,~~ as provided in *s. 212.20(6)(d)6.* ~~s. 202.18(2)(c)1.~~, in addition to its regular monthly distribution provided under this part and any emergency or supplemental distribution under s. 218.65.

(3) The amount to be distributed to each fiscally constrained county shall be determined by the Department of Revenue at the beginning of the fiscal year, using the prior fiscal year's *sales and use tax collections from the most recent fiscal year that reports 12 months of collections* ~~July 1 taxable value certified pursuant to s. 1011.62(4)(a)1.a., tax data~~, population as defined in s. 218.21, and *the most current calendar year per capita personal income published by the Bureau of Economic Analysis of the United States Department of Commerce* ~~millage rate levied for the prior fiscal year~~. The amount distributed shall be allocated based upon the following factors:

(a) The *contribution-to-revenue* ~~relative revenue-raising capacity~~ factor *for each participating county* shall *equal 100 multiplied by a quotient, the numerator of which is the county's population and the denominator of which is the state sales and use tax collections attributable to the county* ~~be the ability of the eligible county to generate ad valorem revenues from 1 mill of taxation on a per capita basis. A county that raises no more than $25 per capita from 1 mill shall be assigned a value of 1; a county that raises more than $25 but no more than $30 per capita from 1 mill shall be assigned a value of 0.75; and a county that raises more than $30 but no more than $50 per capita from 1 mill shall be assigned a value of 0.5. No value shall be assigned to counties that raise more than $50 per capita from 1 mill of ad valorem taxation~~.

(b) The *personal-income* ~~local effort~~ factor shall *equal a quotient, the numerator of which is the median per capita personal income of participating counties and the denominator of which is the county's per capita personal income* ~~be a measure of the relative level of local effort of the eligible county as indicated by the millage rate levied for the prior fiscal year. The local effort factor shall be the most recently adopted county-wide operating millage rate for each eligible county multiplied by 0.1~~.

(c) Each eligible county's proportional allocation of the total amount available to be distributed to all of the eligible counties shall be in the same proportion as the sum of the county's two factors is to the sum of the two factors for all eligible counties. *The proportional rate computation must be carried to the fifth decimal place, and the amount to distribute to each county must be rounded to the next whole dollar amount.* The counties that are eligible to receive an allocation under this subsection and the amount available to be distributed to such counties *do* ~~shall~~ not include counties participating in the phaseout period under subsection (4) or the amounts they remain eligible to receive during the phaseout.

(4) For those counties that no longer qualify under the requirements of subsection (1) after the effective date of this act, there shall be a 2-year phaseout period. Beginning on July 1 of the year following the year in which the value of a mill for that county exceeds *$10* ~~$5~~ million in revenue, the county shall receive two-thirds of the amount received in the prior year, and beginning on July 1 of the second year following the year in which the value of a mill for that county exceeds *$10* ~~$5~~ million in revenue, the county shall receive one-third of the amount received in the last year that the county qualified as a fiscally constrained county. Following the 2-year phaseout period, the county *is* ~~shall~~ no longer ~~be~~ eligible to receive any distributions under this section unless the county can be considered a fiscally constrained county as provided in subsection (1).

(5)*(a)* The revenues received under this section *must be allocated* ~~may be used~~ by a county *to be used* for *the following purposes:*

1. Fifty percent for public safety, including salary expenditures for law enforcement officers or correctional officers, as those terms are defined in s. 943.10(1) and (2), respectively, firefighters as defined in s. 633.102, or emergency medical technicians or paramedics as those terms are defined in s. 401.23.

2. Thirty percent for infrastructure needs.

3. Twenty percent for any public purpose.

(b) The revenues received under this section ~~any public purpose, except that such revenues~~ may not be used to pay debt service on bonds, notes, certificates of participation, or any other forms of indebtedness.

Section 8. Subsection (6) is added to section 288.0001, Florida Statutes, to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(6)(a) The Office of Economic and Demographic Research and OPPAGA shall prepare a report on the impact of the Florida Statutes on rural communities. Specifically, the report must include the following:

1. A review of definitions in the Florida Statutes of terms such as "rural community," "rural area of opportunity," and other similar terms used to define rural areas of this state, including population-based references, to assess the adequacy of the current statutory framework in defining these areas. The analysis must include, but need not be limited to:

a. Evaluation of whether current provisions properly distinguish these communities or areas from more urban and suburban parts of this state;

b. Consideration of updates to the definitions and references to classify additional rural areas, such as growing communities, unincorporated areas, or rural communities by design; and

c. Study of appropriate metrics to be used to describe rural communities or areas, such as population, geographic, demographic, or other metrics, or combinations thereof.

2. A survey of local governments meeting the statutory definition of "rural community" or "rural area of opportunity" to assess the benefits to the local government of being identified as such and any perceived unmet needs in the implementation of current statutory provisions designed to support rural communities or areas.

3. An analysis of state grant programs and recurring appropriations that explicitly benefit rural communities or areas, including, but not limited to, program purpose, funding amounts, participation rates, and consistency with peer-reviewed studies on effective economic programs for these areas.

(b) Upon request, the Office of Economic and Demographic Research and OPPAGA must be provided with all data necessary to complete the report, including any confidential data, by any entity with information related to this review. The offices may collaborate on all data collection and analysis.

(c) The Office of Economic and Demographic Research and OPPAGA shall submit a report to the President of the Senate and the Speaker of the House of Representatives by December 31, 2025. The report must provide recommendations to address any findings, including any changes in statutory definitions or references to rural communities or areas, opportunities to enhance state support to rural communities or areas, outcome measures or other criteria that may be used to examine the effectiveness of state grant programs for rural communities or areas, and adjustments to program design, including changes to increase participation in state grant programs for rural communities or areas.

(d) This subsection expires July 1, 2026.

Section 9. Present paragraphs (d) and (e) of subsection (7) of section 288.001, Florida Statutes, are redesignated as paragraphs (e) and (f), respectively, and a new paragraph (d) is added to that subsection, to read:

288.001 The Florida Small Business Development Center Network.—

(7) ADDITIONAL STATE FUNDS; USES; PAY-PER-PERFORMANCE INCENTIVES; STATEWIDE SERVICE; SERVICE ENHANCEMENTS; BEST PRACTICES; ELIGIBILITY.—

(d) Notwithstanding paragraphs (a), (b), and (c), the network shall use funds directly appropriated for the specific purpose of expanding service in rural communities, as defined in s. 288.0656, in addition to any funds allocated by the network from other sources. The network shall use the funds to develop an activity plan focused on network consultants and resources in rural communities. In collaboration with regional economic development organizations as defined in s. 288.018, the plan must provide for either full- or part-time consultants to be available for at least 20 hours per week in rural areas or be permanently stationed in rural areas. This may include establishing a circuit in specific rural locations to ensure the consultants' availability on a regular basis. By using the funds to create a regular presence in rural areas, the network can strengthen community collaboration, raise awareness of available resources to provide opportunities for new business development or existing business growth, and make professional experience, education, and business information available in these essential communities. The network may dedicate funds to facilitate local or regional events that focus on small business topics, provide consulting services, and leverage partner organizations, such as the regional economic development organizations, local workforce development boards as described in s. 445.07, and Florida College System institutions.

Section 10. Section 288.007, Florida Statutes, is amended to read:

288.007 Inventory of communities seeking to recruit businesses.—By September 30 of each year, a county or municipality that has a population of at least 25,000 or its local economic development organization*, and each local government within a rural area of opportunity as defined in s. 288.0656 or its local economic development organization,* *shall* ~~must~~ submit to the department a brief overview of the strengths, services, and economic development incentives that its community offers. The local government or its local economic development organization also *shall* ~~must~~ identify any industries that it is encouraging to locate or relocate to its area. *Unless otherwise required pursuant to this section,* a county or municipality having a population of 25,000 or *less* ~~fewer~~ or its local economic development organization seeking to recruit businesses may submit information as required in this section and may participate in any activity or initiative resulting from the collection, analysis, and reporting of the information to the department pursuant to this section.

Section 11. Section 288.013, Florida Statutes, is created to read:

288.013 Office of Rural Prosperity.—

(1) The Legislature finds that the unique characteristics and nature of the rural communities in this state are integral to making this state an attractive place to visit, work, and live. Further, the Legislature finds that building a prosperous rural economy and vibrant rural communities is in the best interest of this state. Rural prosperity is integral to supporting this state's infrastructure, housing, and agricultural and food-processing needs, as well as promoting the health and advancement of the overall economy of this state. It is of importance to the state that its rural areas are able to grow, whether locally or in regional partnerships. To better serve rural communities, and in recognition of rural Florida's unique challenges and opportunities, the Office of Rural Prosperity is established to ensure these efforts are coordinated, focused, and effective.

(2) The Office of Rural Prosperity is created within the Department of Commerce for the purpose of supporting rural communities by helping rural stakeholders navigate available programs and resources and representing rural interests across state government.

(3) The Governor shall appoint a director to lead the office, subject to confirmation by the Senate. The director shall report to the secretary of the department and shall serve at the pleasure of the secretary.

(4) The office shall do all of the following:

(a) Serve as the state's point of contact for rural local governments.

(b) Administer the Rural Economic Development Initiative (REDI) pursuant to s. 288.0656.

(c) Provide training and technical assistance to rural local governments on a broad range of community and economic development activities. The training and technical assistance may be offered using communications technology or in person and must be recorded and posted to the office's website. The training and technical assistance must include, at a minimum, the following topics:

1. How to access state and federal resources, including training on the online rural resource directory required under paragraph (d).

2. Best practices relating to comprehensive planning, economic development, and land development in rural communities.

3. Strategies to address management and administrative capacity challenges unique to rural local governments.

4. Requirements of, and updates on recent changes to, the Community Planning Act under s. 163.3161.

5. Updates on other recent state and federal laws affecting rural local governments.

(d) Create and maintain an online rural resource directory to serve as an interactive tool to navigate the various state and federal resources, tools, and services available to rural local governments. The office shall regularly maintain the resource directory and, to the greatest extent possible, include up-to-date information on state and federal programs, resources, tools, and services that address the needs of rural communities in all areas of governance. Each state agency shall routinely provide information and updates to the office for maintenance of the resource directory. The resource directory must allow users to search by indicators, such as agency name, resource type, or topic, and include a notification function to allow users to receive alerts when new or modified resources are available. To the greatest extent possible, the resource directory must include information on financial match requirements for the state and federal programs listed in the directory.

(5)(a) By October 1, 2025, the office shall establish and staff seven regional rural community liaison centers across this state for the purpose of providing specialized in-person state support to local governments in rural areas of opportunity as defined in s. 288.0656. The department shall by rule divide this state into seven regions and assign a regional rural community liaison center to each region. Each liaison center shall support the local governments within its geographic territory and shall be staffed with at least two full-time department personnel. At a minimum, liaison centers shall have the following powers, duties, and functions:

1. Work with local governments to plan and achieve goals for local or regional growth, economic development, and rural prosperity.

2. Facilitate local government access to state and federal resources, such as grants, loans, and other aid or resources.

3. Advise local governments on available waivers of program requirements, including financial match waivers or reductions, for projects using state or federal funds through the Rural Economic Development Initiative under s. 288.0656.

4. Coordinate local government technical assistance needs with the department and other state or federal agencies.

5. Promote model ordinances, policies, and strategies related to economic development.

6. Assist local governments with regulatory and reporting compliance.

(b) To the greatest extent possible, the regional rural community liaison centers shall coordinate with local and regional governmental entities, regional economic development organizations as defined in s. 288.018, and other appropriate entities to establish a network to foster community-driven solutions that promote viable and sustainable rural communities.

(c) The regional rural community liaison centers shall regularly engage with the Rural Economic Development Initiative established in s. 288.0656, and at least one staff member from each liaison center shall attend, either in person or by means of electronic communication, the monthly meetings required by s. 288.0656(6)(c).

(6) By December 1, 2025, and each year thereafter, the director of the office shall submit to the Administration Commission in the Executive Office of the Governor a written report describing the office's operations and accomplishments for the preceding year, inclusive of the Rural Economic Development Initiative report required by s. 288.0656(8). In consultation with the Department of Agriculture and Consumer Services, the office shall also include in the annual report recommendations for policies, programs, and funding to further support the needs of rural communities in this state. The office shall submit the annual report to the President of the Senate and the Speaker of the House of Representatives by December 1 of each year and publish the annual report on the office's website. The director shall present, in person at the next scheduled Administration Commission meeting, detailed information from the annual report required by this subsection.

(7)(a) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall review the effectiveness of the office by December 15, 2026, and each year thereafter until 2028. Beginning in 2029, OPPAGA shall review and evaluate the office every 3 years and shall submit a report based on its findings. Each report must recommend policy and statutory modifications for consideration by the Legislature. OPPAGA shall submit each report to the President of the Senate and the Speaker of the House of Representatives pursuant to the schedule.

(b) OPPAGA shall review strategies implemented by other states on rural community preservation, enhancement, and revitalization and report on their effectiveness and potential for implementation in this state. OPPAGA shall include its findings in its report to the President of the Senate and the Speaker of the House of Representatives by December 15, 2027, and every 3 years thereafter.

(c)1. OPPAGA shall review each state-funded or state-administered grant and loan program available to local governments to:

a. Identify any specified local government financial match requirements and whether any portion of a match may be waived or is required to be waived, pursuant to law, and programs where a financial match waiver may be appropriate for rural local government applicants, if not contemplated by law.

b. Identify grant and loan application evaluation criteria, including scoring procedures, for programs that may be perceived to be overly burdensome for rural local government applicants, and whether special accommodations or preferences for rural local governments may be appropriate.

2. OPPAGA shall produce a report based on its review and submit the report to the President of the Senate and the Speaker of the House of Representatives by December 15, 2026.

3. This paragraph expires June 30, 2027.

Section 12. Section 288.014, Florida Statutes, is created to read:

288.014 Renaissance Grants Program.—

(1) The Legislature finds that it has traditionally provided programs to assist rural communities with economic development and enhance their ability to attract businesses and that, by providing that extra component of economic viability, rural communities are able to attract new businesses and grow existing ones. However, the Legislature finds that a subset of rural communities has decreased in population over the past decade, contributing to a decline in local business activity and economic development. The Legislature further finds that the state must transform its assistance to these specific rural communities to help them achieve a necessary precursor of economic viability. The Legislature further finds that the approach intended by the creation of renaissance grants is to focus on reversing the economic deterioration in rural communities by retaining and attracting residents by giving them a reason to stay, which is the impetus of natural economic growth, business opportunities, and increased quality of life.

(2) The Office of Rural Prosperity within the department shall administer the Renaissance Grants Program to provide block grants to eligible counties. By October 1, 2025, the Office of Economic and Demographic Research shall certify to the Office of Rural Prosperity which counties are growth-impeded. For the purposes of this section, "growth-impeded" means a county that, as of the most recent population estimate, has had a declining population over the last 10 years. After an initial certification, the Office of Economic and Demographic Research shall annually certify whether the county remains growth-impeded, until the county has 3 consecutive years of population growth. Upon such certification of population growth, the county is eligible to participate in the program for 1 additional year in order for the county to prepare for the end of block grant funding.

(3)(a) Each participating county shall enter into an agreement with the Office of Rural Prosperity to receive the block grant. Each county has broad authority to design its specific plan to achieve population growth within the broad parameters identified in this section. The Office of Rural Prosperity may not determine the manner in which the county implements the block grant. However, regional rural community liaison center staff shall provide assistance in developing the county's plan, upon request.

(b) Each participating county shall report annually to the Office of Rural Prosperity on activities undertaken, intergovernmental agreements entered into, and other information as required by the office.

(c) Each participating county shall receive $1 million from the funds appropriated to the program. Counties participating in the program shall make all attempts to limit expenses for administrative costs, consistent with the need for prudent management and accountability in the use of public funds. Each county may contribute other funds for block grant purposes, including local, state, or federal grant funds, or seek out in-kind or financial contributions from private or public sources to assist in fulfilling the activities undertaken.

(4)(a) A participating county shall hire and retain a renaissance coordinator and may use block grant funds for this purpose. The renaissance coordinator is responsible for:

1. Ensuring that block grant funds are used as provided in this section;

2. Coordinating with other local governments, school boards, Florida College System institutions, or other entities; and

3. Reporting as necessary to the state, including information necessary pursuant to subsection (7).

(b) The Office of Rural Prosperity regional rural community liaison center staff shall provide assistance, upon request, and training to the renaissance coordinator to ensure successful implementation of the block grant.

(5) A participating county shall design a plan to make targeted investments in the community to achieve population growth and increase the economic vitality of the community. The plan must include the following key features for use of the state support:

(a) Technology centers with extended hours located within schools or on school premises, administered by the local school board, for such schools which provide extended hours and support for access by students.

(b) Facilities that colocate adult day care with child care facilities. The site-sharing facilities must be managed to also provide opportunities for direct interaction between generations and increase the health and well-being of both younger and older participants, reduce social isolation, and create cost and time efficiencies for working family members. The regional rural community liaison center staff of the Office of Rural Prosperity shall assist the county, upon request, with bringing to the Rural Economic Development Initiative or directly to the appropriate state agency recommendations necessary to streamline any required state permits, licenses, regulations, or other requirements.

(c) Technology labs managed in agreement with the nearest Florida College System institution or a career center as established under s. 1001.44. Repurposing vacant industrial sites or existing office space must be given priority in the selection of lab locations. Each local technology lab must be staffed and open for extended hours with the capacity to provide:

1. Access to trainers and equipment necessary for users to earn various certificates or online degrees in technology;

2. Hands-on assistance with applying for appropriate remote work opportunities; and

3. Studio space with equipment for graduates and other qualifying residents to perform remote work that is based on the use of technology. Collaboration with community partners, including the local workforce development board as described in s. 445.007, to provide training opportunities, in-kind support such as transportation to and from the lab, financing of equipment for in-home use, or basic maintenance of such equipment is required.

(6) In addition to the hiring of a renaissance coordinator, a participating county shall develop intergovernmental agreements for shared responsibilities with its municipalities, school board, and Florida College System institution or career center and enter into necessary contracts with providers and community partners in order to implement the plan.

(7)(a) Every 2 years, the Auditor General shall conduct an operational audit as defined in s. 11.45 of each county's grant activities, beginning in 2026.

(b) On December 31, 2026, and every year thereafter, the Office of Economic and Demographic Research shall submit an annual report of renaissance block grant recipients by county to the President of the Senate and the Speaker of the House of Representatives. The report must provide key economic indicators that measure progress in altering longer-term trends in the county. The Office of Rural Prosperity shall provide the Office of Economic and Demographic Research with information as requested to complete the report.

(8) Notwithstanding s. 216.301, funds appropriated for the purposes of this section are not subject to reversion.

(9) This section expires June 30, 2040.

Section 13. Section 288.0175, Florida Statutes, is created to read:

288.0175 Public Infrastructure Smart Technology Grant Program.—

(1) The Public Infrastructure Smart Technology Grant Program is established within the Office of Rural Prosperity within the department to fund and support the development of public infrastructure smart technology projects in communities located in rural areas of opportunity, subject to legislative appropriation.

(2) As used in this section, the term:

(a) "Public infrastructure smart technology" means systems and applications that use connectivity, data analytics, and automation to improve public infrastructure by increasing efficiency, enhancing public services, and promoting sustainable development.

(b) "Rural area of opportunity" has the same meaning as in s. 288.0656.

(c) "Smart technology lead organization" means a not-for-profit corporation organized under s. 501(c)(3) of the Internal Revenue Code which has been in existence for at least 3 years and specializes in smart region planning.

(3)(a) The Office of Rural Prosperity shall contract with one or more smart technology lead organizations to administer the grant program for the purpose of deploying public infrastructure smart technology in rural communities. In accordance with the terms required by the office, the smart technology lead organization shall provide grants to counties and municipalities located within a rural area of opportunity for public infrastructure smart technology projects.

(b) The office's contract with a smart technology lead organization must specify the contract deliverables, including financial reports and other reports due the office, timeframes for achieving contractual obligations, and any other requirements the office determines are necessary. The contract must require the smart technology lead organization to do the following:

1. Collaborate with counties and municipalities located in rural areas of opportunity to identify opportunities for local governments to institute cost-effective smart technology solutions for improving public services and infrastructure.

2. Provide technical assistance to counties and municipalities located in rural areas of opportunity in developing plans for public infrastructure smart technology projects.

3. Assist counties and municipalities located in rural areas of opportunity in connecting with other communities, companies, and other entities to leverage the impact of each public infrastructure smart technology project.

(4) The office shall include in its annual report required by s. 288.013(6) a description of the projects funded under this section.

Section 14. Subsections (1), (2), and (4) of section 288.018, Florida Statutes, are amended to read:

288.018 Regional Rural Development Grants Program.—

(1)(a) For the purposes of this section, the term "regional economic development organization" means an economic development organization located in or contracted to serve a rural area of opportunity, as defined in *s. 288.0656* ~~s. 288.0656(2)(d)~~.

(b) *Subject to appropriation,* the *Office of Rural Prosperity* ~~department~~ shall establish a grant program to provide funding to regional economic development organizations for the purpose of building the professional capacity of those organizations. Building the professional capacity of a regional economic development organization includes hiring professional staff to develop, deliver, and provide needed economic development professional services, including technical assistance, education and leadership development, marketing, and project recruitment. Grants may also be used by a regional economic development organization to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses.

(c) A regional economic development organization may apply annually to the *office* ~~department~~ for a grant. The *office* ~~department~~ is authorized to approve, on an annual basis, grants to such regional economic development organizations. The *office may award a maximum amount of $50,000 in a year to* ~~maximum amount~~ an organization ~~may receive in any year will be $50,000~~, or $250,000 *each to* ~~for~~ any three regional economic development organizations that serve an entire region of a rural area of opportunity designated pursuant to s. 288.0656(7) if they are recognized by the *office* ~~department~~ as serving such a region.

(2) In approving the participants, the *office* ~~department~~ shall require the following:

(a) Documentation of official commitments of support from each of the units of local government represented by the regional organization.

(b) Demonstration that the organization is in existence and actively involved in economic development activities serving the region.

(c) Demonstration of the manner in which the organization is or will coordinate its efforts with those of other local and state organizations.

(4) *Except as otherwise provided in the General Appropriations Act,* the *office* ~~department~~ may expend up to $750,000 each fiscal year from funds appropriated ~~to the Rural Community Development Revolving Loan Fund~~ for the purposes outlined in this section.

Section 15. Section 288.019, Florida Statutes, is amended to read:

288.019 Rural considerations in grant review and evaluation processes*; financial match waiver or reduction*.—

(1) Notwithstanding any other law, and to the fullest extent possible, *each agency and organization* ~~the member agencies and organizations~~ of the Rural Economic Development Initiative (REDI) as defined in *s. 288.0656* ~~s. 288.0656(6)(a)~~ shall review*:*

(a) All grant and loan application evaluation criteria *and scoring procedures* to ensure the fullest access for rural *communities* ~~counties~~ as defined in *s. 288.0656* ~~s. 288.0656(2)~~ to resources available throughout the state*; and*

(b) The financial match requirements for projects in rural communities.

(2)~~(1)~~ Each REDI agency and organization shall *consider the impact on and ability of rural communities to meet and be competitive under such criteria, scoring, and requirements. Upon review, each REDI agency and organization shall* ~~review all evaluation and scoring procedures and~~ develop *a proposal for* modifications to those procedures which minimize the *financial and resource impact to a rural community, including waiver or reduction of any required financial match requirements* ~~impact of a project within a rural area~~.

(a)~~(2)~~ Evaluation criteria and scoring procedures must provide for an appropriate ranking*, when ranking is a component of the program,* based on the proportionate impact that projects have on a rural area when compared with similar project impacts on an urban area. *Additionally,*

~~(3)~~ evaluation criteria and scoring procedures must recognize the disparity of available fiscal resources for an equal level of financial support from an urban county *or municipality* and a rural county *or municipality*.

~~(a)~~ The evaluation criteria should weight contribution in proportion to the amount of funding available at the local level.

(b) *Match requirements must be waived or reduced for rural communities. When appropriate, an* in-kind match *must* ~~should~~ be allowed and applied as *a* financial match when a *rural community* ~~county~~ is experiencing *economic* ~~financial~~ distress *as defined in s. 288.0656* ~~through elevated unemployment at a rate in excess of the state's average by 5 percentage points or because of the loss of its ad valorem base~~*. Donations of land, though usually not recognized as an in-kind match, may be treated as such. As appropriate, each agency and organization that applies for or receives federal funding must request federal approval to waive or reduce the financial match requirements, if any, for projects in rural communities.*

(3)~~(4)~~ ~~For existing programs,~~ The *proposal* ~~modified evaluation criteria and scoring procedure~~ must be *submitted* ~~delivered~~ to the *Office of Rural Prosperity* ~~department~~ for distribution to the REDI agencies and organizations. The REDI agencies and organizations shall review and make comments *and recommendations that*~~. Future rules, programs, evaluation criteria, and scoring processes must be brought before a REDI meeting for review, discussion, and recommendation to~~ allow rural *communities* ~~counties~~ fuller access to the state's resources.

(4) Each REDI agency and organization shall ensure that related administrative rules or policies are modified, as necessary, to reflect the finalized proposal and that information about the authorized wavier or reduction is included in the online rural resource directory of the Office of Rural Prosperity required in s. 288.013(4)(d).

(5) The rural liaison from the related regional district shall assist the rural community to make requests of waiver or reduction of match.

Section 16. Subsection (3) is added to section 288.021, Florida Statutes, to read:

288.021 Economic development liaison.—

(3) When practicable, the staff member appointed as the economic development liaison shall also serve as the agency representative for the Rural Economic Development Initiative pursuant to s. 288.0656.

