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# **Rules Committee**

## **Meeting Packet**

**Wednesday, January 10, 2024**

**6:15 PM**

**Sumner Hall (404 HOB)**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Rules Committee

**Start Date and Time:** Wednesday, January 10, 2024 06:15 pm  
**End Date and Time:** Wednesday, January 10, 2024 06:45 pm  
**Location:** Sumner Hall (404 HOB)  
**Duration:** 0.50 hrs

**Consideration of the following proposed committee bill(s):**

PCB RUC 24-01 -- Florida Statutes  
PCB RUC 24-02 -- Florida Statutes  
PCB RUC 24-03 -- Florida Statutes  
PCB RUC 24-04 -- Florida Statutes  
PCB RUC 24-05 -- Florida Statutes  
PCB RUC 24-06 -- Florida Statutes

**NOTICE FINALIZED on 01/08/2024 4:10PM by Piland.Stacey**



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB RUC 24-01 Florida Statutes

**SPONSOR(S):** Rules Committee

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 72

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Rules Committee		Cornell	Brink

**SUMMARY ANALYSIS**

The bill is drafted by the Division of Law Revision to prospectively adopt the Florida Statutes 2024 and designate the portions thereof that are to constitute the official statutory law of the state. The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S., and has the effect of curing any title or single subject defects that may have existed in an act as originally passed.

The bill adopts all statutes of a general and permanent nature passed through the 2023 Regular Session together with corrections, changes, and amendments to and repeals of the provisions of the 2023 Florida Statutes enacted in additional Reviser’s bill(s) by the 2024 Legislature. This bill adopts as official statutory law of the state those portions of the statutes that are carried forward from the regular edition published in 2023, which thus serve as the best evidence of the law.

Legislation passed during the November 6-9, 2023, Special Session through the 2024 Regular Session, which will have occurred since the publication of the 2023 edition, is not adopted as the official statutory law of the state and serves as prima facie evidence of the law until it is adopted in 2025.

The bill has no fiscal impact.

The bill becomes effective on the 60th day after adjournment sine die.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

The Division of Law Revision annually drafts an adoption act to prospectively adopt the Florida Statutes and designate the portions thereof that are to constitute the official statutory law of the state. The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S., and has the effect of curing any title or single subject defects that may have existed in an act as originally passed.<sup>1</sup> The adoption act is usually enacted annually during each regular session.

The adoption act provides a 1-year curing period for title or single subject defects before statutory material becomes the best evidence of law. This is consistent with the decision by the Legislature, beginning in 2000, to publish the Florida Statutes on an annual basis and to have the Division of Law Revision submit an adoption act annually, rather than every 2 years.

The 2024 adoption act prospectively adopts all statutes of a general and permanent nature passed through the 2023 Regular Session together with corrections, changes, and amendments to and repeals of the provisions of the 2023 Florida Statutes enacted in additional Reviser's bill(s) by the 2024 Legislature. It adopts as official statutory law of the state those portions of the statutes that are carried forward unchanged from the previous year's published edition (2023), which constitutes the best evidence of the law.

Portions of Florida Statutes that have been enacted, amended, or repealed in a session occurring after the publication of the 2023 edition are prima facie evidence of the law in all courts of the state. For these portions, the session law (i.e., legislation passed at the November 6-9, 2023, Special Session through the 2024 Regular Session) serves as the best evidence law until adopted by the 2025 Legislature.

Any "statute of a general and permanent nature" enacted before publication of the last adopted regular edition of the Florida Statutes that does not appear in the current edition stands repealed, both by logic of the system and by the operation of s. 11.2422, F.S.<sup>2</sup>

### B. SECTION DIRECTORY:

**Section 1** amends s. 11.2421, F.S., to adopt as the official statutory law of the state the 2024 Florida Statutes, which include the 2023 Florida Statutes and Reviser's Bill(s) enacted during the 2024 Legislative Session.

**Section 2** amends s. 11.2422, F.S., to repeal all statutes of a general and permanent nature enacted by the state at or prior to the 2023 Regular Session that are not included in the 2024 Florida Statutes. This does not include any laws adopted during the 2024 Regular Session.

**Section 3** amends s. 11.2424, F.S., to detail that the laws adopted during the November 6-9, 2023, Special Session through the 2024 Regular Session have full effect and are not repealed by section 2 of the bill.