Section 17. Section 288.065, Florida Statutes, is amended to read:

288.065 Rural Community Development Revolving Loan Fund.—

(1) The Rural Community Development Revolving Loan Fund Program is established within the *Office of Rural Prosperity* ~~department~~ to facilitate the use of existing federal, state, and local financial resources by providing local governments with financial assistance to further promote the economic viability of rural communities. These funds may be used to finance initiatives directed toward maintaining or developing the economic base of rural communities, especially initiatives addressing employment opportunities for residents of these communities.

(2)(a) The program shall provide for long-term loans, loan guarantees, and loan loss reserves to units of local governments, or economic development organizations substantially underwritten by a unit of local government.~~,~~

(b) For purposes of this section, the term "unit of local government" means:

1. A county ~~within counties~~ with *a population* ~~populations~~ of 75,000 or *less.* ~~fewer, or within any~~

2. A county with a population of 125,000 or *less* ~~fewer~~ which is contiguous to a county with a population of 75,000 or *less.* ~~fewer~~

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. A county or municipality within a rural area of opportunity.

For purposes of this paragraph, population is determined in accordance with the most recent official estimates pursuant to s. 186.901 and must include those residing in incorporated and unincorporated areas of a county~~, based on the most recent official population estimate as determined under s. 186.901, including those residing in incorporated areas and those residing in unincorporated areas of the county, or to units of local government, or economic development organizations substantially underwritten by a unit of local government, within a rural area of opportunity~~.

(c)~~(b)~~ Requests for loans *must* ~~shall~~ be made by application to the *office* ~~department~~. Loans *must* ~~shall~~ be made pursuant to agreements specifying the terms and conditions agreed to between the applicant and the *office* ~~department~~. The loans *are* ~~shall be~~ the legal obligations of the applicant.

(d)~~(c)~~ All repayments of principal and interest shall be returned to the loan fund and made available for loans to other applicants. However, in a rural area of opportunity designated *under s. 288.0656* ~~by the Governor~~, and upon approval by the *office* ~~department~~, repayments of

principal and interest may be retained by the applicant if such repayments are dedicated and matched to fund regionally based economic development organizations representing the rural area of opportunity.

(3) The *office* ~~department~~ shall manage the fund, establishing loan practices that must include, but are not limited to, procedures for establishing loan interest rates, uses of funding, application procedures, and application review procedures. The *office has* ~~department shall have~~ final approval authority for any loan under this section.

(4) Notwithstanding ~~the provisions of~~ s. 216.301, funds appropriated for this *loan fund may* ~~purpose shall~~ not be subject to reversion.

(5) The office shall include in its annual report required under s. 288.013 detailed information about the fund, including loans made during the previous fiscal year, loans active, loans terminated or repaid, and the amount of funds not obligated as of 14 days before the date the report is due.

Section 18. Subsections (1), (2), and (3) of section 288.0655, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

288.0655 Rural Infrastructure Fund.—

(1) There is created within the *Office of Rural Prosperity* ~~department~~ the Rural Infrastructure Fund to facilitate the planning, preparing, and financing of infrastructure projects in rural communities which will encourage job creation, capital investment, and the strengthening and diversification of rural economies by promoting tourism, trade, and economic development. *Grants under this program may be awarded to a unit of local government within a rural community or rural area of opportunity as defined in s. 288.0656; or to a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government for an infrastructure project located within an unincorporated area that has a population of 15,000 or less, has been in existence for 100 years or more, is contiguous to a rural community, and has been adversely affected by a natural disaster or presents a unique economic development opportunity of regional impact.*

(2)(a) Funds appropriated by the Legislature shall be distributed by the *office* ~~department~~ through grant programs that maximize the use of federal, local, and private resources, including, but not limited to, those available under the Small Cities Community Development Block Grant Program.

(b) To facilitate access of rural communities and rural areas of opportunity as defined by the Rural Economic Development Initiative to infrastructure funding programs of the Federal Government, such as those offered by the United States Department of Agriculture and the United States Department of Commerce, and state programs, including those offered by Rural Economic Development Initiative agencies, and to facilitate local government or private infrastructure funding efforts, the *office* ~~department~~ may award grants for up to 75 percent of the total infrastructure project cost, or up to 100 percent of the total infrastructure project cost for a project located in a rural community as defined in s. 288.0656(2) which is also located in a fiscally constrained county as defined in s. 218.67(1) or a rural area of opportunity as defined in s. 288.0656(2). Eligible uses of funds may include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth and reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities. Eligible uses of funds include improvements to public infrastructure for industrial or commercial sites and upgrades to or development of public tourism infrastructure. Authorized infrastructure may include the following public or public-private partnership facilities: storm water systems; telecommunications facilities; roads or other remedies to transportation impediments; nature-based tourism facilities; or other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community. Authorized infrastructure may also include publicly or privately owned self-powered nature-based tourism facilities, publicly owned telecommunications facilities, and additions to the distribution facilities of the existing natural gas utility as defined in s. 366.04(3)(c), the existing electric utility as defined in s. 366.02, or the existing water or wastewater utility as defined in s. 367.021(12), or any other existing water or wastewater facility, which owns a gas or electric distribution system or a water or wastewater system in this state when:

1. A contribution-in-aid of construction is required to serve public or public-private partnership facilities under the tariffs of any natural gas, electric, water, or wastewater utility as defined herein; and

2. Such utilities as defined herein are willing and able to provide such service.

(c) The *office* ~~department~~ may award grants of up to $300,000 for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation *or site readiness* activities. *Site readiness expenses may include clearing title, surveys, permitting, environmental studies, and regulatory compliance costs.* Grants awarded under this paragraph may be used in conjunction with grants awarded under paragraph (b). In evaluating applications under this paragraph, the *office* ~~department~~ shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(d) The *office* ~~department~~ shall participate in a memorandum of agreement with the United States Department of Agriculture under which state funds available through the Rural Infrastructure Fund may be advanced, in excess of the prescribed state share, for a project that has received from the United States Department of Agriculture a preliminary determination of eligibility for federal financial support. State funds in excess of the prescribed state share which are advanced pursuant to this paragraph and the memorandum of agreement shall be reimbursed when funds are awarded under an application for federal funding.

(e) To enable local governments to access the resources available pursuant to s. 403.973(17), the *office* ~~department~~ may award grants for surveys, feasibility studies, and other activities related to the identification and preclearance review of land which is suitable for preclearance review. Authorized grants under this paragraph may not exceed $75,000 each, except in the case of a project in a rural area of opportunity, in which case the grant may not exceed $300,000. Any funds awarded under this paragraph must be matched at a level of 50 percent with local funds, except that any funds awarded for a project in a rural area of opportunity do not require a match of local funds. ~~If an application for funding is for a catalyst site, as defined in s. 288.0656, the requirement for local match may be waived pursuant to the process in s. 288.06561.~~ In evaluating applications under this paragraph, the *office* ~~department~~ shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(3) The *office* ~~department~~, in consultation with the *Department of Transportation* ~~Florida Tourism Industry Marketing Corporation~~, the Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission, as appropriate, shall review and certify applications pursuant to s. 288.061. The review must include an evaluation of the economic benefit and long-term viability. The *office has* ~~department shall have~~ final approval for any grant under this section.

(6) The office shall include in its annual report required under s. 288.013 detailed information about the fund, including grants made for the year, grants active, grants terminated or complete, and the amount of funds not obligated as of 14 days before the date the report is due.

Section 19. Subsection (1), paragraphs (a), (b), and (e) of subsection (2), subsections (3) and (6), paragraphs (b) and (c) of subsection (7), and subsection (8) of section 288.0656, Florida Statutes, are amended to read:

288.0656 Rural Economic Development Initiative.—

(1)(a) Recognizing that rural communities and regions continue to face extraordinary challenges in their efforts to significantly improve their economies, specifically in terms of personal income, job creation, average wages, and strong tax bases, it is the intent of the Legislature to encourage and facilitate the location and expansion of major economic development projects of significant scale in such rural communities. *The Legislature finds that rural communities are the essential conduits for the economy's distribution, manufacturing, and food supply.*

(b) The Rural Economic Development Initiative, known as "REDI," is created within the *Office of Rural Prosperity* ~~department~~, and *all* ~~the participation of~~ state and regional agencies *listed in paragraph (6)(a) shall participate* in this initiative ~~is authorized~~.

(2) As used in this section, the term:

~~(a) "Catalyst project" means a business locating or expanding in a rural area of opportunity to serve as an economic generator of regional significance for the growth of a regional target industry cluster. The project must provide capital investment on a scale significant enough to affect the entire region and result in the development of high wage and high skill jobs.~~

~~(b) "Catalyst site" means a parcel or parcels of land within a rural area of opportunity that has been prioritized as a geographic site for economic development through partnerships with state, regional, and local organizations. The site must be reviewed by REDI and approved by the department for the purposes of locating a catalyst project.~~

(c)~~(c)~~ "Rural community" means:

1. A county with a population of 75,000 or *less* ~~fewer~~.

2. A county with a population of 125,000 or *less* ~~fewer~~ which is contiguous to a county with a population of 75,000 or *less* ~~fewer~~.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or *less* ~~fewer~~ and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in *paragraph (a)* ~~paragraph (c)~~ and verified by the *office* ~~department~~.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

(3) REDI shall be responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's ~~economically distressed~~ rural communities, working with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.

(6)(a) By August 1 of each year, the head of each of the following agencies and organizations shall designate a deputy secretary or higher-level staff person from within the agency or organization to serve as the REDI representative for the agency or organization:

1. The Department of Transportation.

2. The Department of Environmental Protection.

3. The Department of Agriculture and Consumer Services.

4. The Department of State.

5. The Department of Health.

6. The Department of Children and Families.

7. The Department of Corrections.

8. The Department of Education.

9. The Department of Juvenile Justice.

10. The Fish and Wildlife Conservation Commission.

11. Each water management district.

12. CareerSource Florida, Inc.

13. VISIT Florida.

14. The Florida Regional Planning Council Association.

15. The Agency for Health Care Administration.

16. The Institute of Food and Agricultural Sciences (IFAS).

(b) An alternate for each designee *must* ~~shall~~ also be chosen, *who must also be a deputy secretary or higher-level staff person,* and the names of the designees and alternates *must* ~~shall~~ be *reported* ~~sent~~ to the *director of the Office of Rural Prosperity. At least one rural liaison from each regional rural community liaison center must participate in the REDI meetings* ~~Secretary of Commerce~~.

(c) REDI shall meet at least each month, but may meet more often as necessary. Each REDI representative, or his or her designee, shall be physically present or available by means of electronic communication for each meeting.

(d)~~(b)~~ Each REDI representative must have comprehensive knowledge of his or her agency's functions, both regulatory and service in nature, and of the state's economic goals, policies, and programs. This person shall be the primary point of contact for his or her agency with REDI on issues and projects relating to ~~economically distressed~~ rural communities and with regard to expediting project review, shall ensure a prompt effective response to problems arising with regard to rural issues, and shall work closely with the other REDI representatives in the identification of opportunities for preferential awards of program funds*, contractual or other agreement provisions which meet the requirements of s. 215.971,* and allowances and waiver of program requirements when necessary to encourage and facilitate ~~long-term private~~ capital investment and job creation.

(e)~~(c)~~ The REDI representatives shall work with REDI in the review and evaluation of statutes and rules for adverse impact on rural communities and the development of alternative proposals to mitigate that impact.

(f)~~(d)~~ Each REDI representative shall be responsible for ensuring that each district office or facility of his or her agency is informed *quarterly* about the Rural Economic Development Initiative and for providing assistance throughout the agency in the implementation of REDI activities.

(7)

(b) Designation as a rural area of opportunity under this subsection shall be contingent upon the execution of a memorandum of agreement among the *office* ~~department~~; the governing body of the county; and the governing bodies of any municipalities to be included within a rural area of opportunity. Such agreement shall specify the terms and conditions of the designation, including, but not limited to, the duties and responsibilities of the county and any participating municipalities to take actions designed to facilitate the retention and expansion of existing businesses in the area, as well as the recruitment of new businesses to the area.

~~(c) Each rural area of opportunity may designate catalyst projects, provided that each catalyst project is specifically recommended by REDI and confirmed as a catalyst project by the department. All state agencies and departments shall use all available tools and resources to the extent permissible by law to promote the creation and development of each catalyst project and the development of catalyst sites.~~

(8) REDI shall submit a report to the *Office of Rural Prosperity* ~~department~~ on all REDI activities for the previous fiscal year as a supplement to the *office's* ~~department's~~ annual report required under *s. 288.013* ~~s. 20.60~~. This supplementary report must include:

(a) A status report on *every project* ~~all projects~~ currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section *in detail by award, allowance, or match type*, the dollar amount of such awards, and the names of the recipients.

(b) A description of all waivers of program requirements granted*, including a list by program of each waiver that was granted. If waivers were requested but were not granted, a list of ungranted waivers, including reasons why the waivers were not granted, must be included*.

(c) *Detailed* information as to the economic impact of the projects coordinated by REDI.

(d) Recommendations based on the review and evaluation of statutes and rules having an adverse impact on rural communities and proposals to mitigate such adverse impacts.

(e) Legislative recommendations for statutory waivers or reductions of specified economic development program requirements, including financial match waivers or reductions, for applicants within rural areas of opportunity.

(f) Outcomes of proposals submitted pursuant to s. 288.019.

Section 20. *Section 288.06561, Florida Statutes, is repealed.*

Section 21. Subsections (2), (3), and (4) of section 288.0657, Florida Statutes, are amended to read:

288.0657 Florida rural economic development strategy grants.—

(2) The *Office of Rural Prosperity shall provide* ~~department may accept and administer moneys appropriated to the department for providing~~ grants to assist rural communities to develop and implement strategic economic development plans. *Grants may be provided to assist with costs associated with marketing a site to business and site selectors for an economic development project that is part of an economic development plan, either as part of funding to develop and implement a plan or related to an already adopted plan.*

(3) A rural community, an economic development organization in a rural area, or a regional organization representing at least one rural community or such economic development organizations may apply for such grants. *The rural liaison for the rural community shall assist those applying for such grants.*

(4) The *office* ~~department~~ shall establish criteria for reviewing grant applications. These criteria *must* ~~shall~~ include, but are not limited to, the degree of participation and commitment by the local community and the application's consistency with local comprehensive plans or the application's proposal to ensure such consistency. *Grants for marketing may include funding for advertising campaign materials and costs associated with meetings, trade missions, and professional development affiliated with site preparation and marketing.* The *office* ~~department~~ shall review each application for a grant. ~~The department may approve grants only to the extent that funds are appropriated for such grants by the Legislature.~~

Section 22. Paragraph (a) of subsection (13) of section 288.1226, Florida Statutes, is amended to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(13) FOUR-YEAR MARKETING PLAN.—

(a) The corporation shall, in collaboration with the department, develop a 4-year marketing plan. At a minimum, the marketing plan must discuss the following:

1. Continuation of overall tourism growth in this state.

2. Expansion to new or under-represented tourist markets.

3. Maintenance of traditional and loyal tourist markets.

4. Coordination of efforts with county destination marketing organizations, other local government marketing groups, privately owned attractions and destinations, and other private sector partners to create a seamless, four-season advertising campaign for the state and its regions.

5. Development of innovative techniques or promotions to build repeat visitation by targeted segments of the tourist population.

6. Consideration of innovative sources of state funding for tourism marketing.

7. Promotion of nature-based tourism, including, but not limited to, promotion of the Florida Greenways and Trails System as described under s. 260.014 and the Florida Shared-Use Nonmotorized Trail Network as described under s. 339.81.

8. Coordination of efforts with the Office of Greenways and Trails of the Department of Environmental Protection and the department to promote and assist local communities, including, but not limited to, communities designated as trail towns by the Office of Greenways and Trails, to maximize use of nearby trails as economic assets, including specific promotion of trail-based tourism.

9. Promotion of heritage tourism.

10. Development of a component to address emergency response to natural and manmade disasters from a marketing standpoint.

11. Provision of appropriate marketing assistance resources to small, rural, and agritourism businesses located in this state. Such resources may include, but are not limited to, marketing plans, marketing assistance, promotional support, media development, technical expertise, marketing advice, technology training, and social marketing support.

Section 23. *Section 288.12266, Florida Statutes, is repealed.*

Section 24. Paragraph (f) of subsection (2) and paragraphs (a), (b), and (c) of subsection (4) of section 288.9961, Florida Statutes, are amended, and subsections (6) and (7) are added to that section, to read:

288.9961 Promotion of broadband adoption; Florida Office of Broadband.—

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

(f) "Underserved" means a geographic area of this state in which there is no provider of broadband Internet service that offers a connection to the Internet with a capacity for transmission at a consistent speed of at least 100 megabits per second downstream and at least *20* ~~10~~ megabits per second upstream.

(4) FLORIDA OFFICE OF BROADBAND.—The Florida Office of Broadband is created within the Division of Community Development in the department for the purpose of developing, marketing, and promoting broadband Internet services in this state. The office, in the performance of its duties, shall do all of the following:

(a) Create a strategic plan that has goals and strategies for increasing and improving the availability of, access to, and use of broadband Internet service in this state. In development of the plan, the department shall incorporate applicable federal broadband activities, including any efforts or initiatives of the Federal Communications Commission, to improve broadband Internet service in this state. The plan must identify available federal funding sources for the expansion or improvement of broadband. The strategic plan must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by June 30, 2022. The strategic plan must be updated biennially thereafter. The plan must include a process to review and verify public input regarding transmission speeds and availability of broadband Internet service throughout this state. *The office shall consult with each regional rural community liaison center within the Office of Rural Prosperity on the development and update of the plan.*

(b) Build and facilitate local technology planning teams or partnerships with members representing cross-sections of the community, which may include, but are not limited to, representatives from the following organizations and industries: libraries, K-12 education, colleges and universities, local health care providers, private businesses, community organizations, economic development organizations, local governments, tourism, parks and recreation, and agriculture. The local technology planning teams or partnerships shall work with rural communities to help the communities understand their current broadband availability, locate unserved and underserved businesses and residents, identify assets relevant to broadband deployment, build partnerships with broadband service providers, and identify opportunities to leverage assets and reduce barriers to the deployment of broadband Internet services in the community. The teams or partnerships must be proactive in *rural communities as defined in s. 288.0656* ~~fiscally constrained counties~~ in identifying and providing assistance*, in coordination with the regional rural community liaison centers within the Office of Rural*

Prosperity, with applying for federal grants for broadband Internet service.

(c) Provide technical and planning assistance to rural communities *in coordination with the regional rural community liaison centers within the Office of Rural Prosperity.*

(6) The office shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a quarterly report detailing the implementation of broadband activities in rural, unserved, and underserved communities. Such information must be listed by county and include the amount of state and federal funds allocated and expended in the county by program; the progress toward deploying broadband in the county; any technical assistance provided; the activities of the local technology planning teams and partnerships; and the fulfillment of any other duties of the office required by this part.

(7) By December 31 each year, the office shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives an annual report on the office's operations and accomplishments for that calendar year and the status of broadband Internet service access and use in this state. The report must also incorporate the quarterly reports on rural, unserved, and underserved communities required by subsection (6).

Section 25. *Section 290.06561, Florida Statutes, is repealed.*

Section 26. Paragraph (a) of subsection (5) of section 319.32, Florida Statutes, is amended to read:

319.32 Fees; service charges; disposition.—

(5)(a) Forty-seven dollars of each fee collected, except for fees charged on a certificate of title for a motor vehicle for hire registered under s. 320.08(6), for each applicable original certificate of title and each applicable duplicate copy of a certificate of title shall be deposited *as follows:* ~~into the State Transportation Trust Fund. Deposits to the State Transportation Trust Fund pursuant to this paragraph may not exceed $200 million in any fiscal year, and from any collections in excess of that amount during the fiscal year,~~

1. The first $30 million collected shall be deposited into the Highway Safety Operating Trust Fund~~;~~ and

2. Any remaining collections shall be paid into the *State Transportation Trust* ~~General Revenue~~ Fund.

Section 27. Subsection (1) of section 322.095, Florida Statutes, is amended to read:

322.095 Traffic law and substance abuse education program for driver license applicants.—

(1) Each applicant for a driver license *who is 18 years of age or older* must complete a traffic law and substance abuse education course, unless the applicant has been licensed in another jurisdiction or has satisfactorily completed a Department of Education driver education course offered pursuant to s. 1003.48.

Section 28. Subsection (1) of section 322.1615, Florida Statutes, is amended to read:

322.1615 Learner's driver license.—

(1) The department may issue a learner's driver license to a person who is at least 15 years of age and who:

(a) Has passed the written examination for a learner's driver license;

(b) Has passed the vision and hearing examination administered under s. 322.12;

(c) Has *satisfactorily* completed *a driver education course approved by the department which meets or exceeds the Department of Education Driver Education/Traffic Safety-Classroom 1900300 course version description* ~~the traffic law and substance abuse education course prescribed in s. 322.095~~; and

(d) Meets all other requirements set forth in law and by rule of the department.

Section 29. Subsection (37) is added to section 334.044, Florida Statutes, to read:

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

(37) To provide technical assistance and support from the appropriate district of the department to counties that are not located in a metropolitan planning organization created pursuant to s. 339.175.

Section 30. Section 339.0801, Florida Statutes, is amended to read:

339.0801 Allocation of increased revenues derived from amendments to s. 319.32(5)(a) ~~by ch. 2012-128~~.—

(1) The first $200 million of funds that result from increased revenues to the State Transportation Trust Fund derived from the amendments to s. 319.32(5)(a) made by *s. 11, chapter 2012-128, Laws of Florida,* ~~this act~~ must be used annually, first as set forth in *paragraph (a)* ~~subsection (1)~~ and then as set forth in *paragraphs (b), (c), and (d)* ~~subsections (2)-(4)~~, notwithstanding any other provision of law:

(a)1.~~(1)(a)~~ Beginning in the 2013-2014 fiscal year and annually for 30 years thereafter, $10 million shall be for the purpose of funding any seaport project identified in the adopted work program of the Department of Transportation, to be known as the Seaport Investment Program.

2.~~(b)~~ The revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on revenue bonds, or other forms of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. Alternatively, revenue bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation under the State Bond Act and shall be secured by such revenues as are provided in this subsection.

3.~~(c)~~ Revenue bonds or other indebtedness issued hereunder are not a general obligation of the state and are secured solely by a first lien on the revenues distributed under this subsection.

4.~~(d)~~ The state covenants with holders of the revenue bonds or other instruments of indebtedness issued pursuant to this subsection that it will not repeal this subsection; nor take any other action, including but not limited to amending this subsection, that will materially and adversely affect the rights of such holders so long as revenue bonds or other indebtedness authorized by this subsection are outstanding.

5.~~(e)~~ The proceeds of any revenue bonds or other indebtedness, after payment of costs of issuance and establishment of any required reserves, shall be invested in projects approved by the Department of Transportation and included in the department's adopted work program, by amendment if necessary. As required under s. 11(f), Art. VII of the State Constitution, the Legislature approves projects included in the department's adopted work program, including any projects added to the work program by amendment under s. 339.135(7).

6.~~(f)~~ Any revenues that are not used for the payment of bonds as authorized by this subsection may be used for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with ss. 311.07 and 320.20(3) and (4).

(b)~~(2)~~ Beginning in the 2013-2014 fiscal year and annually thereafter, $10 million shall be transferred to the Transportation Disadvantaged Trust Fund, to be used as specified in s. 427.0159.

(c)~~(3)~~ Beginning in the 2013-2014 fiscal year and annually thereafter, $10 million shall be allocated to the Small County Outreach Program to be used as specified in s. 339.2818. These funds are in addition to the funds provided for the program pursuant to s. 201.15(4)(a) 2.

(d)~~(4)~~ After the distributions required pursuant to *paragraphs (a), (b), and (c)* ~~subsections (1)-(3)~~, the remaining funds shall be used annually for transportation projects within this state for existing or planned strategic transportation projects which connect major markets within this state or between this state and other states, which focus on job creation, and which increase this state's viability in the national and global markets.

(2) The remaining funds that result from increased revenue to the State Transportation Trust Fund derived pursuant to s. 319.32(5)(a) must be used annually, notwithstanding any other law, beginning in the 2025-2026 fiscal year and annually thereafter, for the Small County Road Assistance Program as prescribed in s. 339.2816.

(3)~~(5)~~ Pursuant to s. 339.135(7), the department shall amend the work program to add the projects provided for in this section.

Section 31. Paragraph (a) of subsection (4) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(a)1. To assure that no district or county is penalized for local efforts to improve the State Highway System, the department shall, for the purpose of developing a tentative work program, allocate funds for new construction to the districts, except for the turnpike enterprise, based on equal parts of population and motor fuel tax collections. Funds for resurfacing, bridge repair and rehabilitation, bridge fender system construction or repair, public transit projects except public transit block grants as provided in s. 341.052 *and rural transit operating block grants as provided in s. 341.0525*, and other programs with quantitative needs assessments shall be allocated based on the results of these assessments. The department may not transfer any funds allocated to a district under this paragraph to any other district except as provided in subsection (7). Funds for public transit block grants shall be allocated to the districts pursuant to s. 341.052. *Funds for rural transit operating block grants shall be allocated to the districts pursuant to s. 341.0525.* Funds for the intercity bus program provided for under s. 5311(f) of the federal nonurbanized area formula program shall be administered and allocated directly to eligible bus carriers as defined in s. 341.031(12) at the state level rather than the district. In order to provide state funding to support the intercity bus program provided for under provisions of the federal 5311(f) program, the department shall allocate an amount equal to the federal share of the 5311(f) program from amounts calculated pursuant to s. 206.46(3).