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<sup>1</sup> The adoption of the *Florida Statutes* cures title defects that existed in an act as originally passed. *See State ex rel. Badgett v. Lee*, 156 Fla. 291, 22 So.2d 804 (1945). Thus, general legislation must be attacked on this ground only during the period between its original enactment and its subsequent adoption as the official law of the state. An act with a title defect is considered valid only from adoption and not from the date of original enactment. *See Thompson v. Intercounty Tel. & Tel. Co.*, 62 So.2d 16 (Fla. 1952). Analogously, once reenacted as a portion of the *Florida Statutes*, a statute is no longer subject to challenge on the ground that it violates the single subject requirement of s. 6, Art. III of the State Constitution. *See State v. Combs*, 388 So.2d 1029 (Fla. 1980); *Loxahatchee River Environmental Control District v. School Board of Palm Beach County*, 515 So.2d 217 (Fla. 1987); *State v. Johnson*, 616 So.2d 1 (Fla. 1993).

<sup>2</sup> *See National Bank v. Williams*, 38 Fla. 305, 20 So 931 (1896). Section 11.2423, F.S., provides that no special or local statute, or statute, local, limited or special in its nature, shall be repealed via reviser's bill.

**Section 4** amends s. 11.2425, F.S., to detail that the adoption of the 2024 Florida Statutes does not affect any right that accrued under a statute before it was repealed, nor will it affect any civil remedy where a suit is pending.

**Section 5** provides for an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

The adoption act prospectively adopts the Florida Statutes 2024 as an official document. It has no fiscal impact on state or local government or on the private sector.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

3. Other:

None.

### B. RULE-MAKING AUTHORITY:

The adoption act does not implicate authority for any agency to adopt rules.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.





26 corrections, changes, and amendments to and repeals of  
 27 provisions of Florida Statutes 2023 ~~2022~~ enacted in additional  
 28 reviser's bill or bills by the 2024 ~~2023~~ Legislature, is adopted  
 29 and enacted as the official statute law of the state under the  
 30 title of "Florida Statutes 2024 ~~2023~~" and shall take effect  
 31 immediately upon publication. Said statutes may be cited as  
 32 "Florida Statutes 2024 ~~2023~~," "Florida Statutes," or "F.S. 2024  
 33 ~~2023~~."

34 Section 2. Section 11.2422, Florida Statutes, is amended  
 35 to read:

36 11.2422 Statutes repealed.—Every statute of a general and  
 37 permanent nature enacted by the State or by the Territory of  
 38 Florida at or prior to the 2023 regular ~~May 23-27, 2022, special~~  
 39 legislative session, and every part of such statute, not  
 40 included in Florida Statutes 2024 ~~2023~~, as adopted by s.  
 41 11.2421, as amended, or recognized and continued in force by  
 42 reference therein or in ss. 11.2423 and 11.2424, as amended, is  
 43 repealed.

44 Section 3. Section 11.2424, Florida Statutes, is amended  
 45 to read:

46 11.2424 Laws not repealed.—Laws enacted at the November 6-  
 47 9, 2023, special session through the 2024 ~~December 12-16, 2022,~~  
 48 ~~special session through the 2023~~ regular session are not  
 49 repealed by the adoption and enactment of the Florida Statutes  
 50 2024 ~~2023~~ by s. 11.2421, as amended, but shall have full effect

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51 as if enacted after its said adoption and enactment.

52 Section 4. Section 11.2425, Florida Statutes, is amended  
53 to read:

54 11.2425 Rights reserved under repealed statutes.—The  
55 repeal of any statute by the adoption and enactment of Florida  
56 Statutes 2024 ~~2023~~, by s. 11.2421, as amended, shall not affect  
57 any right accrued before such repeal or any civil remedy where a  
58 suit is pending.

59 Section 5. This act shall take effect on the 60th day  
60 after adjournment sine die of the session of the Legislature in  
61 which enacted.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB RUC 24-02 Florida Statutes

**SPONSOR(S):** Rules Committee

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 74

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Rules Committee		Cornell	Brink

**SUMMARY ANALYSIS**

Florida law requires the Division of Law Revision of the Florida Legislature to conduct a systematic and continuing study of Florida’s statutes and laws for the purpose of recommending to the Legislature changes that would:

- remove statutory inconsistencies, redundancies, and unnecessary repetitions;
- improve clarity; and
- facilitate correct and proper interpretation.

Such changes include:

- Corrections to grammatical and typographical errors.
- Removal of expired or obsolete statutes and laws.
- Transfer, consolidation, and renumbering of sections, subsections, chapters, and titles.

These recommendations are submitted to the Legislature as technical, non-substantive reviser’s bills.

The bill is a general reviser’s bill of a technical nature that deletes expired or obsolete language; corrects cross references and grammatical errors; removes inconsistencies, redundancies, and unnecessary repetition in the statutes; improves the clarity of the statues and facilitates their correct interpretation; and confirms the restoration of provisions unintentionally omitted from republication in the Legislature’s acts during the amendatory process.