2. Notwithstanding the provisions of subparagraph 1., the department shall allocate at least 50 percent of any new discretionary highway capacity funds to the Florida Strategic Intermodal System created pursuant to s. 339.61. Any remaining new discretionary highway capacity funds shall be allocated to the districts for new construction as provided in subparagraph 1. For the purposes of this subparagraph, the term "new discretionary highway capacity funds" means any funds available to the department above the prior year funding level for capacity improvements, which the department has the discretion to allocate to highway projects.

Section 32. Subsection (3) and paragraph (a) of subsection (4) of section 339.2816, Florida Statutes, are amended, and paragraph (c) of subsection (4) of that section is reenacted, to read:

339.2816 Small County Road Assistance Program.—

(3) Beginning with fiscal year ~~1999-2000 until fiscal year 2009-2010, and beginning again with fiscal year~~ 2012-2013, ~~up to~~ $25 million annually from the State Transportation Trust Fund *must* ~~may~~ be used for the purposes of funding the Small County Road Assistance Program as described in this section. *In addition, beginning with fiscal year 2025-2026, the department must use the additional revenues allocated by s. 339.0801 for the Small County Road Assistance Program.*

(4)(a) Small counties shall be eligible to compete for funds that have been designated for the Small County Road Assistance Program for resurfacing or reconstruction projects on county roads that were part of the county road system on June 10, 1995. Capacity improvements on county roads *are* ~~shall~~ not ~~be~~ eligible for funding under the program *unless a safety issue exists or the department finds it necessary to widen existing lanes as part of a resurfacing or reconstruction project*.

(c) The following criteria must be used to prioritize road projects for funding under the program:

1. The primary criterion is the physical condition of the road as measured by the department.

2. As secondary criteria the department may consider:

a. Whether a road is used as an evacuation route.

b. Whether a road has high levels of agricultural travel.

c. Whether a road is considered a major arterial route.

d. Whether a road is considered a feeder road.

e. Whether a road is located in a fiscally constrained county, as defined in s. 218.67(1).

f. Other criteria related to the impact of a project on the public road system or on the state or local economy as determined by the department.

Section 33. Subsection (3) of section 339.2817, Florida Statutes, is amended, and a new subsection (6) is added to that section, to read:

339.2817 County Incentive Grant Program.—

(3) The department must consider, but is not limited to, the following criteria for evaluation of projects for County Incentive Grant Program assistance:

(a) The extent to which the project will encourage, enhance, or create economic benefits;

(b) The likelihood that assistance would enable the project to proceed at an earlier date than the project could otherwise proceed;

(c) The extent to which assistance would foster innovative public-private partnerships and attract private debt or equity investment;

(d) The extent to which the project uses new technologies, including intelligent transportation systems, which enhance the efficiency of the project;

(e) The extent to which the project enhances connectivity between rural agricultural areas and market distribution centers;

(f)~~(e)~~ The extent to which the project helps to maintain or protect the environment; and

(g)~~(f)~~ The extent to which the project includes transportation benefits for improving intermodalism and safety.

(6) Beginning in the 2025-2026 fiscal year, the department shall give priority to a county located either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15) which, notwithstanding subsection (4), requests 100 percent of the project costs for an eligible project that meets the criteria established in paragraph (3)(e). Requests under this subsection are limited to $15 million annually. This subsection expires July 1, 2031.

Section 34. Subsections (1), (2), (3), (6), (7), and (8) of section 339.2818, Florida Statutes, are amended to read:

339.2818 Small County Outreach Program.—

(1) There is created within the department ~~of Transportation~~ the Small County Outreach Program. The purpose of this program is to assist small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road-related drainage improvements, resurfacing or reconstructing county roads, or constructing capacity or safety improvements to county roads.

(2) For the purposes of this section, the term "small county" means any county that has a population of 200,000 or less as determined by the most recent official *population census determination* ~~estimate~~ pursuant to s. 186.901.

~~(3) Funds allocated under this program, pursuant to s. 4, ch. 2000-257, Laws of Florida, are in addition to any funds provided pursuant to s. 339.2816, for the Small County Road Assistance Program.~~

(5)~~(6)~~ Funds paid into the State Transportation Trust Fund pursuant to *ss. 201.15, 320.072, and 339.0801* ~~s. 201.15~~ for the purposes of the Small County Outreach Program are hereby annually appropriated for expenditure to support the Small County Outreach Program.

(6)~~(7)~~ Subject to a specific appropriation in addition to funds annually appropriated for projects under this section, a municipality within a rural area of opportunity or a rural area of opportunity community designated under s. 288.0656(7)(a) may compete for the additional project funding using the criteria listed in subsection *(3)* ~~(4)~~ at up to 100 percent of project costs, excluding capacity improvement projects.

~~(8) Subject to a specific appropriation in addition to funds appropriated for projects under this section, a local government either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15), the Peace River Basin, or the Suwannee River Basin may compete for additional funding using the criteria listed in paragraph (4)(e) at up to 100 percent of project costs on state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.~~

Section 35. Section 339.68, Florida Statutes, is amended to read:

(Substantial rewording of section.

See s. 339.68, F.S., for present text.)

339.68 Florida Arterial Road Modernization Program.—

(1) The Legislature finds that increasing demands continue to be placed on rural arterial roads in this state by a fast-growing economy, continued population growth, and increased tourism. Investment in the rural arterial roads of this state is needed to maintain the safety, mobility, reliability, and resiliency of the transportation system in order to support the movement of people, goods, and commodities; to enhance economic prosperity and competitiveness; and to enrich the quality of life of the rural communities and the environment of this state.

(2) The Florida Arterial Road Modernization Program is created within the department to make capacity and safety improvements to two-lane arterial roads or connect existing arterial roads located in rural communities. For purposes of this section, the term "rural community" has the same meaning as provided in s. 288.0656.

(3) Beginning in the 2025-2026 fiscal year, the department shall allocate from the State Transportation Trust Fund a minimum of $50 million in each fiscal year for purposes of funding the program. This funding is in addition to any other funding provided to the program by any other law.

(4) The department shall use the following criteria to prioritize projects for funding under the program:

(a) Whether the road has documented safety concerns or requires additional safety and design improvements. This may be evidenced by the number of fatalities or crashes per vehicle mile traveled.

(b) Whether the road has or is projected to have a significant amount of truck tractor traffic as determined by the department. For purposes of this paragraph, the term "truck tractor" has the same meaning as in s. 320.01(11).

(c) Whether the road is used to transport agricultural products and commodities from the farm to the market or other sale or distribution point.

(d) Whether the road is used to transport goods to or from warehouses, distribution centers, or intermodal logistics centers as defined in s. 311.101(2).

(e) Whether the road is used as an evacuation route.

(f) Whether the physical condition of the road meets department standards.

(g) Whether the road currently has, or is projected to have within the next 5 years, a level of service of D, E, or F.

(h) Any other criteria related to the impact of a project on the public road system or on the state or local economy as determined by the department.

(5) By January 1, 2027, and every 2 years thereafter, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report regarding the use and condition of arterial roads located in rural communities, which report must include the following:

(a) A map of roads located in rural communities which are designated as arterial roads.

(b) A needs assessment that must include, but is not limited to, consideration of infrastructure improvements to improve capacity on arterial roads in rural communities.

(c) A synopsis of the department's project prioritization process.

(d) An estimate of the local and state economic impact of improving capacity on arterial roads in rural communities.

(e) A listing of the arterial roads and the associated improvements to be included in the program and a schedule or timeline for the inclusion of such projects in the work program.

Section 36. *(1) The Department of Transportation shall allocate the additional funds provided by this act to implement the Small County Road Assistance Program as created by s. 339.2816, Florida Statutes, and amend the current tentative work program for the 2025-2026 through 2031-2032 fiscal years to include additional projects. In addition, before adoption of the work program, the department shall submit a budget amendment pursuant to s. 339.135(7), Florida Statutes, requesting budget authority necessary to implement the additional projects.*

(2) The department shall allocate sufficient funds to implement the Florida Arterial Road Modernization Program, develop a plan to expend the revenues as specified in s. 339.68, Florida Statutes, and, before its adoption, amend the current tentative work program for the 2025-2026 through 2031-2032 fiscal years to include the program's projects. In addition, before adoption of the work program, the department shall submit a budget amendment pursuant to s. 339.135(7), Florida Statutes, requesting budget authority necessary to implement the program as specified in s. 339.68, Florida Statutes.

(3) Notwithstanding any other law, the increase in revenue to the State Transportation Trust Fund derived from the amendments to ss. 201.15 and 319.32, Florida Statutes, made by this act and deposited into the trust fund pursuant to ss. 201.15 and 339.0801, Florida Statutes, shall be used by the department to fund the programs as specified in this section.

Section 37. Subsections (1) and (6) of section 341.052, Florida Statutes, are amended to read:

341.052 Public transit block grant program; administration; eligible projects; limitation.—

(1) There is created a public transit block grant program which shall be administered by the department. Block grant funds shall only be provided to ~~"Section 9" providers and "Section 18"~~ providers designated by the United States Department of Transportation *pursuant to 49 U.S.C. s. 5307* and community transportation coordinators as defined in chapter 427. Eligible providers must establish public transportation development plans consistent, to the maximum extent feasible, with approved local government comprehensive plans of the units of local government in which the provider is located and the long-range transportation plans of the metropolitan planning organization in which the provider is located. In developing public transportation development plans, eligible providers must solicit comments from local workforce

development boards established under chapter 445. The development plans must address how the public transit provider will work with the appropriate local workforce development board to provide services to participants in the welfare transition program. Eligible providers must provide information to the local workforce development board serving the county in which the provider is located regarding the availability of transportation services to assist program participants.

(6) The department shall distribute 85 percent of the public transit block grant funds to ~~"Section 9" and "Section 18"~~ providers designated by the United States Department of Transportation *pursuant to 49 U.S.C. s. 5307*. The funds shall be distributed to *such* ~~"Section 9" providers, and to "Section 18"~~ providers that are not designated as community transportation coordinators pursuant to chapter 427, according to the following formula, except that at least $20,000 shall be distributed to each eligible provider if application of the formula provides less than that amount for any such provider:

(a) One-third shall be distributed according to the percentage that an eligible provider's county population in the most recent year for which those population figures are available from the state census repository is of the total population of all counties served by eligible providers.

(b) One-third shall be distributed according to the percentage that the total revenue miles provided by an eligible provider, as verified by the most recent *National Transit Database* ~~"Section 15"~~ report to the Federal Transit Administration or a similar audited report submitted to the department, is of the total revenue miles provided by eligible providers in the state in that year.

(c) One-third shall be distributed according to the percentage that the total passengers carried by an eligible provider, as verified by the most recent *National Transit Database* ~~"Section 15"~~ report submitted to the Federal Transit Administration or a similar audited report submitted to the department, is of the total number of passengers carried by eligible providers in the state in that year.

Section 38. Section 341.0525, Florida Statutes, is created to read:

341.0525 Rural transit operating block grant program; administration; eligible projects.—

(1) There is created a rural transit operating block grant program that shall be administered by the department. Rural transit block grant funds are available only to public transit providers not eligible to receive public transit block grants pursuant to s. 341.052.

(2) At least $3 million must be allocated annually from the State Transportation Trust Fund for the program. At least $20,000 must be distributed to each eligible provider if application of the following formula provides less than that amount for any such provider:

(a) One-third must be distributed according to the percentage that an eligible provider's non-urbanized county population in the most recent year official population estimate pursuant to s. 186.901 is of the total population of all counties served by eligible providers.

(b) One-third must be distributed according to the percentage that the total non-urbanized revenue miles provided by an eligible provider, as verified by the most recent National Transit Database report or a similar audited report submitted to the department, is of the total rural revenue miles provided by eligible providers in the state in that year.

(c) One-third must be distributed according to the percentage that the total non-urbanized passengers carried by an eligible provider, as verified by the most recent National Transit Database report or a similar audited report submitted to the department, is of the total number of passengers carried by eligible providers in the state in that year.

(3) Grant funds must be used to pay public transit operating costs. State participation in such costs may not exceed 50 percent of such costs or an amount equal to the total revenue, excluding farebox, charter, and advertising revenue and federal funds, received by the provider for operating costs, whichever amount is less.

(4)(a) An eligible public transit provider may not use block grant funds to supplant local tax revenues made available to such provider for operations in the previous year; however, the Secretary of Transportation may waive this provision for public transit providers located in a county recovering from a state of emergency declared pursuant to part I of chapter 252.

(b) The state may not give any county more than 39 percent of the funds available for distribution under this section or more than the amount that local revenue sources provide to that county for its transit system.

(5) To remain eligible to receive funding under the program, eligible public transit providers must comply with s. 341.071(1) and (2).

(6)(a) Any funds distributed to an eligible provider pursuant to subsection (2) which cannot be expended within the limitations of the program must be returned to the department for redistribution to other eligible providers.

(b) The department may consult with an eligible provider, before distributing funds to that provider, to determine whether the provider can expend its total block grant within the limitations of the program. If the department and the provider agree that the total block grant amount cannot be expended, the provider may agree to accept a block grant amount of less than the total amount, in which case the funds that exceed such lesser agreed-upon amount must be redistributed to other eligible providers.

(c) If an audit reveals that an eligible provider expended block grant funds on unauthorized uses, the provider must repay to the department an amount equal to the funds expended for unauthorized uses. The department shall redistribute such repayments to other eligible providers.

Section 39. Subsection (3) of section 420.9073, Florida Statutes, is amended to read:

420.9073 Local housing distributions.—

(3) Calculation of guaranteed amounts:

(a) The guaranteed amount under subsection (1) shall be calculated for each state fiscal year by multiplying *$1 million* ~~$350,000~~ by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(c) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

(b) The guaranteed amount under subsection (2) shall be calculated for each state fiscal year by multiplying *$1 million* ~~$350,000~~ by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(4)(d) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.

Section 40. Paragraph (n) of subsection (5) of section 420.9075, Florida Statutes, is amended, paragraph (o) is added to that subsection, and paragraph (b) of subsection (13) of that section is reenacted, to read:

420.9075 Local housing assistance plans; partnerships.—

(5) The following criteria apply to awards made to eligible sponsors or eligible persons for the purpose of providing eligible housing:

(n) Funds from the local housing distribution not used to meet the criteria established in paragraph (a)*,* ~~or~~ paragraph (c)*, or paragraph (o),* or not used for the administration of a local housing assistance plan must be used for housing production and finance activities, including, but not limited to, financing preconstruction activities or the purchase of existing units, providing rental housing, and providing home ownership training to prospective home buyers and owners of homes assisted through the local housing assistance plan.

1. Notwithstanding the provisions of paragraphs (a) and (c), program income as defined in s. 420.9071(26) may also be used to fund activities described in this paragraph.

2. When preconstruction due-diligence activities conducted as part of a preservation strategy show that preservation of the units is not feasible and will not result in the production of an eligible unit, such costs shall be deemed a program expense rather than an administrative

expense if such program expenses do not exceed 3 percent of the annual local housing distribution.

3. If both an award under the local housing assistance plan and federal low-income housing tax credits are used to assist a project and there is a conflict between the criteria prescribed in this subsection and the requirements of s. 42 of the Internal Revenue Code of 1986, as amended, the county or eligible municipality may resolve the conflict by giving precedence to the requirements of s. 42 of the Internal Revenue Code of 1986, as amended, in lieu of following the criteria prescribed in this subsection with the exception of paragraphs (a) and (g) of this subsection.

4. Each county and each eligible municipality may award funds as a grant for construction, rehabilitation, or repair as part of disaster recovery or emergency repairs or to remedy accessibility or health and safety deficiencies. Any other grants must be approved as part of the local housing assistance plan.

(o) Notwithstanding paragraphs (a) and (c), up to 25 percent of the funds made available in each county and eligible municipality from the local housing distribution may be used to preserve multifamily affordable rental housing funded through United States Department of Agriculture loans. These funds may be used to rehabilitate housing, extend affordability periods, or acquire or transfer properties in partnership with private organizations. This paragraph expires on June 30, 2031.

(13)

(b) If, as a result of its review of the annual report, the corporation determines that a county or eligible municipality has failed to implement a local housing incentive strategy, or, if applicable, a local housing incentive plan, it shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected county or eligible municipality.

1. The notice must specify a date of termination of the funding if the affected county or eligible municipality does not implement the plan or strategy and provide for a local response. A county or eligible municipality shall respond to the corporation within 30 days after receipt of the notice of termination.

2. The corporation shall consider the local response that extenuating circumstances precluded implementation and grant an extension to the timeframe for implementation. Such an extension shall be made in the form of an extension agreement that provides a timeframe for implementation. The chief elected official of a county or eligible municipality or his or her designee shall have the authority to enter into the agreement on behalf of the local government.

3. If the county or the eligible municipality has not implemented the incentive strategy or entered into an extension agreement by the termination date specified in the notice, the local housing distribution share terminates, and any uncommitted local housing distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer.

4.a. If the affected local government fails to meet the timeframes specified in the agreement, the corporation shall terminate funds. The corporation shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected local government. The notice shall specify the termination date, and any uncommitted funds held by the affected local government shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer.

b. If the corporation terminates funds to a county, but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement maintains compliance with program requirements, the corporation shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in ss. 420.9072 and 420.9073.

c. Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting the ordinance, resolution, and local housing assistance plan in the manner and according to the procedures provided in ss. 420.907-420.9079.

Section 41. *For the 2025-2026 fiscal year, the sum of $1 million in recurring funds from the General Revenue Fund is appropriated to the Florida Small Business Development Center Network under s. 288.001, Florida Statutes, to expand services in rural communities. The funds shall be allocated to the Office of Rural Prosperity budget entity within the Department of Commerce in the Special Categories–SBDCN Rural Services specific appropriation category.*

Section 42. *(1) For the 2025-2026 fiscal year, the sums of $1,827,591 in recurring funds and $652,327 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Commerce.*

(2) The recurring general revenue funds shall be allocated to the Office of Rural Prosperity budget entity in the following specific appropriations categories: $1,585,823 in Salaries and Benefits, $175,961 in Expenses, $50,000 in Contracted Services, $10,000 in Operating Capital Outlay, and $5,807 in Transfer to the Department of Management Services/Statewide Human Resources Contract.

(3) The nonrecurring general revenue funds shall be allocated to the Office of Rural Prosperity budget entity in the following specific appropriations categories: $92,327 in Expenses and $560,000 in Acquisition of Motor Vehicles.

(4) The Department of Commerce is authorized to establish 17.00 full-time equivalent positions with associated salary rate of 1,060,000 in the Office of Rural Prosperity for the purpose of implementing this act. The following specific positions, classifications, and pay plans are authorized: 1.00 Director of General Operation, Class Code 9327, Pay Grade 940; 15.00 Government Analyst II, Class Code 2225, Pay Grade 026; and 1.00 Administrative Assistant II, Class Code 0712, Pay Grade 018.

Section 43. *For the 2025-2026 fiscal year, the recurring sum of $8 million from the General Revenue Fund is appropriated to the Office of Rural Prosperity within the Department of Commerce to implement the Renaissance Grants Program created by s. 288.014, Florida Statutes. No funds may be used by the state for administrative costs.*

Section 44. *For the 2025-2026 fiscal year, the recurring sum of $500,000 from the Grants and Donations Trust Fund within the Department of Commerce is appropriated to the Office of Rural Prosperity within the Department of Commerce to implement the Public Infrastructure Smart Technology Grant Program created by s. 288.0175, Florida Statutes.*

Section 45. *For the 2025-2026 fiscal year, the sums of $4 million in nonrecurring funds and $1 million in recurring funds from the General Revenue Fund are appropriated to the Office of Rural Prosperity within the Department of Commerce to implement the Rural Community Development Revolving Loan Fund under s. 288.065, Florida Statutes, as amended by this act.*

Section 46. *For the 2025-2026 fiscal year, the sums of $40 million in nonrecurring funds and $5 million in recurring funds from the General Revenue Fund are appropriated to the Office of Rural Prosperity within the Department of Commerce to implement the Rural Infrastructure Fund under s. 288.0655, Florida Statutes, as amended by this act.*

Section 47. *For the 2025-2026 fiscal year, the sum of $250,000 in recurring funds from the Grants and Donations Trust Fund within the Department of Commerce is appropriated to the Office of Rural Prosperity within the Department of Commerce to implement s. 288.0657, Florida Statutes, as amended by this act.*

Section 48. *For the 2025-2026 fiscal year, the sum of $30 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to be used to preserve affordable multifamily rental housing in rural communities funded through United States Department of Agriculture loans. The funds provided in this appropriation shall be used to issue competitive requests for application for the rehabilitation or acquisition of such properties to ensure continued affordability. By October 1, 2026, the Florida Housing Finance Corporation shall submit a report to the President of the Senate*

and the Speaker of the House of Representatives on projects funded pursuant to this section, which report must include the number of units preserved and the financing portfolio for each project.

Section 49. Subsection (3) of section 163.3187, Florida Statutes, is amended to read:

163.3187 Process for adoption of small scale comprehensive plan amendment.—

(3) If the small scale development amendment involves a site within a rural area of opportunity as defined under *s. 288.0656* ~~s. 288.0656(2)(d)~~ for the duration of such designation, the acreage limit listed in subsection (1) shall be increased by 100 percent. The local government approving the small scale plan amendment shall certify to the state land planning agency that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7), and the property subject to the plan amendment shall undergo public review to ensure that all concurrency requirements and federal, state, and local environmental permit requirements are met.

Section 50. Section 212.205, Florida Statutes, is amended to read:

212.205 Sales tax distribution reporting.—By March 15 of each year, each person who received a distribution pursuant to *s. 212.20(6)(d)7.b. and c.* ~~s. 212.20(6)(d)6.b. and c.~~ in the preceding calendar year shall report to the Office of Economic and Demographic Research the following information:

(1) An itemized accounting of all expenditures of the funds distributed in the preceding calendar year, including amounts spent on debt service.

(2) A statement indicating what portion of the distributed funds have been pledged for debt service.

(3) The original principal amount and current debt service schedule of any bonds or other borrowing for which the distributed funds have been pledged for debt service.

Section 51. Section 257.191, Florida Statutes, is amended to read:

257.191 Construction grants.—The Division of Library and Information Services may accept and administer library construction moneys appropriated to it and shall allocate such appropriation to municipal, county, and regional libraries in the form of library construction grants on a matching basis. The local matching portion shall be no less than the grant amount, on a dollar-for-dollar basis, up to the maximum grant amount, unless the matching requirement is waived *pursuant to s. 288.019* ~~by s. 288.06561~~. Initiation of a library construction project 12 months or less prior to the grant award under this section *does* ~~shall~~ not affect the eligibility of an applicant to receive a library construction grant. The division shall adopt rules for the administration of library construction grants. For the purposes of this section, s. 257.21 does not apply.

Section 52. Subsection (2) of section 257.193, Florida Statutes, is amended to read:

257.193 Community Libraries in Caring Program.—

(2) The purpose of the Community Libraries in Caring Program is to assist libraries in rural communities, as defined in s. 288.0656(2) and subject to the provisions of *s. 288.019* ~~s. 288.06561~~, to strengthen their collections and services, improve literacy in their communities, and improve the economic viability of their communities.

Section 53. Subsection (17) of section 265.283, Florida Statutes, is amended to read:

265.283 Definitions.—The following definitions shall apply to ss. 265.281-265.703:

(17) "Underserved arts community assistance program grants" means grants used by qualified organizations under the Rural Economic Development Initiative, pursuant to *s. 288.0656 and subject to the provisions of s. 288.019* ~~ss. 288.0656 and 288.06561~~, for the purpose of economic and organizational development for underserved cultural organizations.

Section 54. Paragraphs (a) and (d) of subsection (3) of section 288.11621, Florida Statutes, are amended to read:

288.11621 Spring training baseball franchises.—

(3) USE OF FUNDS.—

(a) A certified applicant may use funds provided under *s. 212.20(6)(d)7.b.* ~~s. 212.20(6)(d)6.b.~~ only to:

1. Serve the public purpose of acquiring, constructing, reconstructing, or renovating a facility for a spring training franchise.

2. Pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the acquisition, construction, reconstruction, or renovation of such facility, or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

3. Assist in the relocation of a spring training franchise from one unit of local government to another only if the governing board of the current host local government by a majority vote agrees to relocation.

(d)1. All certified applicants must place unexpended state funds received pursuant to *s. 212.20(6)(d)7.b.* ~~s. 212.20(6)(d)6.b.~~ in a trust fund or separate account for use only as authorized in this section.

2. A certified applicant may request that the Department of Revenue suspend further distributions of state funds made available under *s. 212.20(6)(d)7.b.* ~~s. 212.20(6)(d)6.b.~~ for 12 months after expiration of an existing agreement with a spring training franchise to provide the certified applicant with an opportunity to enter into a new agreement with a spring training franchise, at which time the distributions shall resume.

3. The expenditure of state funds distributed to an applicant certified before July 1, 2010, must begin within 48 months after the initial receipt of the state funds. In addition, the construction of, or capital improvements to, a spring training facility must be completed within 24 months after the project's commencement.

Section 55. Paragraph (c) of subsection (2) and paragraphs (a), (c), and (d) of subsection (3) of section 288.11631, Florida Statutes, are amended to read:

288.11631 Retention of Major League Baseball spring training baseball franchises.—

(2) CERTIFICATION PROCESS.—

(c) Each applicant certified on or after July 1, 2013, shall enter into an agreement with the department which:

1. Specifies the amount of the state incentive funding to be distributed. The amount of state incentive funding per certified applicant may not exceed $20 million. However, if a certified applicant's facility is used by more than one spring training franchise, the maximum amount may not exceed $50 million, and the Department of Revenue shall make distributions to the applicant pursuant to *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.c.~~

2. States the criteria that the certified applicant must meet in order to remain certified. These criteria must include a provision stating that the spring training franchise must reimburse the state for any funds received if the franchise does not comply with the terms of the contract. If bonds were issued to construct or renovate a facility for a spring training franchise, the required reimbursement must be equal to the total amount of state distributions expected to be paid from the date the franchise violates the agreement with the applicant through the final maturity of the bonds.

3. States that the certified applicant is subject to decertification if the certified applicant fails to comply with this section or the agreement.

4. States that the department may recover state incentive funds if the certified applicant is decertified.

5. Specifies the information that the certified applicant must report to the department.

6. Includes any provision deemed prudent by the department.

(3) USE OF FUNDS.—

(a) A certified applicant may use funds provided under *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.e.~~ only to:

1. Serve the public purpose of constructing or renovating a facility for a spring training franchise.

2. Pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of such facility, or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

(c) The Department of Revenue may not distribute funds under *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.e.~~ until July 1, 2016. Further, the Department of Revenue may not distribute funds to an applicant certified on or after July 1, 2013, until it receives notice from the department that:

1. The certified applicant has encumbered funds under either subparagraph (a)1. or subparagraph (a)2.; and

2. If applicable, any existing agreement with a spring training franchise for the use of a facility has expired.

(d)1. All certified applicants shall place unexpended state funds received pursuant to *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.e.~~ in a trust fund or separate account for use only as authorized in this section.

2. A certified applicant may request that the department notify the Department of Revenue to suspend further distributions of state funds made available under *s. 212.20(6)(d)7.c.* ~~s. 212.20(6)(d)6.e.~~ for 12 months after expiration of an existing agreement with a spring training franchise to provide the certified applicant with an opportunity to enter into a new agreement with a spring training franchise, at which time the distributions shall resume.

3. The expenditure of state funds distributed to an applicant certified after July 1, 2013, must begin within 48 months after the initial receipt of the state funds. In addition, the construction or renovation of a spring training facility must be completed within 24 months after the project's commencement.

Section 56. Subsection (1) of section 443.191, Florida Statutes, is amended to read:

443.191 Unemployment Compensation Trust Fund; establishment and control.—

(1) There is established, as a separate trust fund apart from all other public funds of this state, an Unemployment Compensation Trust Fund, which shall be administered by the Department of Commerce exclusively for the purposes of this chapter. The fund must consist of:

(a) All contributions and reimbursements collected under this chapter;

(b) Interest earned on any moneys in the fund;

(c) Any property or securities acquired through the use of moneys belonging to the fund;

(d) All earnings of these properties or securities;

(e) All money credited to this state's account in the federal Unemployment Compensation Trust Fund under 42 U.S.C. s. 1103;

(f) All money collected for penalties imposed pursuant to s. 443.151(6)(a);

(g) Advances on the amount in the federal Unemployment Compensation Trust Fund credited to the state under 42 U.S.C. s. 1321, as requested by the Governor or the Governor's designee; and

(h) All money deposited in this account as a distribution pursuant to *s. 212.20(6)(d)7.e.* ~~s. 212.20(6)(d)6.c.~~

Except as otherwise provided in s. 443.1313(4), all moneys in the fund must be mingled and undivided.

Section 57. Section 571.26, Florida Statutes, is amended to read:

571.26 Florida Agricultural Promotional Campaign Trust Fund.—There is hereby created the Florida Agricultural Promotional Campaign Trust Fund within the Department of Agriculture and Consumer Services to receive all moneys related to the Florida Agricultural Promotional Campaign. Moneys deposited in the trust fund shall be appropriated for the sole purpose of implementing the Florida Agricultural Promotional Campaign, except for money deposited in the trust fund pursuant to *s. 212.20(6)(d)7.h.* ~~s. 212.20(6)(d)6.h.~~, which shall be held separately and used solely for the purposes identified in s. 571.265.

Section 58. Subsection (2) of section 571.265, Florida Statutes, is amended to read:

571.265 Promotion of Florida thoroughbred breeding and of thoroughbred racing at Florida thoroughbred tracks; distribution of funds.—

(2) Funds deposited into the Florida Agricultural Promotional Campaign Trust Fund pursuant to *s. 212.20(6)(d)7.f.* ~~s. 212.20(6)(d)6.f.~~ shall be used by the department to encourage the agricultural activity of breeding thoroughbred racehorses in this state and to enhance thoroughbred racing conducted at thoroughbred tracks in this state as provided in this section. If the funds made available under this section are not fully used in any one fiscal year, any unused amounts shall be carried forward in the trust fund into future fiscal years and made available for distribution as provided in this section.

Section 59. For the purpose of incorporating the amendment made by this act to section 20.60, Florida Statutes, in a reference thereto, subsection (8) of section 288.9935, Florida Statutes, is reenacted to read:

288.9935 Microfinance Guarantee Program.—

(8) The department must, in the department's report required under s. 20.60(10), include an annual report on the program. The report must, at a minimum, provide:

(a) A comprehensive description of the program, including an evaluation of its application and guarantee activities, recommendations for change, and identification of any other state programs that overlap with the program;

(b) An assessment of the current availability of and access to credit for entrepreneurs and small businesses in this state;

(c) A summary of the financial and employment results of the entrepreneurs and small businesses receiving loan guarantees, including the number of full-time equivalent jobs created as a result of the guaranteed loans and the amount of wages paid to employees in the newly created jobs;

(d) Industry data about the borrowers, including the six-digit North American Industry Classification System (NAICS) code;

(e) The name and location of lenders that receive loan guarantees;

(f) The number of loan guarantee applications received;

(g) The number, duration, location, and amount of guarantees made;

(h) The number and amount of guaranteed loans outstanding, if any;

(i) The number and amount of guaranteed loans with payments overdue, if any;

(j) The number and amount of guaranteed loans in default, if any;

(k) The repayment history of the guaranteed loans made; and

(l) An evaluation of the program's ability to meet the financial performance measures and objectives specified in subsection (3).

Section 60. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (c) of subsection (5) of section 125.0104, Florida Statutes, is reenacted to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(5) AUTHORIZED USES OF REVENUE.—

(c) A county located adjacent to the Gulf of Mexico or the Atlantic Ocean, except a county that receives revenue from taxes levied pursuant to s. 125.0108, which meets the following criteria may use up to 10 percent of the tax revenue received pursuant to this section to reimburse expenses incurred in providing public safety services, including emergency medical services as defined in s. 401.107(3), and law enforcement services, which are needed to address impacts related to increased tourism and visitors to an area. However, if taxes collected pursuant to this section are used to reimburse emergency medical services or public safety services for tourism or special events, the governing board of a county or municipality may not use such taxes to supplant the normal operating expenses of an emergency medical services department, a fire department, a sheriff's office, or a police department. To receive reimbursement, the county must:

1.a. Generate a minimum of $10 million in annual proceeds from any tax, or any combination of taxes, authorized to be levied pursuant to this section;

b. Have at least three municipalities; and

c. Have an estimated population of less than 275,000, according to the most recent population estimate prepared pursuant to s. 186.901, excluding the inmate population; or

2. Be a fiscally constrained county as described in s. 218.67(1).

The board of county commissioners must by majority vote approve reimbursement made pursuant to this paragraph upon receipt of a recommendation from the tourist development council.

Section 61. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (3) of section 193.624, Florida Statutes, is reenacted to read:

193.624 Assessment of renewable energy source devices.—

(3) This section applies to the installation of a renewable energy source device installed on or after January 1, 2013, to new and existing residential real property. This section applies to a renewable energy source device installed on or after January 1, 2018, to all other real property, except when installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.

Section 62. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (2) of section 196.182, Florida Statutes, is reenacted to read:

196.182 Exemption of renewable energy source devices.—

(2) The exemption provided in this section does not apply to a renewable energy source device that is installed as part of a project planned for a location in a fiscally constrained county, as defined in s. 218.67(1), and for which an application for a comprehensive plan amendment or planned unit development zoning has been filed with the county on or before December 31, 2017.

Section 63. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.12, Florida Statutes, is reenacted to read:

218.12 Appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties.—

(1) Beginning in fiscal year 2008-2009, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of Art. VII of the State Constitution approved in the special election held on January 29, 2008. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision.

Section 64. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.125, Florida Statutes, is reenacted to read:

218.125 Offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties.—

(1) Beginning in the 2010-2011 fiscal year, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of ss. 3(f) and 4(b), Art. VII of the State Constitution which were approved in the general election held in November 2008. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revisions.

Section 65. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.135, Florida Statutes, is reenacted to read:

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

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

Section 66. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (1) of section 218.136, Florida Statutes, is reenacted to read:

218.136 Offset for ad valorem revenue loss affecting fiscally constrained counties.—

(1) Beginning in fiscal year 2025-2026, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of s. 6(a), Art. VII of the State Constitution approved in the November 2024 general election. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision of s. 6(a), Art. VII of the State Constitution.

Section 67. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (cc) of subsection (2) of section 252.35, Florida Statutes, is reenacted to read:

252.35 Emergency management powers; Division of Emergency Management.—

(2) The division is responsible for carrying out the provisions of ss. 252.31-252.90. In performing its duties, the division shall:

(cc) Prioritize technical assistance and training to fiscally constrained counties as defined in s. 218.67(1) on aspects of safety measures, preparedness, prevention, response, recovery, and mitigation relating to natural disasters and emergencies.

Section 68. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, subsection (4) of section 288.102, Florida Statutes, is reenacted to read:

288.102 Supply Chain Innovation Grant Program.—

(4) A minimum of a one-to-one match of nonstate resources, including local, federal, or private funds, to the state contribution is required. An award may not be made for a project that is receiving or using state funding from another state source or statutory program, including tax credits. The one-to-one match requirement is waived for a public entity located in a fiscally constrained county as defined in s. 218.67(1).

Section 69. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (g) of subsection (16) of section 403.064, Florida Statutes, is reenacted to read:

403.064 Reuse of reclaimed water.—

(16) By November 1, 2021, domestic wastewater utilities that dispose of effluent, reclaimed water, or reuse water by surface water discharge shall submit to the department for review and approval a plan for eliminating nonbeneficial surface water discharge by January 1, 2032, subject to the requirements of this section. The plan must include the average gallons per day of effluent, reclaimed water, or reuse water that will no longer be discharged into surface waters and the date of such elimination, the average gallons per day of surface water discharge which will continue in accordance with the alternatives provided for in subparagraphs (a)2. and 3., and the level of treatment that the effluent, reclaimed water, or reuse water will receive before being discharged into a surface water by each alternative.

(g) This subsection does not apply to any of the following:

1. A domestic wastewater treatment facility that is located in a fiscally constrained county as described in s. 218.67(1).

2. A domestic wastewater treatment facility that is located in a municipality that is entirely within a rural area of opportunity as designated pursuant to s. 288.0656.

3. A domestic wastewater treatment facility that is located in a municipality that has less than $10 million in total revenue, as determined by the municipality's most recent annual financial report submitted to the Department of Financial Services in accordance with s. 218.32.

4. A domestic wastewater treatment facility that is operated by an operator of a mobile home park as defined in s. 723.003 and has a permitted capacity of less than 300,000 gallons per day.

Section 70. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in references thereto, subsections (2) and (3) of section 589.08, Florida Statutes, are reenacted to read:

589.08 Land acquisition restrictions.—

(2) The Florida Forest Service may receive, hold the custody of, and exercise the control of any lands, and set aside into a separate, distinct and inviolable fund, any proceeds derived from the sales of the products of such lands, the use thereof in any manner, or the sale of such lands save the 25 percent of the proceeds to be paid into the State School Fund as provided by law. The Florida Forest Service may use and apply such funds for the acquisition, use, custody, management, development, or improvement of any lands vested in or subject to the control of the Florida Forest Service. After full payment has been made for the purchase of a state forest to the Federal Government or other grantor, 15 percent of the gross receipts from a state forest shall be paid to the fiscally constrained county or counties, as described in s. 218.67(1), in which it is located in proportion to the acreage located in each county for use by the county or counties for school purposes.

(3) The Florida Forest Service shall pay 15 percent of the gross receipts from the Goethe State Forest to each fiscally constrained county, as described in s. 218.67(1), in which a portion of the respective forest is located in proportion to the forest acreage located in such county. The funds must be equally divided between the board of county commissioners and the school board of each fiscally constrained county.

Section 71. For the purpose of incorporating the amendment made by this act to section 218.67, Florida Statutes, in a reference thereto, paragraph (f) of subsection (1) of section 1011.62, Florida Statutes, is reenacted to read:

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

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

(f) *Small district factor.*—An additional value per full-time equivalent student membership is provided to each school district with a full-time equivalent student membership of fewer than 20,000 full-time equivalent students which is in a fiscally constrained county as described in s. 218.67(1). The amount of the additional value shall be specified in the General Appropriations Act.

Section 72. For the purpose of incorporating the amendment made by this act to sections 218.67 and 339.2818, Florida Statutes, in references thereto, paragraph (c) of subsection (6) of section 403.0741, Florida Statutes, is reenacted to read:

403.0741 Grease waste removal and disposal.—

(6) REGULATION BY LOCAL GOVERNMENTS.—

(c) Fiscally constrained counties as described in s. 218.67(1) and small counties as defined in s. 339.2818(2) may opt out of the requirements of this section.

Section 73. For the purpose of incorporating the amendment made by this act to section 288.0656, Florida Statutes, in a reference thereto, paragraph (e) of subsection (7) of section 163.3177, Florida Statutes, is reenacted to read:

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

(7)

(e) This subsection does not confer the status of rural area of opportunity, or any of the rights or benefits derived from such status, on any land area not otherwise designated as such pursuant to s. 288.0656(7).

Section 74. For the purpose of incorporating the amendment made by this act to section 288.9961, Florida Statutes, in a reference thereto, paragraph (a) of subsection (7) of section 288.9962, Florida Statutes, is reenacted to read:

288.9962 Broadband Opportunity Program.—

(7)(a) In evaluating grant applications and awarding grants, the office must give priority to applications that:

1. Offer broadband Internet service to important community institutions, including, but not limited to, libraries, educational institutions, public safety facilities, and health care facilities;

2. Facilitate the use of telemedicine and electronic health records;

3. Serve economically distressed areas of this state, as measured by indices of unemployment, poverty, or population loss that are significantly greater than the statewide average;

4. Provide for scalability to transmission speeds of at least 100 megabits per second download and 10 megabits per second upload;

5. Include a component to actively promote the adoption of the newly available broadband Internet service in the community;

6. Provide evidence of strong support for the project from citizens, government, businesses, and institutions in the community;

7. Provide access to broadband Internet service to the greatest number of unserved households and businesses;

8. Leverage greater amounts of funding for a project from private sources; or

9. Demonstrate consistency with the strategic plan adopted under s. 288.9961.

Section 75. For the purpose of incorporating the amendment made by this act to section 319.32, Florida Statutes, in a reference thereto, subsection (1) of section 215.211, Florida Statutes, is reenacted to read:

215.211 Service charge; elimination or reduction for specified proceeds.—

(1) Notwithstanding the provisions of s. 215.20(1) and former s. 215.20(3), the service charge provided in s. 215.20(1) and former s. 215.20(3), which is deducted from the proceeds of the taxes distributed under ss. 206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be eliminated beginning July 1, 2000.

Section 76. For the purpose of incorporating the amendment made by this act to section 339.68, Florida Statutes, in references thereto, subsections (5) and (6) of section 339.66, Florida Statutes, are reenacted to read:

339.66 Upgrade of arterial highways with controlled access facilities.—

(5) Any existing applicable requirements relating to department projects shall apply to projects undertaken by the department pursuant to this section. The department shall take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects authorized by this section and ss. 339.67 and 339.68, including, but not limited to, the task force reports prepared pursuant to chapter 2019-43, Laws of Florida.

(6) Any existing applicable requirements relating to turnpike projects apply to projects undertaken by the Turnpike Enterprise pursuant to this section. The Turnpike Enterprise shall take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects authorized by this section and ss. 339.67 and 339.68, including, but not limited to, the task force reports prepared pursuant to chapter 2019-43, Laws of Florida, and with respect to any extension of the Florida Turnpike from its northerly terminus in Wildwood.

Section 77. For the purpose of incorporating the amendment made by this act to section 420.9073, Florida Statutes, in references thereto, subsections (4) and (6) of section 420.9072, Florida Statutes, are reenacted to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(4) Moneys in the Local Government Housing Trust Fund shall be distributed by the corporation to each approved county and eligible municipality within the county as provided in s. 420.9073. Distributions shall be allocated to the participating county and to each eligible municipality within the county according to an interlocal agreement between the county governing authority and the governing body of the eligible municipality or, if there is no interlocal agreement, according to population. The portion for each eligible municipality is computed by multiplying the total moneys earmarked for a county by a fraction, the numerator of which is the population of the eligible municipality and the denominator of which is the total population of the county. The remaining revenues shall be distributed to the governing body of the county.

(6) The moneys that otherwise would be distributed pursuant to s. 420.9073 to a local government that does not meet the program's requirements for receipts of such distributions shall remain in the Local Government Housing Trust Fund to be administered by the corporation.

Section 78. For the purpose of incorporating the amendment made by this act to section 420.9073, Florida Statutes, in a reference thereto, paragraph (b) of subsection (7) of section 420.9076, Florida Statutes, is reenacted to read:

420.9076 Adoption of affordable housing incentive strategies; committees.—

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after issuance of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9073.

Section 79. For the purpose of incorporating the amendment made by this act to section 420.9073, Florida Statutes, in a reference thereto, subsection (2) of section 420.9079, Florida Statutes, is reenacted to read:

420.9079 Local Government Housing Trust Fund.—

(2) The corporation shall administer the fund exclusively for the purpose of implementing the programs described in ss. 420.907-420.9076 and this section. With the exception of monitoring the activities of counties and eligible municipalities to determine local compliance with program requirements, the corporation shall not receive appropriations from the fund for administrative or personnel costs. For the purpose of implementing the compliance monitoring provisions of s. 420.9075(9), the corporation may request a maximum of one-quarter of 1 percent of the annual appropriation per state fiscal year. When such funding is appropriated, the corporation shall deduct the amount appropriated prior to calculating the local housing distribution pursuant to ss. 420.9072 and 420.9073.

And the title is amended as follows:

Delete lines 31-39 and insert: An act relating to economic development; reenacting and amending s. 20.60, F.S.; revising the list of divisions and offices within the Department of Commerce to conform to changes made by the act; revising the annual program reports that must be included in the annual report of the Department of Commerce; amending s. 163.3168, F.S.; requiring the state land planning agency to give preference for technical assistance funding to local governments located in a rural area of opportunity; requiring the agency to consult with the Office of Rural Prosperity when awarding certain funding; amending s. 201.15, F.S.; requiring that a certain sum be paid to the credit of the State Transportation Trust Fund for the exclusive use of the Florida Arterial Road Modernization Program; amending s. 202.18, F.S.; redirecting the transfer of certain communication services tax revenue; amending s. 212.20, F.S.; revising the distribution of sales and use tax revenue to include a transfer to fiscally constrained counties; amending s. 215.971, F.S.; providing construction regarding agreements funded with federal or state assistance; requiring the agency to expedite payment requests from a county, municipality, or rural area of opportunity for a specified purpose; requiring each state agency to report to the Office of Rural Prosperity by a certain date with a summary of certain information; requiring the office to summarize the information it receives for its annual report; amending s. 218.67, F.S.; revising the conditions required for a county to be considered a fiscally constrained county; authorizing eligible counties to receive a distribution of sales and use tax revenue; revising the sources that the Department of Revenue must use to determine the amount distributed to fiscally constrained counties; revising the factors for allocation of the distribution of revenue to fiscally constrained counties; requiring that the computation and amount distributed be calculated based on a specified rounding algorithm; authorizing specified uses for the revenue; conforming a cross-reference; amending s. 288.0001, F.S.; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to prepare a report for a specified purpose; specifying requirements for the

report; providing that the Office of Economic and Demographic Research and OPPAGA must be provided with all data necessary to complete the rural communities or areas report upon request; authorizing the Office of Economic and Demographic Research and OPPAGA to collaborate on all data collection and analysis; requiring the Office of Economic and Demographic Research and OPPAGA to submit the report to the Legislature by a specified date; providing additional requirements for the report; providing for expiration; amending s. 288.001, F.S.; requiring the Florida Small Business Development Center Network to use certain funds appropriated for a specified purpose; authorizing the network to dedicate funds to facilitate certain events; amending s. 288.007, F.S.; revising which local governments and economic development organizations seeking to recruit businesses are required to submit a specified report; creating s. 288.013, F.S.; providing legislative findings; creating the Office of Rural Prosperity within the Department of Commerce; requiring the Governor to appoint a director, subject to confirmation by the Senate; providing that the director reports to and serves at the pleasure of the secretary of the department; providing the duties of the office; requiring the office to establish by a specified date a certain number of regional rural community liaison centers across this state for a specified purpose; providing the powers, duties, and functions of the liaison centers; requiring the liaison centers, to the extent possible, to coordinate with certain entities; requiring the liaison centers to engage with the Rural Economic Development Initiative (REDI); requiring at least one staff member of a liaison center to attend the monthly meetings in person or by means of electronic communication; requiring the director of the office to submit an annual report to the Administration Commission in the Executive Office of the Governor; specifying requirements for the annual report; requiring that the annual report also be submitted to the Legislature by a specified date and published on the office's website; requiring the director of the office to attend the next Administration Commission meeting to present detailed information from the annual report; requiring OPPAGA to review the effectiveness of the office by a certain date annually until a specified date; requiring OPPAGA to review the office at specified intervals; requiring such reviews to include certain information to be considered by the Legislature; requiring that such reports be submitted to the Legislature; requiring OPPAGA to review certain strategies from other states; requiring OPPAGA to submit to the Legislature its findings at certain intervals; creating s. 288.014, F.S.; providing legislative findings; requiring the Office of Rural Prosperity to administer the Renaissance Grants Program to provide block grants to eligible communities; requiring the Office of Economic and Demographic Research to certify to the Office of Rural Prosperity certain information by a specified date; defining the term "growth-impeded"; requiring the Office of Economic and Demographic Research to certify annually that a county remains growth-impeded until such county has positive population growth for a specified amount of time; providing that such county, after 3 consecutive years of population growth, is eligible to participate in the program for 1 additional year; requiring a county eligible for the program to enter into an agreement with the Office of Rural Prosperity in order to receive the block grant; giving such counties broad authority to design their specific plans; prohibiting the Office of Rural Prosperity from determining how such counties implement the block grant; requiring regional rural community liaison center staff to provide assistance, upon request; requiring participating counties to report annually to the Office of Rural Prosperity with certain information; providing that a participating county receives a specified amount from funds appropriated to the program; requiring participating counties to make all attempts to limit the amount spent on administrative costs; authorizing participating counties to contribute other funds for block grant purposes; requiring participating counties to hire a renaissance coordinator; providing that funds from the block grant may be used to hire the renaissance coordinator; providing the responsibilities of the renaissance coordinator; requiring the regional rural community liaison center staff to provide assistance and training to the renaissance coordinator, upon request; requiring participating counties to design a plan to make targeted investments to achieve population growth and increase economic vitality; providing requirements for such plans; requiring participating counties to develop intergovernmental agreements with certain entities in order to implement the plan; requiring the Auditor General to conduct an operational audit every 2 years for a specified purpose; requiring the Office of Economic and Demographic Research to provide an annual report on a specified date of renaissance block grant recipients by county; providing requirements for the annual report; requiring that the report be submitted to the Legislature; prohibiting funds appropriated for the program from being subject to reversion; providing for an expiration of the section; creating s. 288.0175, F.S.; creating the Public Infrastructure Smart Technology Grant Program within the Office of Rural Prosperity; defining terms; requiring the office to contract with one or more smart technology lead organizations to administer a grant program for a specified purpose; providing the criteria for such contracts; requiring that projects funded by the grant program be included in the office's annual report; amending s. 288.018, F.S.; requiring the office, rather than the Department of Commerce, to establish a grant program to provide funding for regional economic development organizations; revising who may apply for such grants; providing that a grant award may not exceed a certain amount in a year; providing exceptions to a provision that the department may expend a certain amount for a certain purpose; amending s. 288.019, F.S.; revising the program criteria and procedures that agencies and organizations of REDI are required to review; revising the list of impacts each REDI agency and organization must consider in its review; requiring REDI agencies and organizations to develop a proposal for modifications which minimizes the financial and resource impacts to a rural community; requiring that ranking of evaluation criteria and scoring procedures be used only when ranking is a component of the program; requiring that match requirements be waived or reduced for rural communities; providing that donations of land may be treated as in-kind matches; requiring each agency and organization that applies for or receives federal funding to request federal approval to waive or reduce the financial match requirements, if any, for projects in rural communities; requiring that proposals be submitted to the office, rather than the department; requiring each REDI agency and organization to modify rules or policies as necessary to reflect the finalized proposal; requiring that information about authorized waivers be included on the office's online rural resource directory; conforming a cross-reference; amending s. 288.021, F.S.; requiring, when practicable, the economic development liaison to serve as the agency representative for REDI; amending s. 288.065, F.S.; defining the term "unit of local government"; requiring the office to include in its annual report certain information about the Rural Community Development Revolving Loan Fund; conforming provisions to changes made by the act; amending s. 288.0655, F.S.; revising the list of grants that may be awarded by the office; deleting the authorization for local match requirements to be waived for a catalyst site; revising the list of departments the office must consult with to certify applicants; requiring the office to include certain information about the Rural Infrastructure Trust Fund in its annual report; conforming provisions to changes made by the act; amending s. 288.0656, F.S.; providing legislative findings; providing that REDI is created within the Office of Rural Prosperity, rather than the department; deleting the definitions of the terms "catalyst project" and "catalyst site"; requiring that an alternate for each designated deputy secretary be a deputy secretary or higher-level staff person; requiring that the names of such alternates be reported to the director of the office; requiring at least one rural liaison to participate in REDI meetings; requiring REDI to meet at least each month; deleting a provision that a rural area of opportunity may designate catalyst projects; requiring REDI to submit a certain report to the office, rather than to the department; specifying requirements for such report; conforming provisions to changes made by the act; repealing s. 288.06561, F.S., relating to reduction or waiver of financial match requirements; amending s. 288.0657, F.S.; requiring the office, rather than the department, to provide grants to assist rural communities; providing that such grants may be used for specified purposes; requiring the rural liaison to assist those applying for such grants; providing that marketing grants may include certain funding; amending s. 288.1226, F.S.; revising required components of the 4-year marketing plan of the Florida Tourism Industry Marketing Corporation; repealing s. 288.12266, F.S., relating to the Targeted Marketing Assistance Program; amending s. 288.9961, F.S.; revising the definition of the term "underserved"; requiring the office to consult with regional rural community liaison centers on development of a certain strategic plan; requiring rural liaisons to assist rural communities with providing feedback in applying for federal grants for broadband Internet services; requiring the office to submit reports with specified information to the Governor and the Legislature within certain timeframes; repealing s. 290.06561, F.S., relating to designation of rural enterprise zones as catalyst sites; amending s. 319.32, F.S.; revising the disposition of fees collected for certain title certificates; amending s. 322.095, F.S.; specifying the age at which an applicant for a driver license must complete a traffic law and substance abuse education course; amending s. 322.1615, F.S.; requiring an applicant for a learner's driver license to complete a certain driver education course approved by the Department of Highway Safety and