Pursuant to House Rule 12.3(e), a reviser’s bill cannot be amended except to delete a bill section.

This bill has no fiscal impact.

This bill becomes effective on the 60th day after adjournment sine die.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

The general reviser's bill is technical and non-substantive in nature. The bill amends, deletes, and reenacts various statutory provisions. Further, the bill deletes expired or obsolete language; corrects cross-references and grammatical errors; removes inconsistencies, redundancies, and unnecessary repetition in the statutes; improves the clarity of the statutes and facilitates their correct and proper interpretation; and confirms the restoration of provisions unintentionally omitted from republication in the Legislature's acts during the amendatory process.

### B. SECTION DIRECTORY:

**Sections 1, 2, 3, 5, 7, 13, 15, 16, 18, 21, 22, 23, 25, 28, 30, 33, 40, 41, 45, 47, 48, 51, 55, 58, 63, 65, 66, 73, 78, 88, 90, and 91** make editorial and grammatical changes to correct errors, improve clarity, facilitate correct understanding or interpretation, conform to context, conform to Florida statute style, or remove redundant information.

**Sections 4, 6, 11, 14, 17, 24, 26, 35, 36, 39, 44, 46, 49, 50, 57, 64, 67, 68, 70, 71, 72, 75, 76, 80, 82, 86, and 87** conform to context or redesignated, amended, reordered, repealed, or added subsections and subunits, or conform language as directed by previous legislation.

**Sections 8, 19, 20, 42, 59, 61, 62, 79, and 85** correct cross-references.

**Sections 9 and 83** improve clarity, conform to context, and delete obsolete language.

**Sections 10, 12, 27, 29, 31, 32, 37, 38, 43, 52, 53, 56, 60, 77, 81, and 93** delete obsolete provisions/language.

**Section 34** deletes obsolete language and improves clarity.

**Section 54** conforms to context and improves clarity.

**Section 69** places definitions in alphabetical order.

**Section 74** conforms to context and corrects a cross-reference.

**Section 84** conforms to citation style and corrects a cross-reference.

**Section 89** conforms to the reordering of definitions and improves clarity.

**Section 92** conforms to context, improves clarity and facilitates correct interpretation, eliminates repetition, and corrects a cross-reference.

**Section 94** provides for an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

The general reviser's bill is a technical, non-substantive bill. The bill has no fiscal impact on state or local government or on the private sector.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The general reviser's bill does not implicate authority for any agency to adopt rules.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; amending ss.  
 3           16.56, 20.435, 20.60, 39.101, 39.4085, 112.215,  
 4           112.313, 121.091, 125.0104, 163.11, 163.3202,  
 5           163.32051, 173.04, 196.101, 212.08, 215.681, 220.199,  
 6           288.012, 288.095, 288.107, 296.44, 298.301, 322.27,  
 7           330.41, 365.172, 373.228, 373.583, 376.323, 380.0553,  
 8           380.0933, 381.986, 397.335, 403.865, 409.1678,  
 9           409.996, 413.801, 415.1103, 420.5096, 445.003, 456.42,  
 10          480.041, 497.260, 501.2042, 553.865, 560.103, 565.04,  
 11          571.265, 585.01, 626.321, 626.602, 627.06292, 627.351,  
 12          627.410, 628.8015, 692.201, 720.305, 744.21031,  
 13          766.315, 768.38, 768.381, 790.013, 810.098, 849.38,  
 14          933.40, 961.06, 1000.21, 1001.42, 1002.01, 1002.20,  
 15          1002.351, 1002.394, 1002.395, 1002.44, 1002.82,  
 16          1003.02, 1003.4201, 1003.46, 1004.615, 1004.648,  
 17          1006.07, 1006.28, 1008.25, 1009.21, 1009.286, 1009.30,  
 18          1009.895, 1012.71, 1012.993, and 1013.64, F.S.;  
 19          reenacting and amending s. 1011.62, F.S.; and  
 20          reenacting ss. 348.0304, 394.9086, and 893.055, F.S.;  
 21          deleting provisions that have expired, have become  
 22          obsolete, have had their effect, have served their  
 23          purpose, or have been impliedly repealed or  
 24          superseded; replacing incorrect cross-references and  
 25          citations; correcting grammatical, typographical, and

26 |       like errors; removing inconsistencies, redundancies,  
 27 |       and unnecessary repetition in the statutes; and  
 28 |       improving the clarity of the statutes and facilitating  
 29 |       their correct interpretation; providing an effective  
 30 |       date.