Motor Vehicles; amending s. 334.044, F.S.; revising the powers and duties of the Department of Transportation; amending s. 339.0801, F.S.; revising the allocation of funds received in the State Transportation Trust Fund; amending s. 339.135, F.S.; requiring that funds for rural transit operating block grants be allocated in a certain manner; amending s. 339.2816, F.S.; requiring, rather than authorizing, that certain funds received from the State Transportation Trust Fund be used for the Small County Road Assistance Program; requiring the department to use other additional revenues for the Small County Road Assistance Program; providing an exception from the prohibition against funding capacity improvements on county roads; amending s. 339.2817, F.S.; revising the criteria that the Department of Transportation must consider for evaluating projects for County Incentive Grant Program assistance; requiring the department to give priority to counties located either wholly or partially within the Everglades Agricultural Area and which request a specified percentage of project costs for eligible projects; specifying a limitation on such requests; providing for future expiration; amending s. 339.2818, F.S.; deleting a provision that the funds allocated under the Small County Outreach Program are in addition to the Small County Road Assistance Program; deleting a provision that a local government within the Everglades Agricultural Area, the Peace River Basin, or the Suwannee River Basin may compete for additional funding; conforming provisions to changes made by the act; making a technical change; amending s. 339.68, F.S.; providing legislative findings; creating the Florida Arterial Road Modernization Program within the Department of Commerce; defining the term "rural community"; requiring the department to allocate from the State Transportation Trust Fund a minimum sum in each fiscal year to fund the program; providing that such funding is in addition to any other funding provided to the program; providing criteria the department must use to prioritize projects for funding under the program; requiring the department to submit a report to the Governor and the Legislature by a specified date; requiring that such report be submitted every 2 years thereafter; providing the criteria for such report; requiring the Department of Transportation to allocate additional funds to implement the Small County Road Assistance Program and amend the tentative work program for a specified number of fiscal years; requiring the department to submit a budget amendment before the adoption of the work program; requiring the department to allocate sufficient funds to implement the Florida Arterial Road Modernization Program; requiring the department to amend the current tentative work program for a specified number of fiscal years to include the program's projects; requiring the department to submit a budget amendment before the implementation of the program; requiring that the revenue increases in the State Transportation Trust Fund which are derived from the act be used to fund the work program; amending s. 341.052, F.S.; revising the list of providers to which certain block grant funds shall be provided; revising the specified report used to verify certain data; creating s. 341.0525, F.S.; creating a rural transit operating block grant program to be administered by the department; requiring the annual allocation of certain funds from the State Transportation Trust Fund for the program; providing for the distribution of funds to each eligible public transit provider in at least a certain amount; providing authorized uses of grant funds; prohibiting state participation in certain costs above a specified percentage or amount; prohibiting an eligible public transit provider from using block grant funds in a certain manner; providing an exception; prohibiting the state from giving a county more than a specified percentage of available funds or a certain amount; providing eligibility requirements; requiring an eligible provider to return funds under certain circumstances; authorizing the department to consult with an eligible provider before distributing funds to make a certain determination; requiring an eligible provider to repay to the department funds expended on unauthorized uses if revealed in an audit; requiring the department to redistribute returned and repaid funds to other eligible providers; amending s. 420.9073, F.S.; revising the calculation of guaranteed amounts distributed from the Local Government Housing Trust Fund; reenacting and amending s. 420.9075, F.S.; authorizing a certain percentage of the funds made available in each county and eligible municipality from the local housing distribution to be used to preserve multifamily affordable rental housing; specifying what such funds may be used for; providing an expiration; providing appropriations for specified purposes; amending ss. 163.3187, 212.205, 257.191, 257.193, 265.283, 288.11621, 288.11631, 443.191, 571.26, and 571.265, F.S.; conforming cross-references and provisions to changes made by the act; reenacting s. 288.9935(8), F.S., relating to the Microfinance Guarantee Program, to incorporate the amendment made to s. 20.60, F.S., in a reference thereto; reenacting ss. 125.0104(5)(c), 193.624(3), 196.182(2), 218.12(1), 218.125(1), 218.135(1), 218.136(1), 252.35(2)(cc), 288.102(4), 403.064(16)(g), 589.08(2) and (3), and 1011.62(1)(f), F.S., relating to authorized uses of tourist development tax; applicability of assessments of renewable energy source devices; application of exemptions of renewable energy source devices; appropriations to offset reductions in ad valorem tax revenue in fiscally constrained counties; offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties; offset for tax loss associated with reductions in value of certain citrus fruit packing and processing equipment; offset for ad valorem revenue loss affecting fiscally constrained counties; Division of Emergency Management powers; one-to-one match requirement under the Supply Chain Innovation Grant Program; applicability of provisions related to reuse of reclaimed water; land acquisition restrictions; and funds for operation of schools, respectively, to incorporate the amendment made to s. 218.67, F.S., in references thereto; reenacting s. 403.0741(6)(c), F.S., relating to grease waste removal and disposal, to incorporate the amendments made to ss. 218.67 and 339.2818, F.S., in references thereto; reenacting s. 163.3177(7)(e), F.S., relating to required and optional elements of comprehensive plans and studies and surveys, to incorporate the amendment made to s. 288.0656, F.S., in a reference thereto; reenacting s. 288.9962(7)(a), F.S., relating to the Broadband Opportunity Program, to incorporate the amendment made to s. 288.9961, F.S., in a reference thereto; reenacting s. 215.211(1), F.S., relating to service charges and elimination or reduction for specified proceeds, to incorporate the amendment made to s. 319.32, F.S., in a reference thereto; reenacting s. 339.66(5) and (6), F.S., relating to upgrades of arterial highways with controlled access facilities, to incorporate the amendment made to s. 339.68, F.S., in references thereto; reenacting ss. 420.9072(4) and (6), 420.9076(7)(b), and 420.9079(2), F.S., relating to the State Housing Initiatives Partnership Program, adoption of affordable housing incentive strategies and committees, and the Local Government Housing Trust Fund, respectively, to incorporate the amendment made to s. 420.9073, F.S., in references thereto; providing an effective date.

On motion by Senator Collins, the Senate concurred in **House Amendment 1 (746171)**, as amended, and requested the House to concur in **Senate Amendment 1 (689718) to House Amendment 1 (746171)**.

SB 994 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1730, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for SB 1730—A bill to be entitled An act relating to affordable housing; amending ss. 125.01055 and 166.04151, F.S.; revising applicability; requiring counties and municipalities, respectively, to authorize multifamily and mixed-use residential as allowable uses in portions of flexibly zoned areas under certain circumstances; prohibiting counties and municipalities from imposing certain requirements on

proposed multifamily developments; prohibiting counties and municipalities from requiring that more than a specified percentage of a mixed-use residential project be used for certain purposes; revising the density, floor area ratio, or height below which counties and municipalities may not restrict certain developments; defining the term "story" for a proposed development located within a municipality within a certain area of critical state concern; requiring the administrative approval of certain proposed developments without further action by a quasi-judicial or administrative board or reviewing body under certain circumstances; requiring counties and municipalities to reduce parking requirements by a specified percentage for certain proposed developments under certain circumstances; requiring counties and municipalities to allow adjacent parcels of land to be included within certain proposed developments; requiring a court to give priority to and render expeditious decisions in certain civil actions; requiring a court to award reasonable attorney fees and costs to a prevailing party in certain civil actions; providing that such attorney fees or costs may not exceed a specified dollar amount; prohibiting the prevailing party from recovering certain other fees or costs; defining terms; authorizing the use of a specified approval process for a proposed development on a parcel of land primarily developed and maintained for specified facilities; authorizing counties and municipalities to restrict the height of such proposed developments under certain circumstances; prohibiting counties and municipalities from imposing certain building moratoriums; providing an exception, subject to certain requirements; providing applicability; authorizing applicants for certain proposed developments to notify the county or municipality, as applicable, by a specified date of its intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit revised applications, written requests, and notices of intent to account for changes made by the act; amending s. 380.0552, F.S.; revising the maximum hurricane evacuation clearance time for permanent residents, which time is an element for which amendments to local comprehensive plans in the Florida Keys Area must be reviewed for compliance; providing legislative intent; creating s. 420.5098, F.S.; providing legislative findings and intent; defining terms; providing that it is the policy of the state to support housing for certain employees and to permit developers in receipt of certain tax credits and funds to create a specified preference for housing certain employees; requiring that such preference conform to certain requirements; amending s. 760.26, F.S.; providing that it is unlawful to discriminate in land use decisions or in the permitting of development based on the specified nature of a development or proposed development; providing effective dates.

House Amendment 1 (673693)—Remove everything after the enacting clause and insert:

Section 1. Subsection (6) and paragraphs (a) through (f), (k), and (l) of subsection (7) of section 125.01055, Florida Statutes, are amended, new paragraphs (k) through (n) are added to subsection (7), and subsections (9) and (10) are added to that section, to read:

125.01055 Affordable housing.—

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for commercial or industrial use, *or on any parcel, including any contiguous parcel connected thereto, which is owned by a religious institution as defined in s. 170.201(2) which contains a house of public worship, regardless of underlying zoning,* so long as at least 10 percent of the units included in the project are for housing that is affordable. The provisions of this subsection are self-executing and do not require the board of county commissioners to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use*, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use,* if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, *transfer of density or development units, amendment to a development of regional impact,* or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. *The county may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.*

(b) A county may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed*, or allowed on July 1, 2023,* density on any unincorporated land in the county where residential development is allowed under the county's land development regulations. For purposes of this paragraph, the term "highest currently allowed density" does not include the density of any building that met the requirements of this subsection or the density of any building that has received any bonus, variance, or other special exception for density provided in the county's land development regulations as an incentive for development. *For purposes of this paragraph, "highest currently allowed, or allowed on July 1, 2023," means whichever is least restrictive at the time of development.*

(c) A county may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed*, or allowed on July 1, 2023,* floor area ratio on any unincorporated land in the county where development is allowed under the county's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the county's land development regulations as an incentive for development. For purposes of this subsection, the term "floor area ratio" includes floor lot ratio *and lot coverage*.

(d)1. A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed*, or allowed on July 1, 2023,* height for a commercial or residential building located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the county's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use which is within a single-family residential development with at least 25 contiguous single-family homes, the county may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed*, or allowed on July 1, 2023,* height for the property provided in the county's land development regulations, or 3 stories, whichever is higher*, not to exceed 10 stories*. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.

3. If the proposed development is on a parcel with a structure or building individually listed in the National Register of Historic Places, the county may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or 3 stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(e) A proposed development authorized under this subsection must be administratively approved *without* ~~and no~~ further action by the board of county commissioners *or any quasi-judicial or administrative board or reviewing body* ~~is required~~ if the development satisfies the county's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s.

163.3175(2) may not be administratively approved. Each county shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection. *The county must administratively approve the demolition of an existing structure associated with a proposed development under this subsection, without further action by the board of county commissioners or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations. For purposes of this paragraph, the term "allowable density" means the density prescribed for the property in accordance with this subsection without additional requirements to procure and transfer density units or development units from other properties.*

(f)1. A county must*, upon request of an applicant, reduce* ~~consider reducing~~ parking requirements *by 15 percent* for a proposed development authorized under this subsection if the development*:*

a. Is located within one-quarter mile of a transit stop, as defined in the county's land development code, and the transit stop is accessible from the development*;*~~.~~

~~2. A county must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:~~

b.~~a.~~ Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; *or* ~~and~~

c.~~b.~~ Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a county may not require that the available parking compensate for the reduction in parking requirements.

2.~~3.~~ A county must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the county as a transit-oriented development or area, as provided in paragraph (h).

3.~~4.~~ For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

(k) Notwithstanding any other law or local ordinance or regulation to the contrary, a county may allow an adjacent parcel of land to be included within a proposed multifamily development authorized under this subsection.

(l) The court shall give any civil action filed against a county for a violation of this subsection priority over other pending cases and render a preliminary or final decision as expeditiously as possible.

(m) If a civil action is filed against a county for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed $250,000. In addition, a prevailing party may not recover any attorney fees or costs directly incurred by or associated with litigation to determine an award of reasonable attorney fees or costs.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

(o)~~(k)~~ This subsection does not apply to:

1. Airport-impacted areas as provided in s. 333.03.

2. Property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

3. The Wekiva Study Area, as described in s. 369.316.

4. The Everglades Protection Area, as defined in s. 373.4592(2).

(p)~~(l)~~ This subsection expires October 1, 2033.

(9)(a) Except as provided in paragraphs (b) and (d), a county may not enforce a building moratorium that has the effect of delaying the permitting or construction of a multifamily residential or mixed-use residential development authorized under subsection (7).

(b) A county may, by ordinance, impose or enforce such a building moratorium for no more than 90 days in any 3-year period. Before adoption of such a building moratorium, the county shall prepare or cause to be prepared an assessment of the county's need for affordable housing at the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, including projections of such need for the next 5 years. This assessment must be posted on the county's website by the date the notice of proposed enactment is published, and presented at the same public meeting at which the proposed ordinance imposing the building moratorium is adopted by the board of county commissioners. This assessment must be included in the business impact estimate for the ordinance imposing such a moratorium required by s. 125.66(3).

(c) If a civil action is filed against a county for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed $250,000. In addition, a prevailing party may not recover any attorney fees or costs directly incurred by or associated with litigation to determine an award of reasonable attorney fees or costs.

(d) This subsection does not apply to moratoria imposed or enforced to address stormwater or flood water management, to address the supply of potable water, or due to the necessary repair of sanitary sewer systems, if such moratoria apply equally to all types of multifamily or mixed-use residential development.

(10)(a) Beginning November 1, 2026, each county must provide an annual report to the state land planning agency which includes:

1. A summary of litigation relating to subsection (7) that was initiated, remains pending, or was resolved during the previous fiscal year.

2. A list of all projects proposed or approved under subsection (7) during the previous fiscal year. For each project, the report must include, at a minimum, the project's size, density, and intensity and the total number of units proposed, including the number of affordable units and associated targeted household incomes.

(b) The state land planning agency shall compile the information received under this subsection and submit the information to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually by February 1.

Section 2. Subsection (6) and paragraphs (a) through (f), (k), and (l) of subsection (7) of section 166.04151, Florida Statutes, are amended, new paragraphs (k) through (n) are added to subsection (7), and subsections (9) and (10) are added to that section, to read:

166.04151 Affordable housing.—

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for commercial or industrial use, *or on any parcel, including any contiguous parcel connected thereto, which is owned by a religious institution as defined in s. 170.201(2) which contains a house of public worship, regardless of underlying zoning,* so long as at least 10 percent of the units included in the project are for housing that is affordable. The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use*, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use,* if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, *transfer of density or development units, amendment to a development of regional impact, amendment to a municipal charter,* or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. *The municipality may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.*

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed*, or allowed on July 1, 2023,* density on any land in the municipality where residential development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed density" does not include the density of any building that met the requirements of this subsection or the density of any building that has received any bonus, variance, or other special exception for density provided in the municipality's land development regulations as an incentive for development. *For purposes of this paragraph, "highest currently allowed, or allowed on July 1, 2023," means whichever is least restrictive at the time of development.*

(c) A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed*, or allowed on July 1, 2023,* floor area ratio on any land in the municipality where development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the municipality's land development regulations as an incentive for development. For purposes of this subsection, the term "floor area ratio" includes floor lot ratio *and lot coverage*.

(d)1. A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed*, or allowed on July 1, 2023,* height for a commercial or residential building located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the municipality's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed*, or allowed on July 1, 2023,* height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher*, not to exceed 10 stories*. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road *or body of water, including manmade lakes or ponds*. *For a proposed development located within a municipality within an area of critical state concern as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code, the term "story" includes only the habitable space above the base flood elevation as designated by the Federal Emergency Management Agency in the most current Flood Insurance Rate Map. A story may not exceed 10 feet in height measured from finished floor to finished floor, including space for mechanical equipment. The highest story may not exceed 10 feet from finished floor to the top plate.*

3. If the proposed development is on a parcel with a structure or building individually listed in the National Register of Historic Places, the municipality may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or 3 stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(e) A proposed development authorized under this subsection must be administratively approved *without* ~~and no~~ further action by the governing body of the municipality *or any quasi-judicial or administrative board or reviewing body* ~~is required~~ if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved. Each municipality shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection. *The municipality must administratively approve the demolition of an existing structure associated with a proposed development under this subsection, without further action by the governing body of the municipality or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations. For purposes of this paragraph, the term "allowable density" means the density prescribed for the property in accordance with this subsection without additional requirements to procure and transfer density units or development units from other properties.*

(f)1. A municipality must*, upon request of an applicant, reduce* ~~consider reducing~~ parking requirements for a proposed development authorized under this subsection *by 15 percent* if the development*:*

a. Is located within one-quarter mile of a transit stop, as defined in the municipality's land development code, and the transit stop is accessible from the development;~~.~~

~~2. A municipality must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:~~

b.~~a.~~ Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features*; or*~~.~~

c.~~b.~~ Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a municipality may not require that the available parking compensate for the reduction in parking requirements.

2.~~3.~~ A municipality must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the municipality as a transit-oriented development or area, as provided in paragraph (h).

3.~~4.~~ For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

(k) Notwithstanding any other law or local ordinance or regulation to the contrary, a municipality may allow an adjacent parcel of land to be included within a proposed multifamily development authorized under this subsection.

(l) The court shall give any civil action filed against a municipality for a violation of this subsection priority over other pending cases and render a preliminary or final decision as expeditiously as possible.

(m) If a civil action is filed against a municipality for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed $250,000. In addition, a prevailing party may not recover any attorney fees or costs directly incurred by or associated with litigation to determine an award of reasonable attorney fees or costs.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

(o)~~(k)~~ This subsection does not apply to:

1. Airport-impacted areas as provided in s. 333.03.

2. Property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

3. The Wekiva Study Area, as described in s. 369.316.

4. The Everglades Protection Area, as defined in s. 373.4592(2).

(p)~~(l)~~ This subsection expires October 1, 2033.

(9)(a) Except as provided in paragraphs (b) and (d), a municipality may not enforce a building moratorium that has the effect of delaying the permitting or construction of a multifamily residential or mixed-use residential development authorized under subsection (7).

(b) A municipality may, by ordinance, impose or enforce such a building moratorium for no more than 90 days in any 3-year period. Before adoption of such a building moratorium, the municipality shall prepare or cause to be prepared an assessment of the municipality's need for affordable housing at the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, including projections of such need for the next 5 years. This assessment must be posted on the municipality's website by the date the notice of proposed enactment is published and must be presented at the same public meeting at which the proposed ordinance imposing the building moratorium is adopted by the governing body of the municipality. This assessment must be included in the business impact estimate for the ordinance imposing such a moratorium required by s. 166.041(4).

(c) If a civil action is filed against a municipality for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed $250,000. In addition, a prevailing party may not recover any attorney fees or costs directly incurred by or associated with litigation to determine an award of reasonable attorney fees or costs.

(d) This subsection does not apply to moratoria imposed or enforced to address stormwater or flood water management, to address the supply of potable water, or due to the necessary repair of sanitary sewer systems, if such moratoria apply equally to all types of multifamily or mixed-use residential development.

(10)(a) Beginning November 1, 2026, each municipality must provide an annual report to the state land planning agency which includes:

1. A summary of litigation relating to subsection (7) that was initiated, remains pending, or was resolved during the previous fiscal year.

2. A list of all projects proposed or approved under subsection (7) during the previous fiscal year. For each project, the report must include, at a minimum, the project's size, density, and intensity and the total number of units proposed, including the number of affordable units and associated targeted household incomes.

(b) The state land planning agency shall compile the information received under this subsection and submit the information to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually by February 1.

Section 3. *An applicant for a proposed development authorized under s. 125.01055(7), Florida Statutes, or s. 166.04151(7), Florida Statutes, who submitted an application, a written request, or a notice of intent to use such provisions to the county or municipality and which application, written request, or notice of intent has been received by the*

county or municipality, as applicable, before July 1, 2025, may notify the county or municipality by July 1, 2025, of its intent to proceed under the provisions of s. 125.01055(7), Florida Statutes, or s. 166.04151(7), Florida Statutes, as they existed at the time of submittal. A county or municipality, as applicable, shall allow an applicant who submitted such application, written request, or notice of intent before July 1, 2025, the opportunity to submit a revised application, written request, or notice of intent to account for the changes made by this act.

Section 4. Section 420.5098, Florida Statutes, is created to read:

420.5098 Public sector and hospital employer-sponsored housing policy.—

(1) The Legislature finds that it is in the best interests of the state and the state's economy to provide affordable housing to state residents employed by hospitals, health care facilities, and governmental entities in order to attract and maintain the highest quality labor by incentivizing such employers to sponsor affordable housing opportunities. Section 42(g)(9)(B) of the Internal Revenue Code provides that a qualified low-income housing project does not fail to meet the general public use requirement solely because of occupancy restrictions or preferences that favor tenants who are members of a specified group under a state program or policy that supports housing for such specified group. Therefore, it is the intent of the Legislature to establish a policy that supports the development of affordable workforce housing for employees of hospitals, health care facilities, and governmental entities.

(2) For purposes of this section, the term:

(a) "Governmental entity" means any state, regional, county, local, or municipal governmental entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of the state; any public school, state university, or Florida College System institution; or any special district as defined in s. 189.012.

(b) "Health care facility" has the same meaning as provided in s. 159.27(16).

(c) "Hospital" means a hospital under chapter 155, a hospital district created pursuant to chapter 189, or a hospital licensed pursuant to chapter 395, including corporations not for profit that are qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and for-profit entities.

(3) It is the policy of the state to support housing for employees of hospitals, health care facilities, and governmental entities and to allow developers in receipt of federal low-income housing tax credits allocated pursuant to s. 420.5099, local or state funds, or other sources of funding available to finance the development of affordable housing to create a preference for housing for such employees. Such preference must conform to the requirements of s. 42(g)(9) of the Internal Revenue Code.

Section 5. This act shall take effect July 1, 2025.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to affordable housing; amending ss. 125.01055 and 166.04151, F.S.; authorizing the board of county commissioners and the governing board of a municipality, respectively, to approve the development of housing that is affordable, including mixed-use residential, on any parcel owned by religious institutions; requiring counties and municipalities to authorize multifamily and mixed-use residential as allowable uses in portions of flexibly zoned areas under certain circumstances; prohibiting counties and municipalities from imposing certain requirements on proposed multifamily developments; prohibiting counties and municipalities from requiring that more than a specified percentage of a mixed-use residential project be used for certain purposes; revising the density, floor area ratio, or height below which counties and municipalities may not restrict certain developments; defining the term "highest currently allowed, or allowed on July 1, 2023"; revising the definition of the term "floor area ratio"; authorizing counties and municipalities to restrict the height of certain proposed developments listed in the National Register of Historic Places; requiring the administrative approval of certain proposed developments without further action by a quasi-judicial or administrative board or reviewing body under certain circumstances; requiring the administrative approval of the demolition of an existing structure associated with a proposed development in certain circumstances; providing applicability; providing construction; defining the term "allowable density"; requiring counties and municipalities to reduce parking requirements by a specified percentage for certain proposed developments under certain circumstances; authorizing counties and municipalities to allow adjacent parcels of land to be included within certain proposed developments; requiring a court to give priority to and render expeditious decisions in certain civil actions; requiring a court to award reasonable attorney fees and costs to a prevailing party in certain civil actions; providing that such attorney fees or costs may not exceed a specified dollar amount; prohibiting the prevailing party from recovering certain other fees or costs; defining terms; revising applicability; prohibiting counties and municipalities from enforcing certain building moratoriums; providing an exception, subject to certain requirements; requiring the court to assess and award reasonable attorney fees and costs to the prevailing party in certain civil actions; providing that such attorney fees or costs may not exceed a specified dollar amount; prohibiting the prevailing party from recovering certain other fees or costs; providing applicability; providing annual reporting requirements beginning on specified dates; authorizing applicants for certain proposed developments to notify the county or municipality, as applicable, by a specified date of its intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit revised applications, written requests, and notices of intent to account for changes made by the act; creating s. 420.5098, F.S.; providing legislative findings and intent; defining terms; providing that it is the policy of the state to support housing for certain employees and to allow developers in receipt of certain tax credits and funds to create a specified preference for housing certain employees; requiring that such preference conform to certain requirements; providing an effective date.

Senator Jones moved the following amendment which was adopted:

Senate Amendment 1 (172402) (with title amendment) to House Amendment 1 (673693)—Delete lines 99-427 and insert:

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the county may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or 3 stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(e)*1.* A proposed development authorized under this subsection must be administratively approved *without* ~~and no~~ further action by the board of county commissioners *or any quasi-judicial or administrative board or reviewing body* ~~is required~~ if the development satisfies the county's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved. Each county shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection. *For purposes of this subparagraph, the term "allowable density" means the density prescribed for the property in accordance with this subsection without additional requirements to procure and transfer density units or development units from other properties.*

2. The county must administratively approve the demolition of an existing structure associated with a proposed development under this subsection, without further action by the board of county commissioners or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations.

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the county may administratively require the proposed development to comply with local regulations relating to architectural design, such as facade replication, provided it does not affect height, floor area ratio, of density of the proposed development.

(f)1. A county must*, upon request of an applicant, reduce* ~~consider reducing~~ parking requirements *by 15 percent* for a proposed development authorized under this subsection if the development*:*

a. Is located within one-quarter mile of a transit stop, as defined in the county's land development code, and the transit stop is accessible from the development*;*~~.~~

~~2. A county must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:~~

b.~~a.~~ Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features; *or* ~~and~~

c.~~b.~~ Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a county may not require that the available parking compensate for the reduction in parking requirements.

2.~~3.~~ A county must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the county as a transit-oriented development or area, as provided in paragraph (h).

3.~~4.~~ For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

(k) Notwithstanding any other law or local ordinance or regulation to the contrary, a county may allow an adjacent parcel of land to be included within a proposed multifamily development authorized under this subsection.

(l) The court shall give any civil action filed against a county for a violation of this subsection priority over other pending cases and render a preliminary or final decision as expeditiously as possible.

(m) If a civil action is filed against a county for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed $250,000. In addition, a prevailing party may not recover any attorney fees or costs directly incurred by or associated with litigation to determine an award of reasonable attorney fees or costs.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities, electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

(o)~~(k)~~ This subsection does not apply to:

1. Airport-impacted areas as provided in s. 333.03.

2. Property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

3. The Wekiva Study Area, as described in s. 369.316.

4. The Everglades Protection Area, as defined in s. 373.4592(2).

(p)~~(l)~~ This subsection expires October 1, 2033.

(9)(a) Except as provided in paragraphs (b) and (d), a county may not enforce a building moratorium that has the effect of delaying the permitting or construction of a multifamily residential or mixed-use residential development authorized under subsection (7).

(b) A county may, by ordinance, impose or enforce such a building moratorium for no more than 90 days in any 3-year period. Before adoption of such a building moratorium, the county shall prepare or cause to be prepared an assessment of the county's need for affordable housing at the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, including projections of such need for the next 5 years. This assessment must be posted on the county's website by the date the notice of proposed enactment is published, and presented at the same public meeting at which the proposed ordinance imposing the building moratorium is adopted by the board of county commissioners. This assessment must be included in the business impact estimate for the ordinance imposing such a moratorium required by s. 125.66(3).

(c) If a civil action is filed against a county for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed $250,000. In addition, a prevailing party may not recover any attorney fees or costs directly incurred by or associated with litigation to determine an award of reasonable attorney fees or costs.

(d) This subsection does not apply to moratoria imposed or enforced to address stormwater or flood water management, to address the supply of potable water, or due to the necessary repair of sanitary sewer systems, if such moratoria apply equally to all types of multifamily or mixed-use residential development.

(10)(a) Beginning November 1, 2026, each county must provide an annual report to the state land planning agency which includes:

1. A summary of litigation relating to subsection (7) that was initiated, remains pending, or was resolved during the previous fiscal year.

2. A list of all projects proposed or approved under subsection (7) during the previous fiscal year. For each project, the report must include, at a minimum, the project's size, density, and intensity and the total number of units proposed, including the number of affordable units and associated targeted household incomes.

(b) The state land planning agency shall compile the information received under this subsection and submit the information to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually by February 1.

Section 2. Subsection (6) and paragraphs (a) through (f), (k), and (l) of subsection (7) of section 166.04151, Florida Statutes, are amended, new paragraphs (k) through (n) are added to subsection (7), and subsections (9) and (10) are added to that section, to read:

166.04151 Affordable housing.—

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for commercial or industrial use, *or on any parcel, including any contiguous parcel connected thereto, which is owned by a religious institution as defined in s. 170.201(2) which contains a house of public worship, regardless of underlying zoning,* so long as at least 10 percent of the units included in the project are for housing that is affordable. The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use*, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use,* if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, *transfer of density or development units, amendment to a development of regional impact, amendment to a municipal charter,* or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. *The municipality may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.*

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed*, or allowed on July 1, 2023,* density on any land in the municipality where residential development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed density" does not include the density of any building that met the requirements of this subsection or the density of any building that has received any bonus, variance, or other special exception for density provided in the municipality's land development regulations as an incentive for development. *For purposes of this paragraph, "highest currently allowed, or allowed on July 1, 2023," means whichever is least restrictive at the time of development.*

(c) A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed*, or allowed on July 1, 2023,* floor area ratio on any land in the municipality where development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the municipality's land development regulations as an incentive for development. For purposes of this subsection, the term "floor area ratio" includes floor lot ratio *and lot coverage*.

(d)1. A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed*, or allowed on July 1, 2023,* height for a commercial or residential building located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the height of any building that met the requirements of this subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the municipality's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed*, or allowed on July 1, 2023,* height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher*, not to exceed 10 stories*. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road *or body of water, including manmade lakes or ponds*. *For a proposed development located within a municipality within an area of critical state concern as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code, the term "story" includes only the habitable space above the base flood elevation as designated by the Federal Emergency Management Agency in the most current Flood Insurance Rate Map. A story may not exceed 10 feet in height measured from finished floor to finished floor, including space for mechanical equipment. The highest story may not exceed 10 feet from finished floor to the top plate.*

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the municipality may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or 3 stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(e)*1.* A proposed development authorized under this subsection must be administratively approved *without* ~~and no~~ further action by the governing body of the municipality *or any quasi-judicial or administrative board or reviewing body* ~~is required~~ if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved. Each municipality shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection. *For purposes of this paragraph, the term "allowable density" means the density prescribed for the property in accordance with this subsection without additional requirements to procure and transfer density units or development units from other properties.*

2. The municipality must administratively approve the demolition of an existing structure associated with a proposed development under this subsection, without further action by the governing body of the municipality or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations.

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the municipality may administratively require the proposed development to comply with local regulations relating to architectural design, such as facade replication, provided it does not affect height, floor area ratio, of density of the proposed development.

And the title is amended as follows:

Delete lines 667-677 and insert: proposed developments on certain parcels with structures or buildings listed in the National Register of Historic Places; requiring the administrative approval of certain proposed developments without further action by a quasi-judicial or administrative board or reviewing body under certain circumstances; defining the term "allowable density"; requiring the administrative approval of the demolition of an existing structure associated with a proposed development in certain circumstances; providing construction; authorizing counties and municipalities to administratively require that certain proposed developments comply with architectural design regulations under certain circumstances; requiring counties and

On motion by Senator Calatayud, the Senate concurred in **House Amendment 1 (673693)**, as amended, and requested the House to concur in **Senate Amendment 1 (172402) to House Amendment 1 (673693)**.

CS for CS for SB 1730 passed, as amended, and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 1662, with 1 amendment, and requests the concurrence of the Senate.

Jeff Takacs, Clerk

CS for CS for CS for SB 1662—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; authorizing the Secretary of Transportation to appoint a specified number of assistant secretaries; specifying titles for such assistant secretaries; authorizing the secretary to appoint an Executive Director of Transportation Technology; specifying that such assistant secretaries and executive director positions are exempt from career service and are included in the Senior Management Service; revising qualifications for members of the Florida Transportation Commission; requiring the commission to monitor transit entities that receive certain funding; requiring members of the commission to follow certain standards of conduct; providing legislative findings and intent; creating the Florida Transportation Research Institute; specifying the purpose and mission of the institute; requiring the institute to report to the Department of Transportation; providing for membership of the institute; requiring the department to select a member to serve as the administrative lead of the institute; requiring the Secretary of Transportation to appoint a representative of the department to serve as the executive director of the institute; requiring the department to coordinate with the members of the institute to adopt certain policies; authorizing the institute to award certain grants; authorizing the department to allocate funds to the institute from the State Transportation Trust Fund; authorizing the institute to expend funds for certain operations and programs; requiring the institute to submit an annual report to the Secretary of Transportation and the commission; revising the department's areas of program responsibility; amending s. 311.07, F.S.; providing that certain spaceport and space industry-related facility projects and commercial shipbuilding and manufacturing facility projects are eligible for grant funding under the Florida Seaport Transportation and Economic Development Program; amending s. 311.09, F.S.; revising the purpose of the Florida Seaport Transportation and Economic Development Council; requiring that the Florida Seaport Mission Plan include certain recommendations; requiring each port member of the council to submit a certain semiannual report to the department; amending s. 311.10, F.S.; requiring seaports located in specified counties to include certain statements in any agreement with the department as a condition of receiving certain grants or state funds; requiring that express approval for certain seaport conversions be obtained by specified entities upon recommendation by the funding agency; defining the term "cargo purposes"; amending s. 311.101, F.S.; revising the definition of the term "intermodal logistics center"; creating an intermodal logistics center working group within the department; providing the composition of the working group membership; specifying that members of the working group serve without compensation but are eligible for per diem and travel expenses; providing responsibilities of the working group; requiring the working group to submit a report to the Governor and the Legislature by a specified date; providing for the future repeal of the working group; amending s. 316.003, F.S.; revising the definition of the term "special mobile equipment"; repealing s. 316.0741, F.S., relating to high-occupancy-vehicle lanes; amending s. 316.0745, F.S.; deleting language limiting the state funds that may be withheld due to certain violations by a public body or official to state funds for traffic control purposes; providing that such violations are cause for the withholding of state funds deposited in the State Transportation Trust Fund; amending s. 316.550, F.S.; authorizing the department to issue a mobile crane special blanket permit for certain purposes; amending s. 320.084, F.S.; providing for disabled veteran motor vehicle license plates in lieu of "DV" motor vehicle license plates; revising construction; amending s. 320.0848, F.S.; conforming a provision to changes made by the act; amending s. 330.27, F.S.; revising definitions and defining terms; amending s. 330.30, F.S.; requiring a private airport of public interest to obtain a certain certificate from the department before allowing aircraft operations; requiring certain private airports to obtain a certain certificate from the department by a specified date; creating s. 330.355, F.S.; prohibiting publicly owned airports from charging a landing fee established on or after a specified date for certain aircraft operations; amending s. 331.371, F.S.; authorizing the department, in consultation with the Department of Commerce and the Department of Environmental Protection, to fund certain infrastructure projects and projects associated with certain critical infrastructure projects; requiring such departments to coordinate in funding certain projects for a specified purpose; amending s. 332.003, F.S.; revising a short title; amending s. 332.005, F.S.; requiring airports to provide the Department of Transportation with the opportunity to use certain airport property for a specified purpose during a declared state of emergency; requiring that such use be conducted pursuant to a written agreement after a certain period of use; amending s. 332.006, F.S.; deleting a requirement that the department meet certain duties and responsibilities within the resources provided pursuant to a specified chapter; providing duties and responsibilities of the department relating to certain educational services; amending s. 332.007, F.S.; requiring commercial service airports to establish and maintain a certain program; defining the term "airport infrastructure"; requiring that such airports provide a certain annual certification to the department; requiring that a certain program report be open to department inspection and maintained for a specified period; providing requirements for such program; revising the list of projects for which the department must provide priority funding; authorizing the department to fund eligible projects performed by certain organizations and postsecondary education institutions; providing that certain programs are eligible projects; authorizing the department to provide certain matching funds; revising the circumstances in which the department may fund strategic airport investment projects; amending s. 332.0075, F.S.; revising definitions; requiring that certain information remain posted on a governing body's website for a certain period; revising the information that must be included on such website; requiring the quarterly, rather than annual, update of certain information; revising information that the governing body of a commercial service airport must submit to the department annually; requiring a commercial service airport to provide certain notifications to the department; creating s. 332.15, F.S.; requiring the department to address certain needs in the statewide aviation system plan and the department's work program, designate a certain subject matter expert, conduct a specified review, and, in coordination with the Department of Commerce, provide certain coordination and assistance for the development of a viable advanced air mobility system plan; amending s. 334.044, F.S.; revising the general powers and duties of the department; amending s. 334.045,

F.S.; requiring certain measures developed and adopted by the Florida Transportation Commission to assess performance in a specified business development program, instead of disadvantaged business enterprise and minority business programs; creating s. 334.615, F.S.; authorizing certain parking authorities to operate, manage, and control certain parking facilities upon entering into certain interlocal agreements; creating s. 334.62, F.S.; providing legislative findings; establishing the Florida Transportation Academy within the department; authorizing the department to coordinate with certain entities for specified purposes; amending s. 335.182, F.S.; defining the term "modification of an existing connection"; revising the definition of the term "significant change"; amending s. 335.187, F.S.; authorizing the department to modify or revoke certain access permits by requiring modification of an existing connection in certain circumstances; amending s. 337.027, F.S.; revising the definition of the term "small business"; authorizing the department to provide notice of certain opportunities; amending s. 337.11, F.S.; requiring the department to give consideration to small business participation, instead of disadvantaged business enterprise participation; repealing s. 337.125, F.S., relating to socially and economically disadvantaged business enterprises and notice requirements; repealing s. 337.135, F.S., relating to socially and economically disadvantaged business enterprises and punishment for false representation; repealing s. 337.139, F.S., relating to efforts to encourage awarding contracts to disadvantaged business enterprises; amending s. 337.18, F.S.; authorizing the Secretary of Transportation to require a surety bond in an amount that is less than the awarded contract price; amending s. 337.251, F.S.; revising factors that may be considered by the department when selecting certain proposals; amending s. 337.401, F.S.; prohibiting a municipality from prohibiting, or requiring a permit for, the installation of certain public sewer transmission lines; amending s. 337.406, F.S.; prohibiting camping on any portion of the right-of-way of the State Highway System; providing applicability; amending s. 338.227, F.S.; revising the purpose for which the department and the Department of Management Services shall create and implement a certain outreach program; amending s. 339.08, F.S.; defining the term "energy policy of the state"; prohibiting the department from expending state funds to support projects or programs of certain entities in certain circumstances; repealing s. 339.0805, F.S., relating to funds to be expended with certified disadvantaged business enterprises, a construction management development program, and a bond guarantee program; amending s. 339.135, F.S.; requiring that funds for rural transit operating block grants be allocated in a certain manner; amending s. 339.2821, F.S.; requiring the department to ensure that it is supportive of small businesses, rather than ensuring that small and minority businesses have equal access to participation in certain transportation projects; repealing s. 339.287, F.S., relating to electric vehicle charging stations and infrastructure plan development; amending s. 339.63, F.S.; deleting the definition of the term "intermodal logistics center"; amending s. 339.651, F.S.; authorizing, rather than requiring, the department to make a certain amount available from the existing work program to fund certain projects annually; deleting the scheduled repeal of provisions relating to Strategic Intermodal System supply chain demands; amending s. 341.051, F.S.; providing for the reallocation of certain funds; deleting the scheduled repeal of provisions providing for the reallocation of certain funds; amending s. 341.052, F.S.; revising the list of providers to which certain block grant funds shall be provided; revising the specified report used to verify certain data; creating s. 341.0525, F.S.; creating a rural transit operating block grant program to be administered by the department; requiring the annual allocation of certain funds from the State Transportation Trust Fund for the program; providing for the distribution of funds to each eligible public transit provider in at least a certain amount; providing authorized uses of grant funds; prohibiting state participation in certain costs above a specified percentage or amount; prohibiting an eligible public transit provider from using block grant funds in a certain manner; providing an exception; prohibiting the state from giving a county more than a specified percentage of available funds or a certain amount; providing eligibility requirements; requiring an eligible provider to return funds under certain circumstances; authorizing the department to consult with an eligible provider before distributing funds to make a certain determination; requiring an eligible provider to repay to the department funds expended on unauthorized uses if revealed in an audit; requiring the department to redistribute returned and repaid funds to other eligible providers; amending s. 348.754, F.S.; revising the types of businesses the Central Florida Expressway Authority is required to encourage the inclusion of in certain opportunities; amending s. 349.03, F.S.; revising membership requirements for the governing body of the Jacksonville Transportation Authority; amending ss. 110.205, 322.27, 365.172, 379.2293, 493.6101, and 493.6403, F.S.; conforming cross-references and provisions to changes made by the act; requiring the department to coordinate with state agencies and water management districts to establish a workgroup for a certain purpose relating to statewide mapping programs; providing that the department is the lead agency for the development and review of certain policies, practices, and standards for a specified fiscal year; authorizing the department to issue a request for proposals for the procurement of a program to manage certain survey, mapping, and data collection; requiring the department, in coordination with the workgroup, to review state statutes and policies related to geospatial data sharing and make certain recommendations to the Legislature by a certain date; providing requirements for such recommendations; providing an effective date.

House Amendment 1 (160395) (with title amendment)—Remove lines 586-2063 and insert: *that is located in a county in which real property is designated as spaceport territory under s. 331.304 and that uses land, facilities, or infrastructure for the purpose of supporting spacecraft launch and recovery operations must, in any agreement with the Department of Transportation, agree that the seaport may not convert any planned or existing land, facility, or infrastructure that supports cargo purposes to any alternative purpose unless the conversion is approved by the seaport's governing board at a publicly noticed meeting as a separate line on the agenda and with a reasonable opportunity for public comment, and, if approved, the Legislature expressly approves the use of state funds for a project that includes such a conversion, whether by a work program amendment or through the General Appropriations Act. As used in this subsection, the term "cargo purposes" includes, but is not limited to, any facility, activity, property, energy source, or infrastructure asset that supports spaceport activities.*

Section 5. Present subsection (8) of section 311.101, Florida Statutes, is redesignated as subsection (9), a new subsection (8) is added to that section, and subsection (2) of that section is amended, to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(2) For the purposes of this section, the term "intermodal logistics center," including, but not limited to, an "inland port," means a facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance or shipping through one or more seaports listed in s. 311.09 *or airports as defined in s. 330.27*.

(8)(a) There is created within the Department of Transportation an intermodal logistics center working group. The purpose of the working group is to coordinate the planning and development of intermodal logistics centers across this state. The working group shall be composed of the following members:

1. The Secretary of Transportation, or his or her designee.

2. The Secretary of Commerce, or his or her designee.

3. The Commissioner of Agriculture, or his or her designee.

4. One member from a seaport listed in s. 311.09(1), appointed by the Secretary of Transportation.

5. One member from an airport, appointed by the Secretary of Transportation.

6. One member from an intermodal logistics center, appointed by the Secretary of Transportation.

7. One member from the agricultural industry, appointed by the Commissioner of Agriculture.

8. One member from the trucking industry, appointed by the Secretary of Transportation.

9. One member from the freight rail industry, appointed by the Secretary of Transportation.

10. One member from the passenger rail industry, appointed by the Secretary of Transportation.

11. One member from a business located within an intermodal logistics center, appointed by the Secretary of Commerce.

12. One member from a local workforce development board created pursuant to chapter 445, appointed by the president of CareerSource Florida, Inc.

(b) The Secretary of Transportation, or his or her designee, shall serve as the chair of the working group. The Secretary of Commerce, or his or her designee, shall serve as vice chair of the working group.

(c) Members of the working group shall serve without compensation but are eligible for per diem and travel expenses pursuant to s. 112.061.

(d) The working group is responsible for all of the following:

1. Conducting a study of regional needs regarding intermodal logistics centers, including a breakdown of urban versus rural locations for intermodal logistics centers.

2. Determining the statewide benefits of intermodal logistics centers.

3. Evaluating the impact of existing and proposed freight and passenger rail service on existing rail corridors and the need for any additional rail capacity.

4. Evaluating key criteria used by the state to expand and develop the intermodal logistics center network through the use of the Strategic Intermodal System created pursuant to ss. 339.61-339.651, including any recommended changes to state law.

5. Evaluating the readiness of existing and proposed locations for intermodal logistics centers and developing a list of improvements that may be necessary to attract businesses to those centers.

6. Evaluating and recommending potential state policies that would enhance the development of a long-term statewide strategy regarding intermodal logistics centers.

7. Evaluating the operations of freight logistics zones as defined in s. 311.103(1), including the processes for their designation and funding.

(e) On or before January 1, 2027, the working group shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing the working group's findings and recommendations regarding the responsibilities listed in paragraph (d).

(f) This subsection is repealed on June 30, 2027.

Section 6. Subsection (83) of section 316.003, Florida Statutes, is amended to read:

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

(83) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, *mobile* ~~and self propelled~~ cranes *and accessory support vehicles,* and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, ~~cranes or shovels,~~ or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Section 7. *Section 316.0741, Florida Statutes, is repealed.*

Section 8. Subsection (7) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(7) The Department of Transportation may, upon receipt and investigation of reported noncompliance and after hearing pursuant to 14 days' notice, direct the removal of any purported traffic control device that fails to meet the requirements of this section, wherever the device is located and without regard to assigned responsibility under s. 316.1895. The public agency erecting or installing the same shall immediately bring it into compliance with the requirements of this section or remove said device or signal upon the direction of the Department of Transportation and may not, for a period of 5 years, install any replacement or new traffic control devices paid for in part or in full with revenues raised by the state unless written prior approval is received from the Department of Transportation. Any additional violation by a public body or official shall be cause for the withholding of state funds *deposited in the State Transportation Trust Fund* ~~for traffic control purposes~~ until such public body or official demonstrates to the Department of Transportation that it is complying with this section.

Section 9. Subsection (3) of section 316.550, Florida Statutes, is amended to read:

316.550 Operations not in conformity with law; special permits.—

(3) *Notwithstanding subsection (2), the Department of Transportation may issue a mobile crane special blanket permit for any of the following purposes:*

(a) To authorize a mobile crane to operate on and ~~A permit may authorize a self-propelled truck crane operating~~ off the Interstate Highway System *while towing* ~~to tow~~ a motor vehicle *that* ~~which~~ does not weigh more than 5,000 pounds if the combined weight of the crane and such motor vehicle does not exceed 95,000 pounds. Notwithstanding s. 320.01(7) or (12), *mobile* ~~truck~~ cranes that tow another motor vehicle under ~~the provision of~~ this subsection shall be taxed under ~~the provisions of~~ s. 320.08(5)(b).

(b) To authorize a mobile crane and accessory support vehicles that are up to 12 feet in width, 14 feet 6 inches in height, and 100 feet in length to operate on and off the Interstate Highway System at all hours except as restricted under a local travel-related curfew.

(c) To authorize a mobile crane and accessory support vehicles that, due to their design for special use, exceed the weight limits established in s. 316.535 to operate on and off the Interstate Highway System.

Section 10. Subsections (1) and (3), paragraphs (a) and (c) of subsection (4), and subsection (6) of section 320.084, Florida Statutes, are amended to read:

320.084 Free motor vehicle license plate to certain disabled veterans.—

(1) One free *disabled veteran* ~~"DV"~~ motor vehicle license number plate shall be issued by the department for use on any motor vehicle owned or leased by any disabled veteran who has been a resident of this state continuously for the preceding 5 years or has established a domicile in this state as provided by s. 222.17(1), (2), or (3), and who has been honorably discharged from the United States Armed Forces, upon application, accompanied by proof that:

(a) A vehicle was initially acquired through financial assistance by the United States Department of Veterans Affairs or its predecessor specifically for the purchase of an automobile;

(b) The applicant has been determined by the United States Department of Veterans Affairs or its predecessor to have a service-connected 100-percent disability rating for compensation; or

(c) The applicant has been determined to have a service-connected disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services.

(3) The department shall, as it deems necessary, require each person to whom a motor vehicle license plate has been issued pursuant to subsection (1) to apply to the department for reissuance of his or her registration license plate. Upon receipt of the application and proof of the applicant's continued eligibility, the department shall issue a new permanent *disabled veteran* ~~"DV" numerical~~ motor vehicle license plate which shall be of the colors red, white, and blue similar to the colors of the United States flag. The operation of a motor vehicle displaying a

disabled veteran ~~"DV"~~ license plate from a previous issue period or a noncurrent validation sticker after the date specified by the department shall subject the owner if he or she is present, otherwise the operator, to the penalty provided in s. 318.18(2). Such permanent license plate shall be removed upon sale of the vehicle, but may be transferred to another vehicle owned by such veteran in the manner prescribed by law. ~~The license number of each plate issued under this section shall be identified by the letter designation "DV."~~ Upon request of any such veteran, the department is authorized to issue a designation plate containing only the letters "DV," to be displayed on the front of the vehicle.

(4)(a) With the issuance of each new permanent *disabled veteran* ~~"DV" numerical~~ motor vehicle license plate, the department shall initially issue, without cost to the applicant, a validation sticker reflecting the owner's birth month and a serially numbered validation sticker reflecting the year of expiration. The initial sticker reflecting the year of expiration may not exceed 27 months.

(c) Registration under this section shall be renewed annually or biennially during the applicable renewal period on forms prescribed by the department, which shall include, in addition to any other information required by the department, a certified statement as to the continued eligibility of the applicant to receive the special *disabled veteran* ~~"DV"~~ license plate. Any applicant who falsely or fraudulently submits to the department the certified statement required by this paragraph is guilty of a noncriminal violation and is subject to a civil penalty of $50.

(6)(a) A disabled veteran who meets the requirements of subsection (1) may be issued, in lieu of the *disabled veteran* ~~"DV"~~ license plate, a military license plate for which he or she is eligible or a specialty license plate *embossed with the initials "DV" in the top left-hand corner*. A disabled veteran electing a military license plate or specialty license plate under this subsection must pay all applicable fees related to such license plate, except for fees otherwise waived under subsections (1) and (4).

(b) A military license plate or specialty license plate elected under this subsection~~:~~

~~1. Does not provide the protections or rights afforded by ss. 316.1955, 316.1964, 320.0848, 526.141, and 553.5041.~~

~~2.~~ is not eligible for the international symbol of accessibility as described in s. 320.0842.

Section 11. Paragraph (e) of subsection (2) of section 320.0848, Florida Statutes, is amended to read:

320.0848 Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.—

(2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM MOBILITY PROBLEMS.—

(e) A person who qualifies for a disabled parking permit under this section may be issued an international wheelchair user symbol license plate under s. 320.0843 in lieu of the disabled parking permit; or, if the person qualifies for a *disabled veteran* ~~"DV"~~ license plate under s. 320.084, such a license plate may be issued to him or her in lieu of a disabled parking permit.

Section 12. Section 330.27, Florida Statutes, is amended to read:

330.27 Definitions, when used in ss. 330.29-330.39.—

(1) *"Air ambulance operation" means a flight with a patient or medical personnel on board for the purpose of medical transportation.*

(2) "Aircraft" means a powered or unpowered machine or device capable of atmospheric flight, *including, but not limited to, an airplane, an autogyro, a glider, a gyrodyne, a helicopter, a lift and cruise, a multicopter, paramotors, a powered lift, a seaplane, a tiltrotor, an ultralight, and a vectored thrust. The term does not include* ~~except~~ a parachute or other such device used primarily as safety equipment.

(3)~~(2)~~ "Airport" means *a specific* ~~an~~ area of land or water *or a structure* used for, or intended to be used for, *aircraft operations, which may include* ~~landing and takeoff of aircraft, including~~ appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use. *The term includes, but is not limited to, airparks, airports, gliderports, heliports, helistops, seaplane bases, ultralight flightparks, vertiports, and vertistops.*

(4) "Commercial air tour operation" means a flight conducted for compensation or hire in an aircraft where a purpose of the flight is sightseeing.

(5) "Commuter operation" means any scheduled operation conducted by a person operating an aircraft with a frequency of operations of at least five round trips per week on at least one route between two or more points according to the published flight schedule.

(6)~~(3)~~ "Department" means the Department of Transportation.

(7)~~(4)~~ "Limited airport" means any airport limited exclusively to the specific conditions stated on the site approval order or license.

(8) "On-demand operation" means any scheduled passenger-carrying operation for compensation or hire conducted by a person operating an aircraft with a frequency of operations of fewer than five round trips per week on at least one route between two or more points according to the published flight schedule.

(9)~~(5)~~ "Private airport" means an airport, publicly or privately owned, which is not open or available for use by the public, but may be made available to others by invitation of the owner or manager.

(10) "Private airport of public interest" means a private airport engaged in air ambulance operations, commercial air tour operations, commuter operations, on-demand operations, public charter operations, scheduled operations, or supplemental operations.

(11)~~(6)~~ "Public airport" means an airport, publicly or privately owned, which is open for use by the public.

(12) "Public charter operation" means a one-way or round-trip charter flight performed by one or more direct air carriers which is arranged and sponsored by a charter operator.

(13) "Scheduled operation" means any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for which the certificateholder or its representative offers in advance the departure location, departure time, and arrival location.

(14) "Supplemental operation" means any common carriage operation for compensation or hire conducted with an aircraft for which the departure time, departure location, and arrival location are specifically negotiated with the customer or customer's representative.

(15)~~(7)~~ "Temporary airport" means an airport at which flight operations are conducted under visual flight rules established by the Federal Aviation Administration and which is used for less than 30 consecutive days with no more than 10 operations per day.

~~(8) "Ultralight aircraft" means any aircraft meeting the criteria established by part 103 of the Federal Aviation Regulations.~~

Section 13. Subsections (2) and (4) of section 330.30, Florida Statutes, are amended to read:

330.30 Approval of airport sites; registration*, certification,* and licensure of airports.—

(2) LICENSES*, CERTIFICATIONS,* AND REGISTRATIONS; REQUIREMENTS, RENEWAL, REVOCATION.—

(a) Except as provided in subsection (3), the owner or lessee of an airport in this state shall have a public airport license, private airport registration, or temporary airport registration before the operation of aircraft to or from the airport. Application for a license or registration shall be made in a form and manner prescribed by the department.

1. For a public airport, upon granting site approval, the department shall issue a license after a final airport inspection finds the airport to be in compliance with all requirements for the license. The license may

be subject to any reasonable conditions the department deems necessary to protect the public health, safety, or welfare.

2. For a private airport, upon granting site approval, the department shall provide controlled electronic access to the state aviation facility data system to permit the applicant to complete the registration process. Registration shall be completed upon self-certification by the registrant of operational and configuration data deemed necessary by the department.

3. For a temporary airport, the department must publish notice of receipt of a completed registration application in the next available publication of the Florida Administrative Register and may not approve a registration application less than 14 days after the date of publication of the notice. The department must approve or deny a registration application within 30 days after receipt of a completed application and must issue the temporary airport registration concurrent with the airport site approval. A completed registration application that is not approved or denied within 30 days after the department receives the completed application is considered approved and shall be issued, subject to such reasonable conditions as are authorized by law. An applicant seeking to claim registration by default under this subparagraph must notify the agency clerk of the department, in writing, of the intent to rely upon the default registration provision of this subparagraph and may not take any action based upon the default registration until after receipt of such notice by the agency clerk.

4. A private airport of public interest must obtain a certificate from the department before allowing aircraft operations. The department shall issue a certificate after a final inspection finds the airport to be in compliance with all certificate requirements. The certificate is subject to any reasonable conditions the department deems necessary to protect the public. A private airport that was engaged in operations associated with a private airport of public interest on or before July 1, 2025, must obtain a certificate from the department by July 1, 2030.

(b) The department may license a public airport that does not meet standards only if it determines that such exception is justified by unusual circumstances or is in the interest of public convenience and does not endanger the public health, safety, or welfare. Such a license shall bear the designation "special" and shall state the conditions subject to which the license is granted.

(c) A temporary airport license or registration shall be valid for less than 30 days and is not renewable. The department may not approve a subsequent temporary airport registration application for the same general location if the purpose or effect is to evade otherwise applicable airport permitting or licensure requirements.

(d)1. Each public airport license shall expire no later than 1 year after the effective date of the license, except that the expiration date of a license may be adjusted to provide a maximum license period of 18 months to facilitate airport inspections, recognize seasonal airport operations, or improve administrative efficiency.

2. Registration for private airports shall remain valid provided specific elements of airport data, established by the department, are periodically recertified by the airport registrant. The ability to recertify private airport registration data shall be available at all times by electronic submittal. A private airport registration that has not been recertified in the 24-month period following the last certification shall expire, unless the registration period has been adjusted by the department for purposes of informing private airport owners of their registration responsibilities or promoting administrative efficiency. The expiration date of the current registration period will be clearly identifiable from the state aviation facility data system.

3. The effective date and expiration date shall be shown on public airport licenses. Upon receiving an application for renewal of an airport license in a form and manner prescribed by the department and receiving a favorable inspection report indicating compliance with all applicable requirements and conditions, the department shall renew the license, subject to any conditions deemed necessary to protect the public health, safety, or welfare.

4. The department may require a new site approval for any airport if the license or registration has expired.

5. If the renewal application for a public airport license has not been received by the department or no private airport registration recertification has been accomplished within 15 days after the date of expiration, the department may revoke the airport license or registration.

6. After initial registration, the department may issue a certificate to a private airport of public interest if the airport is found, after a physical inspection, to be in compliance with all certificate requirements. The certificate is subject to any reasonable condition that the department deems necessary to protect the public health, safety, or welfare. A private airport of public interest certificate expires 5 years after the effective date of the certificate.

(e) The department may revoke, or refuse to allow or issue, any airport registration or recertification, or any license or license renewal, if it determines:

1. That the site has been abandoned as an airport;

2. That the airport does not comply with the conditions of the license, license renewal, or site approval;

3. That the airport has become either unsafe or unusable for flight operation due to physical or legal changes in conditions that were the subject of approval; or

4. That an airport required to file or update a security plan pursuant to paragraph (f) has failed to do so.

(f)1. After initial licensure, a license of a publicly or privately owned general aviation airport that is open to the public, that has at least one runway greater than 4,999 feet in length, and that does not host scheduled passenger-carrying commercial service operations regulated under 14 C.F.R. part 139 shall not be renewed or reissued unless an approved security plan has been filed with the department, except when the department determines that the airport is working in good faith toward completion and filing of the plan.

2. Security plans required by this paragraph must be developed in accordance with the 2004 Security Planning for General Aviation Airports guidelines published by the Florida Airports Council. Certain administrative data from the approved security plan shall be submitted to the Department of Law Enforcement, in a format prescribed by the Department of Law Enforcement, for use in protecting critical infrastructure of the state.

3. The department shall not approve a security plan for filing unless it is consistent with Florida Airports Council guidelines.

4. An airport required to file a security plan pursuant to this paragraph shall update its plan at least once every 2 years after the initial filing date and file the updated plan with the department. The department shall review the updated plan prior to approving it for filing to determine whether it is consistent with Florida Airports Council guidelines. No renewal license shall be issued to the airport unless the department approves the updated security plan or determines that the airport is working in good faith to update it.

(4) EXCEPTIONS.—Private airports with 10 or more based aircraft may request to be inspected and licensed by the department. Private airports licensed according to this subsection shall be considered private airports as defined in *s. 330.27* ~~s. 330.27(5)~~ in all other respects.

Section 14. Section 330.355, Florida Statutes, is created to read:

330.355 Prohibition on landing fees for certain aircraft operations.—A publicly owned airport in this state may not charge a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in this state which offers a 4-year collegiate aviation program, if such aircraft operations are for flight training necessary for pilot certification and proficiency.

Section 15. Section 331.371, Florida Statutes, is amended to read:

331.371 Strategic space infrastructure investment.—

(1) In consultation with Space Florida, the Department of Transportation may fund spaceport discretionary capacity improvement projects, as defined in s. 331.303, at up to 100 percent of the project's cost if:

(a)~~(1)~~ Important access and on-spaceport-territory space transportation capacity improvements are provided;

(b)~~(2)~~ Capital improvements that strategically position the state to maximize opportunities in international trade are achieved;

(c)~~(3)~~ Goals of an integrated intermodal transportation system for the state are achieved; and

(d)~~(4)~~ Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.

(2)(a) In consultation with the Department of Commerce and the Department of Environmental Protection, the Department of Transportation may fund infrastructure projects, and projects associated with critical infrastructure facilities as defined in s. 692.201, within or outside of a spaceport territory as long as the project supports aerospace or launch support facilities within an adjacent spaceport territory boundary.

(b) The Department of Transportation, the Department of Commerce, and the Department of Environmental Protection shall coordinate in funding projects under this subsection to optimize the use of available funds.

Section 16. Section 332.003, Florida Statutes, is amended to read:

332.003 Florida Airport Development and *Accountability* ~~Assistance~~ Act; short title.—Sections 332.003-332.007 may be cited as the "Florida Airport Development and *Accountability* ~~Assistance~~ Act."

Section 17. Section 332.005, Florida Statutes, is amended to read:

332.005 Restrictions on authority of Department of Transportation.—

(1) This act specifically prohibits the Department of Transportation from regulating commercial air carriers operating within the state pursuant to federal authority and regulations; from participating in or exercising control in the management and operation of a sponsor's airport, except when officially requested by the sponsor; or from expanding the design or operational capability of the department in the area of airport and aviation consultants' contract work, other than to provide technical assistance as requested.

(2)(a) Notwithstanding subsection (1), upon the declaration of a state of emergency issued by the Governor in preparation for or in response to a natural disaster, airports shall, at no cost to the state, provide the Department of Transportation with the opportunity to use any property that is not subject to an existing lease agreement with a third party and that is not within the air navigation facility as defined in s. 332.01(4) for the staging of equipment and personnel to support emergency preparedness and response operations.

(b) After 60 days of use under paragraph (a), any further use of airport property by the Department of Transportation must be conducted pursuant to a written agreement between the airport and the department.

Section 18. Section 332.006, Florida Statutes, is amended to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided *to the department* ~~pursuant to chapter 216~~:

(1) Provide coordination and assistance for the development of a viable aviation system in this state. To support the system, a statewide aviation system plan shall be developed and periodically updated which summarizes 5-year, 10-year, and 20-year airport and aviation needs within the state. The statewide aviation system plan shall be consistent with the goals of the Florida Transportation Plan developed pursuant to s. 339.155. The statewide aviation system plan shall not preempt local airport master plans adopted in compliance with federal and state requirements.

(2) Advise and assist the Governor in all aviation matters.

(3) Upon request, assist airport sponsors, both financially and technically, in airport master planning.

(4) Upon request, provide financial and technical assistance to public agencies which operate public-use airports by making department personnel and department-owned facilities and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance provided by its personnel was of a limited nature or duration.

(5) Participate in research and development programs relating to airports.

(6) Administer department participation in the program of aviation and airport grants as provided for in ss. 332.003-332.007.

(7) Develop, promote, and distribute supporting information and educational services*, including, but not limited to, educational services with a focus on retention and growth of the aviation industry workforce*.

(8) Encourage the maximum allocation of federal funds to local airport projects in this state.

(9) Support the development of land located within the boundaries of airports for the purpose of industrial or other uses compatible with airport operations with the objective of assisting airports in this state to become fiscally self-supporting. Such assistance may include providing state moneys on a matching basis to airport sponsors for capital improvements, including, but not limited to, fixed-base operation facilities, parking areas, industrial park utility systems, and road and rail transportation systems which are on airport property.

Section 19. Paragraph (a) of subsection (7) and subsections (8) and (9) of section 332.007, Florida Statutes, are amended, and paragraph (c) is added to subsection (2) of that section, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(2)

(c) Each commercial service airport as defined in s. 332.0075 shall establish and maintain a comprehensive airport infrastructure program to ensure the ongoing preservation of airport infrastructure and facilities in safe and serviceable condition. For purposes of this paragraph, the term "airport infrastructure" means the facilities, systems, and structural components of an airport necessary for the safe and efficient movement of people and goods. Beginning November 1, 2025, and annually thereafter, each commercial service airport shall provide a certification to the department, in a manner prescribed by the department, that it has established and maintains a comprehensive airport infrastructure program. The comprehensive airport infrastructure program report, and related documents and records, must be open to inspection by the department and maintained by the airport for at least 5 years. The comprehensive airport infrastructure program must, at a minimum, include all of the following:

1. Identification of airport infrastructure subject to inspection and the schedule for the completion of such inspections, taking into consideration the age, type, intended use, and criticality of the infrastructure to undisrupted commercial or cargo operations.

2. A preventative maintenance program for routine maintenance of airport infrastructure, for both commercial and cargo operations.

3. A plan to complete any necessary repairs to, or rehabilitation or reconstruction of, airport infrastructure, including prioritization and anticipated timeframe for completion of the work.

4. A progress report of inspections and their outcomes, preventative maintenance, and previously identified repair to, or rehabilitation or

reconstruction of, airport infrastructure. The progress report must include any changes in timeline for completion, changes in cost estimates, and reasons any inspection, preventative maintenance, or repair or rehabilitation did not take place.

(7) Subject to the availability of appropriated funds in addition to aviation fuel tax revenues, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

(a) The department shall provide priority funding in support of:

1. *Terminal and parking expansion projects that increase capacity at airports providing commercial service in counties with a population of 500,000 or less.*

2. Land acquisition which provides additional capacity at the qualifying international airport or at that airport's supplemental air carrier airport.

3.~~2.~~ Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

4.~~3.~~ Airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

5.~~4.~~ International terminal projects that increase international gate capacity.

6. Projects that improve safety and efficiency of airport operations.

7. Emerging technology projects, workforce development projects, and projects that benefit the strategic intermodal system through intermodal connectivity.

(8) The department may also fund eligible projects performed by not-for-profit organizations that represent a majority of public airports in this state *and postsecondary education institutions as defined in s. 1008.47 that support the training of pilots, air traffic control personnel, or aircraft maintenance technical personnel*. Eligible projects may include activities associated with aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports in this state, or other planning efforts to improve the viability *and safety* of airports in this state. *Programs that support the transition of honorably discharged military personnel to the aviation industry are also eligible projects under this subsection. The department may provide matching funds for eligible projects funded by the Department of Commerce.*

(9) The department may fund strategic airport investment projects at up to 100 percent of the project's cost if:

(a) Important access and on-airport capacity improvements are provided;

(b) Capital improvements that strategically position the state to maximize opportunities in *tourism,* international trade, logistics, and the aviation industry are provided;

(c) Goals of an integrated intermodal transportation system for the state are achieved; and

(d) Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.

Section 20. Paragraphs (a), (b), and (d) of subsection (1), subsection (2), and paragraph (a) of subsection (5) of section 332.0075, Florida Statutes, are amended, and paragraph (c) is added to subsection (5) of that section, to read:

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

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

(a) "Commercial service airport" means *an airport providing commercial service, including large, medium, small, and nonhub airports as classified* ~~a primary airport as defined in 49 U.S.C. s. 47102 which is classified as a large, medium, or small hub airport~~ by the Federal Aviation Administration.

(b) "Consent agenda" means an agenda which consists of items voted on *collectively or* as a group and which does not provide the opportunity for public comment on each such item before approval or disapproval by the governing body.

(d) "Governing body" means the governing body of the county, municipality, or special district that operates a commercial service airport. *The term also includes an appointed board or oversight entity serving as the governing body for purposes of a commercial service airport on behalf of a county, municipality, or special district.*

(2) Each governing body shall establish and maintain a website to post information relating to the operation of a commercial service airport. *The information must remain posted on the website for 5 years or for the entirety of the period during which the document is actively in use, whichever is longer, and must include all of the following*~~, including~~:

(a) All published notices of meetings and published meeting agendas of the governing body.

(b) The official minutes of each meeting of the governing body, which *must* ~~shall~~ be posted within 7 business days after the date of the meeting in which the minutes were approved.

(c) The approved budget for the commercial service airport for the current fiscal year, which shall be posted within 7 business days after the date of adoption. Budgets must remain on the website for *5* ~~2~~ years after the conclusion of the fiscal year for which they were adopted.

(d) *Copies of the current airport master plan and the immediately preceding airport master plan for the commercial service airport and* a link to the *current* airport master plan ~~for the commercial service airport~~ on the commercial service airport's website.

(e) A link to all financial and statistical reports for the commercial service airport on the Federal Aviation Administration's website.

(f) Any contract or contract amendment for the purchase of commodities or contractual services executed by or on behalf of the commercial service airport in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE, which *must* ~~shall~~ be posted no later than 7 business days after the commercial service airport executes the contract or contract amendment. However, a contract or contract amendment may not reveal information made confidential or exempt by law. Each commercial service airport must redact confidential or exempt information from each contract or contract amendment before posting a copy on its website.

(g) Position and rate information for each employee of the commercial service airport, including, at a minimum, the employee's position title, position description, and annual or hourly salary. This information *must* ~~shall~~ be updated *quarterly* ~~annually~~.

(5)(a) Each November 1, the governing body of each commercial service airport shall submit the following information to the department:

1. Its approved budget for the current fiscal year.

2. Any financial reports submitted to the Federal Aviation Administration during the previous calendar year.

3. A link to its website.

4. A statement, verified as provided in s. 92.525, that it has complied with part III of chapter 112, chapter 287, and this section.

5. The most recent copies of its strategic plans.

6. Contracts related to any financial awards received through federally funded grant programs for the preceding year.

(c) A commercial service airport shall:

1. Notify the department within 48 hours after receiving a communication or directive from a federal agency relating to public health testing or the transfer of unauthorized aliens into this state.

2. Notify the department as soon as is reasonably possible, but no later than 48 hours, after the discovery of a potential cybersecurity breach or other occurrence impacting the traveling public, a disruption in state aviation operations directly impacting multiple airports within this state, or an incident occurring on airport property which requires coordination with multiple local, state, or federal agencies.

Section 21. Section 332.15, Florida Statutes, is created to read:

332.15 Advanced air mobility.—The Department of Transportation shall:

(1) Address the need for vertiports, advanced air mobility, and other advances in aviation technology in the statewide aviation system plan required under s. 332.006(1) and, as appropriate, in the department's work program.

(2) Designate a subject matter expert on advanced air mobility within the department to serve as a resource for local jurisdictions navigating advances in aviation technology.

(3) Conduct a review of airport hazard zone regulations.

(4) In coordination with the Department of Commerce, provide coordination and assistance for the development of a viable advanced air mobility system plan in this state. The department shall incorporate the plan into the statewide aviation system plan required under s. 332.006(1) to identify and develop statewide corridors of need and opportunities for industry growth.

Section 22. Subsections (5) and (26) of section 334.044, Florida Statutes, are amended, and subsections (37), (38), and (39) are added to that section, to read:

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

(5) To purchase, lease, or otherwise acquire property and materials, including the purchase of promotional items as part of public information and education campaigns for the promotion of *environmental management,* scenic highways, traffic and train safety awareness, ~~alternatives to single occupant vehicle travel,~~ commercial motor vehicle safety, *workforce development,* electric vehicle use and charging stations, autonomous vehicles, and context *classification* ~~design~~ for electric vehicles and autonomous vehicles; to purchase, lease, or otherwise acquire equipment and supplies; and to sell, exchange, or otherwise dispose of any property that is no longer needed by the department.

(26) To provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation, enhancement, and stabilization programs.

(a) On an annual basis, an amount equal to at least 1.5 percent of the *total* amount contracted for *the average of the previous 3 completed fiscal years of* construction projects shall be allocated by the department on a statewide basis for the purchase of plant materials *to enhance State Highway System rights-of-way and arterial facilities. Such funds must be allocated on a statewide basis*. ~~Department districts may not expend funds for landscaping in connection with any project that is limited to resurfacing existing lanes unless the expenditure has been approved by the department's secretary or the secretary's designee.~~

(b) To the greatest extent practical, at least 50 percent of the funds allocated under *paragraph (a)* ~~this subsection~~ shall be allocated for large plant materials and the remaining funds for other plant materials.

(c) Except as prohibited by applicable federal law or regulation, all plant materials shall be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis. The department shall develop grades and standards for landscaping materials purchased through this process*, which must include standards for landscaping materials native to specific regions of this state which are reflective of this state's heritage and natural landscapes*. ~~To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.~~

(37) Notwithstanding s. 287.022 or s. 287.025, to directly enter into insurance contracts with local, national, or international insurance companies for the purchase of insurance coverage that the department is contractually and legally required to provide.

(38) Notwithstanding s. 287.14, to purchase or acquire heavy equipment and motor vehicles for roadway operations and emergency response purposes regardless of whether the department exchanges or ceases to operate any department-owned heavy equipment or motor vehicles.

(39) To adopt rules for the purpose of compliance with 49 C.F.R. part 26 and any other applicable federal law.

Section 23. Subsection (1) of section 334.045, Florida Statutes, is amended to read:

334.045 Transportation performance and productivity standards; development; measurement; application.—

(1) The Florida Transportation Commission shall develop and adopt measures for evaluating the performance and productivity of the department. The measures may be both quantitative and qualitative and must, to the maximum extent practical, assess those factors that are within the department's control. The measures must, at a minimum, assess performance in the following areas:

(a) Production;

(b) Finance and administration;

(c) Preservation of the current state system;

(d) Safety of the current state system;

(e) Capacity improvements: highways and all public transportation modes; and

(f) *The business development program established under s. 337.027* ~~Disadvantaged business enterprise and minority business programs~~.

Section 24. Section 334.615, Florida Statutes, is created to read:

334.615 Parking authority operations; interlocal agreements.—A parking authority created by special act may operate, manage, and control parking facilities in contiguous counties, municipalities, or other local governmental entities upon entering into interlocal agreements with the governing bodies of the appropriate contiguous counties, municipalities, or local governmental entities.

Section 25. Section 334.62, Florida Statutes, is created to read:

334.62 Florida Transportation Academy.—The Legislature finds that the growth and sustainability of the transportation industry workforce is vital to the continued success and efficiency of the state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established within the department. In order to support, promote, and sustain workforce development efforts in the transportation sector, the department may do all of the following:

(1) Coordinate with the Department of Corrections to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and create a notification process between the Department of Corrections and the department for nonviolent inmates with imminent scheduled-release dates who are expected to seek employment upon release.

(2) Coordinate with the Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.

(3) Coordinate with veterans' organizations to encourage veterans with honorable military discharge to pursue employment opportunities within the transportation industry, including, but not limited to, employment as pilots, mechanics, and air traffic controllers.

(4) Coordinate with the Department of Commerce, CareerSource Florida, Inc., and regional business organizations, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.

(5) Coordinate with the American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess future needs across the transportation industry in this state.

Section 26. Present paragraph (b) of subsection (3) of section 335.182, Florida Statutes, is redesignated as paragraph (c) and amended, and a new paragraph (b) is added to that subsection, to read:

335.182 Regulation of connections to roads on State Highway System; definitions.—

(3) As used in this act, the term:

(b) "Modification of an existing connection" means the relocation, alteration, or closure of the connection.

(c)~~(b)~~ "Significant change" means*:*

1. A change in the use of the property, including *the development of* land, structures*,* or facilities*;*~~,~~ or

2. An expansion of the size of the *property,* structures*,* or facilities causing an increase in the trip generation of the property exceeding 25 percent more trip generation*,* ~~(~~either peak hour or daily,~~)~~ and exceeding 100 vehicles per day more than the existing use.

Section 27. Subsections (3) and (4) of section 335.187, Florida Statutes, are amended to read:

335.187 Unpermitted connections; existing access permits; nonconforming permits; modification and revocation of permits.—

(3) The department may issue a nonconforming access permit *if denying* ~~after finding that to deny~~ an access permit would leave the property without a reasonable means of access to the State Highway System. The department may specify limits on the maximum vehicular use of the connection and may *condition* ~~be conditioned on~~ the availability of future alternative means of access for which access permits can be obtained.

(4) After written notice and the opportunity for a hearing, as provided for in s. 120.60, the department may modify or revoke an access permit issued after July 1, 1988, by requiring *modification* ~~Relocation, alteration, or closure~~ of an existing connection if*:*

(a) A significant change occurs in the use, design, or traffic flow of the connection*; or*

(b) It would jeopardize the safety of the public or have a negative impact upon the operational characteristics of the highway.

Section 28. Section 337.027, Florida Statutes, is amended to read:

337.027 Authority to implement a business development program.—

(1) The department may establish a program for highway projects which would assist small businesses. The purpose of this program is to increase competition, lower prices, and provide increased support to meet the department's future work program. The program may include, but is not limited to, setting aside contracts, providing preference points for the use of small businesses, providing special assistance in bidding and contract completion, waiving bond requirements, and implementing other strategies that would increase competition.

(2) For purposes of this section, the term "small business" means a business with yearly average gross receipts of less than *$25* ~~$15~~ million for road and bridge contracts and less than *$10* ~~$6.5~~ million for professional and nonprofessional services contracts. A business' average gross receipts is determined by averaging its annual gross receipts over the last 3 years, including the receipts of any affiliate as defined in s. 337.165.

(3) *The department may provide notice of opportunities for businesses qualified for this program.*

(4) The department may adopt rules to implement this section.

Section 29. Subsection (6) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(6)(a) If the secretary determines that an emergency in regard to the restoration or repair of any state transportation facility exists such that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, the provisions for competitive bidding do not apply; and the department may enter into contracts for restoration or repair without giving opportunity for competitive bidding on such contracts. Within 30 days after such determination and contract execution, the head of the department shall file with the Executive Office of the Governor a written statement of the conditions and circumstances constituting such emergency.

(b) If the secretary determines that delays on a contract for maintenance exist due to administrative challenges, bid protests, defaults or terminations and the further delay would reduce safety on the transportation facility or seriously hinder the department's ability to preserve the state's investment in that facility, competitive bidding provisions may be waived and the department may enter into a contract for maintenance on the facility. However, contracts for maintenance executed under the provisions of this paragraph shall be interim in nature and shall be limited in duration to a period of time not to exceed the length of the delay necessary to complete the competitive bidding process and have the contract in place.

(c) When the department determines that it is in the best interest of the public for reasons of public concern, economy, improved operations, or safety, and only when circumstances dictate rapid completion of the work, the department may, up to the amount of $500,000, enter into contracts for construction and maintenance without advertising and receiving competitive bids. The department may enter into such contracts only upon a determination that the work is necessary for one of the following reasons:

1. To ensure timely completion of projects or avoidance of undue delay for other projects;

2. To accomplish minor repairs or construction and maintenance activities for which time is of the essence and for which significant cost savings would occur; or

3. To accomplish nonemergency work necessary to ensure avoidance of adverse conditions that affect the safe and efficient flow of traffic.

The department shall make a good faith effort to obtain two or more quotes, if available, from qualified contractors before entering into any contract. The department shall give consideration to *small* ~~disadvantaged~~ business ~~enterprise~~ participation. However, when the work exists within the limits of an existing contract, the department shall make a good faith effort to negotiate and enter into a contract with the prime contractor on the existing contract.

Section 30. *Section 337.125, Florida Statutes, is repealed.*

Section 31. *Section 337.135, Florida Statutes, is repealed.*

Section 32. *Section 337.139, Florida Statutes, is repealed.*

Section 33. Paragraph (a) of subsection (1) of section 337.18, Florida Statutes, is amended to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)(a) A surety bond shall be required of the successful bidder in an amount equal to the awarded contract price. However, the department may choose, in its discretion and applicable only to multiyear maintenance contracts, to allow for incremental annual contract bonds that cumulatively total the full, awarded, multiyear contract price~~. The department may also choose,~~ in its discretion and applicable only to phased design-build contracts under s. 337.11(7)(b), to allow the issuance of multiple contract performance and payment bonds in succession to align with each phase of the contract to meet the bonding requirement in this subsection*; and, at the discretion of the Secretary of Transportation and notwithstanding any bonding requirement under s. 337.18, to require a surety bond in an amount that is less than the awarded contract price*.

1. The department may waive the requirement for all or a portion of a surety bond if:

a. The contract price is $250,000 or less and the department determines that the project is of a noncritical nature and that nonperformance will not endanger public health, safety, or property;

b. The prime contractor is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2); or

c. The prime contractor is using a subcontractor that is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2). However, the department may not waive more than the amount of the subcontract.

2. If the department determines that it is in the best interests of the department to reduce the bonding requirement for a project and that to do so will not endanger public health, safety, or property, the department may waive the requirement of a surety bond in an amount equal to the awarded contract price for a project having a contract price of $250 million or more and, in its place, may set a surety bond amount that is a portion of the total contract price and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond or provide for incremental surety bonding and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond. Such alternative means of security may include letters of credit, United States bonds and notes, parent company guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is $25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 34. Subsection (3) of section 337.251, Florida Statutes, is amended to read:

337.251 Lease of property for joint public-private development and areas above or below department property.—

(3) A proposal must be selected by the department based on competitive bidding, except that the department may consider other relevant factors specified in the request for proposals. The department may consider such factors as the value of property exchanges, the cost of construction, and other recurring costs for the benefit of the department by the lessee in lieu of direct revenue to the department if such other factors are of equal value including innovative proposals to involve *small* ~~minority~~ businesses. The department may name a board of advisers which may be composed of accountants, real estate appraisers, design engineers, or other experts experienced in the type of development proposed. The board of advisers shall review the feasibility of the proposals, recommend acceptance or rejection of each proposal, and rank each feasible proposal in the order of technical feasibility and benefit provided to the department. The board of advisers shall be reasonably compensated for the services provided and all department costs for evaluating the proposals shall be reimbursed from a proposal application fee to be set by the department and paid by the applicants. The board of advisers shall not be subject to selection under the provisions of chapter 287.

Section 35. Subsection (2) of section 337.401, Florida Statutes, is amended to read:

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

(2)*(a)* The authority may grant to any person who is a resident of this state, or to any corporation which is organized under the laws of this state or licensed to do business within this state, the use of a right-of-way for the utility in accordance with such rules or regulations as the authority may adopt. A utility may not be installed, located, or relocated unless authorized by a written permit issued by the authority. However, for public roads or publicly owned rail corridors under the jurisdiction of the department, a utility relocation schedule and relocation agreement may be executed in lieu of a written permit. The permit must require the permitholder to be responsible for any damage resulting from the issuance of such permit. The authority may initiate injunctive proceedings as provided in s. 120.69 to enforce provisions of this subsection or any rule or order issued or entered into pursuant thereto. A permit application required under this subsection by a county or municipality having jurisdiction and control of the right-of-way of any public road must be processed and acted upon in accordance with the timeframes provided in subparagraphs (7)(d)7., 8., and 9.

(b) Notwithstanding paragraph (a), a municipality may not prohibit, or require a permit for, the installation of a public sewer transmission line placed and maintained within and under publicly dedicated rights-of-way as part of a septic-to-sewer conversion where the work is being performed under permits issued by the Department of Transportation pursuant to this chapter and the Department of Environmental Protection, or its delegate, pursuant to chapter 403.

Section 36. Subsection (4) of section 337.406, Florida Statutes, is amended to read:

337.406 Unlawful use of state transportation facility right-of-way; penalties.—

(4)*(a)* Camping is prohibited on any portion of the right-of-way of the State Highway System ~~that is within 100 feet of a bridge, causeway, overpass, or ramp~~.

(b) This subsection does not apply to a person who has acquired the appropriate permits and is actively navigating the federally designated Florida National Scenic Trail recognized by the state in s. 260.012(6).

Section 37. Subsection (4) of section 338.227, Florida Statutes, is amended to read:

338.227 Turnpike revenue bonds.—

(4) The Department of Transportation and the Department of Management Services shall create and implement an outreach program designed to enhance the participation of *small* ~~minority persons and minority~~ business enterprises in all contracts entered into by their respective departments for services related to the financing of department projects for the Strategic Intermodal System Plan developed pursuant to s. 339.64. These services ~~shall~~ include, but are not limited to, bond counsel and bond underwriters.

Section 38. *Section 339.0805, Florida Statutes, is repealed.*

Section 39. Paragraph (c) of subsection (2) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(2) SUBMISSION OF LEGISLATIVE BUDGET REQUEST AND REQUEST FOR LIST OF ADDITIONAL TRANSPORTATION PROJECTS.—

(c) The department shall submit the list of projects prepared pursuant to this subsection to the legislative appropriations committees, together with the following plans and reports:

1. An enhanced program and resource plan that adds the list of projects and required support costs to the projects and other programs of the tentative work program required to be submitted by the department pursuant to this section.

2. A variance report comparing the enhanced plan with the plan for the tentative work program covering the same period of time.

3. A 36-month cash forecast identifying the additional revenues needed to finance the enhanced plan.

4. A report identifying any of the following entities that has adopted or promoted energy policy goals inconsistent with the energy policy of this state set forth in s. 377.601, as determined by the department after consultation with the Department of Agriculture and Consumer Services, the Public Service Commission, and the Department of Environmental Protection:

a. A public transit provider as defined in s. 341.031(1).

b. An authority created pursuant to chapter 343, chapter 348, or chapter 349.

c. A public-use airport as defined in s. 332.004.

d. A port listed in s. 311.09(1).

The report shall include a written statement that explains the basis for the department's determination for each entity identified in the report.

Section 40. Paragraph (b) of subsection (3) and paragraph (c) of subsection (4) of section 339.2821, Florida Statutes, are amended to read:

339.2821 Economic development transportation projects.—

(3)

(b) The department must ensure that *it is supportive of small businesses as defined in s. 337.027(2)* ~~small and minority businesses have equal access to participate in transportation projects funded pursuant to this section~~.

(4) A contract between the department and a governmental body for a transportation project must:

(c) Require that the governmental body provide the department with progress reports. Each progress report must contain:

1. A narrative description of the work completed and whether the work is proceeding according to the transportation project schedule;

2. A description of each change order executed by the governmental body;

3. A budget summary detailing planned expenditures compared to actual expenditures; and

4. The identity of each small ~~or minority~~ business used as a contractor or subcontractor.

Section 41. *Section 339.287, Florida Statutes, is repealed.*

Section 42. Paragraph (a) of subsection (5) of section 339.63, Florida Statutes, is amended to read:

339.63 System facilities designated; additions and deletions.—

(5)(a) The Secretary of Transportation shall designate a planned facility as part of the Strategic Intermodal System upon request of the facility if it meets the criteria and thresholds established by the department pursuant to subsection (4), *is* ~~meets the definition of~~ an "intermodal logistics center" as defined in s. 311.101(2), and has been designated in a local comprehensive plan or local government development order as an intermodal logistics center or an equivalent planning term. ~~For the purpose of this section, the term "intermodal logistics center" means a facility or group of facilities, including, but not limited to, an inland port, serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport whose activities relating to transport, logistics, goods distribution, consolidation, or value added activities are carried out and whose activities and services are designed to support or be supported by one or more seaports, as provided in s. 311.09, or an airport whose activities and services are designed to support the transport, logistics, goods distribution, consolidation, or value added activities related to airborne cargo.~~

Section 43. Subsections (3) and (7) of section 339.651, Florida Statutes, are amended to read:

339.651 Strategic Intermodal System supply chain demands.—

(3) The department *may* ~~shall~~ make up to $20 million available each year ~~for fiscal years 2023-2024 through 2027-2028,~~ from *the* existing work program ~~revenues,~~ to fund projects that meet the public purpose of providing increased capacity and enhanced capabilities to move and store construction aggregate. Applicants eligible for project funding under this section are seaports listed in s. 311.09 and rail lines and rail facilities.

~~(7) This section shall stand repealed on July 1, 2028.~~

Section 44. Paragraph (b) of subsection (6) of section 341.051, Florida Statutes, is amended to read:

341.051 Administration and financing of public transit and intercity bus service programs and projects.—

(6) ANNUAL APPROPRIATION.—

(b) *If funds are allocated to projects that qualify for the New Starts Transit Program in the current fiscal year and a project will not be ready for production by June 30, those funds must* ~~The remaining unallocated New Starts Transit Program funds as of June 30, 2024, shall~~ be reallocated for the purpose of the Strategic Intermodal System within the State Transportation Trust Fund *for the next fiscal year*. ~~This paragraph expires June 30, 2026.~~

For purposes of this section, the term "net operating costs" means all operating costs of a project less any federal funds, fares, or other sources of income to the project.

Section 45. Subsections (1) and (6) of section 341.052, Florida Statutes, are amended to read:

341.052 Public transit block grant program; administration; eligible projects; limitation.—

(1) There is created a public transit block grant program which shall be administered by the department. Block grant funds shall only be provided to ~~"Section 9" providers and "Section 18"~~ providers designated by the United States Department of Transportation *pursuant to 49 U.S.C. s. 5307* and community transportation coordinators as defined in chapter 427. Eligible providers must establish public transportation development plans consistent, to the maximum extent feasible, with approved local government comprehensive plans of the units of local government in which the provider is located and the long-range transportation plans of the metropolitan planning organization in which the provider is located. In developing public transportation development plans, eligible providers must solicit comments from local workforce development boards established under chapter 445. The development plans must address how the public transit provider will work with the appropriate local workforce development board to provide services to participants in the welfare transition program. Eligible providers must provide information to the local workforce development board serving the county in which the provider is located regarding the availability of transportation services to assist program participants.

(6) The department shall distribute 85 percent of the public transit block grant funds to ~~"Section 9" and "Section 18"~~ providers designated by the United States Department of Transportation *pursuant to 49 U.S.C. s. 5307*. The funds shall be distributed to *such* ~~"Section 9" providers, and to "Section 18"~~ providers that are not designated as community transportation coordinators pursuant to chapter 427, according to the following formula, except that at least $20,000 shall be distributed to each eligible provider if application of the formula provides less than that amount for any such provider:

(a) One-third shall be distributed according to the percentage that an eligible provider's county population in the most recent year for which those population figures are available from the state census repository is of the total population of all counties served by eligible providers.

(b) One-third shall be distributed according to the percentage that the total revenue miles provided by an eligible provider, as verified by the most recent *National Transit Database* ~~"Section 15"~~ report to the Federal Transit Administration or a similar audited report submitted to the department, is of the total revenue miles provided by eligible providers in the state in that year.

(c) One-third shall be distributed according to the percentage that the total passengers carried by an eligible provider, as verified by the most recent *National Transit Database* ~~"Section 15"~~ report submitted to the Federal Transit Administration or a similar audited report submitted to the department, is of the total number of passengers carried by eligible providers in the state in that year.

Section 46. Subsection (5) of section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(5) The authority shall encourage the inclusion of *local and small* ~~local , small , minority , and women-owned~~ businesses in its procurement and contracting opportunities.

Section 47. Subsection (2) of section 349.03, Florida Statutes, is amended to read:

349.03 Jacksonville Transportation Authority.—

(2) The governing body of the authority shall *be composed* ~~consist~~ of seven members. *Four* ~~Three~~ members shall be appointed by the Governor and confirmed by the Senate. *Of the four members appointed by the Governor, one must be a resident of Duval County, one must be a resident of Clay County, one must be a resident of St. Johns County, and one must be a resident of Nassau County.* Three members shall be appointed by

And the title is amended as follows:

Remove lines 50-245 and insert: or state funds; defining the term "cargo purposes"; amending s. 311.101, F.S.; revising the definition of the term "intermodal logistics center"; creating an intermodal logistics center working group within the department; providing the composition of the working group membership; specifying that members of the working group serve without compensation but are eligible for per diem and travel expenses; providing responsibilities of the working group; requiring the working group to submit a report to the Governor and the Legislature by a specified date; providing for the future repeal of the working group; amending s. 316.003, F.S.; revising the definition of the term "special mobile equipment"; repealing s. 316.0741, F.S., relating to high-occupancy-vehicle lanes; amending s. 316.0745, F.S.; deleting language limiting the state funds that may be withheld due to certain violations by a public body or official to state funds for traffic control purposes; providing that such violations are cause for the withholding of state funds deposited in the State Transportation Trust Fund; amending s. 316.550, F.S.; authorizing the department to issue a mobile crane special blanket permit for certain purposes; amending s. 320.084, F.S.; providing for disabled veteran motor vehicle license plates in lieu of "DV" motor vehicle license plates; revising construction; amending s. 320.0848, F.S.; conforming a provision to changes made by the act; amending s. 330.27, F.S.; revising definitions and defining terms; amending s. 330.30, F.S.; requiring a private airport of public interest to obtain a certain certificate from the department before allowing aircraft operations; requiring certain private airports to obtain a certain certificate from the department by a specified date; creating s. 330.355, F.S.; prohibiting publicly owned airports from charging a landing fee established on or after a specified date for certain aircraft operations; amending s. 331.371, F.S.; authorizing the department, in consultation with the Department of Commerce and the Department of Environmental Protection, to fund certain infrastructure projects and projects associated with certain critical infrastructure projects; requiring such departments to coordinate in funding certain projects for a specified purpose; amending s. 332.003, F.S.; revising a short title; amending s. 332.005, F.S.; requiring airports to provide the Department of Transportation with the opportunity to use certain airport property for a specified purpose during a declared state of emergency; requiring that such use be conducted pursuant to a written agreement after a certain period of use; amending s. 332.006, F.S.; deleting a requirement that the department meet certain duties and responsibilities within the resources provided pursuant to a specified chapter; providing duties and responsibilities of the department relating to certain educational services; amending s. 332.007, F.S.; requiring commercial service airports to establish and maintain a certain program; defining the term "airport infrastructure"; requiring that such airports provide a certain annual certification to the department; requiring that a certain program report be open to department inspection and maintained for a specified period; providing requirements for such program; revising the list of projects for which the department must provide priority funding; authorizing the department to fund eligible projects performed by certain organizations and postsecondary education institutions; providing that certain programs are eligible projects; authorizing the department to provide certain matching funds; revising the circumstances in which the department may fund strategic airport investment projects; amending s. 332.0075, F.S.; revising definitions; requiring that certain information remain posted on a governing body's website for a certain period; revising the information that must be included on such website; requiring the quarterly, rather than annual, update of certain information; revising information that the governing body of a commercial service airport must submit to the department annually; requiring a commercial service airport to provide certain notifications to the department; creating s. 332.15, F.S.; requiring the department to address certain needs in the statewide aviation system plan and the department's work program, designate a certain subject matter expert, conduct a specified review, and, in coordination with the Department of Commerce, provide certain coordination and assistance for the development of a viable advanced air mobility system plan; amending s. 334.044, F.S.; revising the general powers and duties of the department; amending s. 334.045, F.S.; requiring certain measures developed and adopted by the Florida Transportation Commission to assess performance in a specified business development program, instead of disadvantaged business enterprise and minority business programs; creating s. 334.615, F.S.; authorizing certain parking authorities to operate, manage, and control certain parking facilities upon entering into certain interlocal agreements; creating s. 334.62, F.S.; providing legislative findings; establishing the Florida Transportation Academy within the department; authorizing the department to coordinate with certain entities for specified purposes; amending s. 335.182, F.S.; defining the term "modification of an existing connection"; revising the definition of the term "significant change"; amending s. 335.187, F.S.; authorizing the department to modify or revoke certain access permits by requiring modification of an existing connection in certain circumstances; amending s. 337.027, F.S.; revising the definition of the term "small business"; authorizing the department to provide notice of certain opportunities; amending s. 337.11, F.S.; requiring the department to give consideration to small business participation, instead of disadvantaged business enterprise participation; repealing s. 337.125, F.S., relating to socially and economically disadvantaged business enterprises and notice requirements; repealing s. 337.135, F.S., relating to socially and economically disadvantaged business enterprises and punishment for false representation; repealing s. 337.139, F.S., relating to efforts to encourage awarding contracts to disadvantaged business enterprises; amending s. 337.18, F.S.; authorizing the Secretary of Transportation to require a surety bond in an amount that is less than the awarded contract price; amending s. 337.251, F.S.; revising factors that may be considered by the department when selecting certain proposals; amending s. 337.401, F.S.; prohibiting a municipality from prohibiting, or requiring a permit for, the installation of certain public sewer transmission lines; amending s. 337.406, F.S.; prohibiting camping on any portion of the right-of-way of the State Highway System; providing applicability; amending s. 338.227, F.S.; revising the purpose for which

the department and the Department of Management Services shall create and implement a certain outreach program; repealing s. 339.0805, F.S., relating to funds to be expended with certified disadvantaged business enterprises, a construction management development program, and a bond guarantee program; amending s. 339.135, F.S.; revising the reports required to be submitted to the legislative appropriations committees by the department for purposes of legislative budget requests and requests for lists of additional transportation projects; amending s. 339.2821, F.S.; requiring the department to ensure that it is supportive of small businesses, rather than ensuring that small and minority businesses have equal access to participation in certain transportation projects; repealing s. 339.287, F.S., relating to electric vehicle charging stations and infrastructure plan development; amending s. 339.63, F.S.; deleting the definition of the term "intermodal logistics center"; amending s. 339.651, F.S.; authorizing, rather than requiring, the department to make a certain amount available from the existing work program to fund certain projects annually; deleting the scheduled repeal of provisions relating to Strategic Intermodal System supply chain demands; amending s. 341.051, F.S.; providing for the reallocation of certain funds; deleting the scheduled repeal of provisions providing for the reallocation of certain funds; amending s. 341.052, F.S.; revising the list of providers to which certain block grant funds shall be provided; revising the specified report used to verify certain data; amending s.

On motion by Senator Collins, the Senate concurred in **House Amendment 1 (160395)**.

CS for CS for CS for SB 1662 passed, as amended, was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	DiCeglie	Passidomo
Arrington	Gaetz	Pizzo
Avila	Garcia	Polsky
Berman	Grall	Rodriguez
Bernard	Gruters	Rouson
Boyd	Harrell	Simon
Bradley	Hooper	Smith
Brodeur	Ingoglia	Truenow
Burgess	Jones	Trumbull
Burton	Leek	Wright
Calatayud	Martin	Yarborough
Collins	McClain	
Davis	Osgood	

Nays—None

MOTIONS

On motion by Senator Passidomo, the rules were waived and all bills temporarily postponed on the Special Order Calendar this day were retained on the Special Order Calendar.

On motion by Senator Passidomo, the rules were waived and a deadline of one hour after adjournment was set for filing amendments to Bills on Third Reading to be considered Thursday, May 1, 2025.

POINT OF ORDER

Senator Pizzo raised a point of order that pursuant to Rules 6.7 and 6.5, the motion to reconsider the vote by which **HB 6017** was read the third time was out of order.

The President referred the point of order to Senator Passidomo, Chair of the Committee on Rules.

BILLS ON SPECIAL ORDERS

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, April 30, 2025: CS for CS for SB 138, CS for SB 306, CS for SB 7016, SB 734, CS for CS for SB 628, CS for CS for CS for SB 712, CS for CS for CS for SB 818, CS for CS for SB 1212, CS for CS for SB 1356, CS for SB 1360, SB 7032, CS for SB 1602, CS for CS for SB 1612, CS for CS for CS for SB 1842, CS for SB 1568, CS for CS for SB 1726, CS for SB 1242, CS for CS for SB 1760, CS for CS for SB 1606, CS for CS for SB 1050.

Respectfully submitted,
Kathleen Passidomo, Rules Chair
Jim Boyd, Majority Leader
Lori Berman, Minority Leader

Pursuant to Rule 4.18 the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Wednesday, April 30, 2025: CS for HB 4001, HB 4007, HB 4009, CS for HB 4011, HB 4013, HB 4015, CS for HB 4017, HB 4021, HB 4023, CS for HB 4025, HB 4029, HB 4031, CS for HB 4033, HB 4035, HB 4037, CS for HB 4041, CS for HB 4043, CS for HB 4045, CS for HB 4047, CS for HB 4049, CS for HB 4051, CS for HB 4053, HB 4057, HB 4059, CS for HB 4061, CS for HB 4065, CS for HB 4067, CS for HB 4071, CS for CS for HB 4073, HB 4075.

Respectfully submitted,
Kathleen Passidomo, Rules Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 10.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 26.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 56.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 68.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 112.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 164.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 312.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 384.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 388.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 738.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/SB 830.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed SB 892.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/CS/SB 954.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1156.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1386.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1490.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1514.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1574.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1804.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has passed CS/CS/SB 1808.

Jeff Takacs, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (413134) and passed HB 11, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (874468) and passed CS/HB 593, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (475084) and passed CS/HB 687, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (871024) and passed CS/HB 777, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (831848) and passed CS/CS/HB 913, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (253202) and passed CS/HB 999, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (189772) and passed CS/HB 1049, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (558074) and passed CS/CS/HB 1091, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (639528) and passed HB 1143, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (525618) and passed CS/HB 1237, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (402346) and passed CS/HB 1447, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (898642) and passed CS/CS/HB 1545, as amended.

Jeff Takacs, Clerk

The Honorable Ben Albritton, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 1 (516032) and passed CS/HB 1567, as amended.

Jeff Takacs, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 29 was corrected and approved.

CO-INTRODUCERS

Senator Polsky—CS for CS for SB 1212

ADJOURNMENT

On motion by Senator Passidomo, the Senate adjourned at 8:07 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, May 1 or upon call of the President.

Daily Numeric Index for
April 30, 2025

BA — Bill Action
BF — Bill Failed
BP — Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute, First Reading
FR — First Reading
MO — Motion
RC — Reference Change
SM — Special Master Reports
SO — Bills on Special Orders