31 |

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

33 |

34 |       Section 1. Paragraphs (c) and (d) of subsection (1) of  
 35 | section 16.56, Florida Statutes, are amended to read:

36 |       16.56 Office of Statewide Prosecution.—

37 |       (1) There is created in the Department of Legal Affairs an  
 38 | Office of Statewide Prosecution. The office shall be a separate  
 39 | "budget entity" as that term is defined in chapter 216. The  
 40 | office may:

41 |       (c) Investigate and prosecute any crime involving:

42 |       1. Voting in an election in which a candidate for a  
 43 | federal or state office is on the ballot;

44 |       2. Voting in an election in which a referendum, an  
 45 | initiative, or an issue is on the ballot;

46 |       3. The petition activities of a candidate for a federal or  
 47 | state office;

48 |       4. The petition activities for a referendum, an  
 49 | initiative, or an issue; or

50 |       5. Voter registration;



51  
 52 or any attempt, solicitation, or conspiracy to commit any of the  
 53 crimes specifically enumerated above. The office shall have such  
 54 power only when any such offense is occurring, or has occurred,  
 55 in two or more judicial circuits as part of a related  
 56 transaction, or when any such offense is affecting, or has  
 57 affected, two or more judicial circuits. Informations or  
 58 indictments charging such offenses must contain general  
 59 allegations stating the judicial circuits and counties in which  
 60 crimes are alleged to have occurred or the judicial circuits and  
 61 counties alleged to have been affected by such crimes ~~in which~~  
 62 ~~crimes are alleged to have affected.~~

63 (d) Upon request, cooperate with and assist state  
 64 attorneys and state and local law enforcement officials in their  
 65 efforts against organized crime ~~crimes~~.

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

67 Section 2. Paragraph (a) of subsection (7) of section  
 68 20.435, Florida Statutes, is amended to read:

69 20.435 Department of Health; trust funds.—The following  
 70 trust funds shall be administered by the Department of Health:

71 (7) BIOMEDICAL RESEARCH TRUST FUND.—

72 (a) Funds to be credited to the trust fund shall consist  
 73 of funds appropriated by the Legislature. Funds shall be used  
 74 for the purposes of the James and Esther King Biomedical  
 75 Research Program; ~~7~~ the Casey DeSantis Cancer Research Program;

76 ~~and~~ the William G. "Bill" Bankhead, Jr., and David Coley Cancer  
 77 Research Program as specified in ss. 215.5602, 381.915, and  
 78 381.922, respectively; and other cancer research initiatives as  
 79 appropriated by the Legislature. The trust fund is exempt from  
 80 the service charges imposed by s. 215.20.

81 Reviser's note.—Amended to confirm an editorial reinsertion and  
 82 an editorial insertion to facilitate correct  
 83 interpretation.

84 Section 3. Paragraph (b) of subsection (9) of section  
 85 20.60, Florida Statutes, is amended to read:

86 20.60 Department of Commerce; creation; powers and  
 87 duties.—

88 (9) The secretary shall:

89 (b) Serve as the manager for the state with respect to  
 90 contracts with Space Florida and all applicable direct-support  
 91 organizations. To accomplish the provisions of this section and  
 92 applicable provisions of chapters 288 and 331, and  
 93 notwithstanding the provisions of part I of chapter 287, the  
 94 secretary shall enter into specific contracts with Space Florida  
 95 and appropriate direct-support organizations. Such contracts may  
 96 be for multiyear terms and must include specific performance  
 97 measures for each year. For purposes of this section, the  
 98 Institute for Commercialization of Florida Technology is not an  
 99 appropriate direct-support organization.

100 Reviser's note.—Amended to confirm editorial insertions to

101 facilitate correct interpretation.

102 Section 4. Paragraph (f) of subsection (3) of section  
 103 39.101, Florida Statutes, is amended to read:

104 39.101 Central abuse hotline.—The central abuse hotline is  
 105 the first step in the safety assessment and investigation  
 106 process.

107 (3) COLLECTION OF INFORMATION AND DATA.—The department  
 108 shall:

109 (f)1. Collect and analyze child-on-child sexual abuse  
 110 reports and include such information in the aggregate  
 111 statistical reports.

112 2. Collect and analyze, in separate statistical reports,  
 113 those reports of child abuse, sexual abuse, and juvenile sexual  
 114 abuse which are reported from or which occurred on or at:

- 115 a. School premises;
- 116 b. School transportation;
- 117 c. School-sponsored off-campus events;
- 118 d. A school readiness program provider determined to be  
 119 eligible under s. 1002.88;
- 120 e. A private prekindergarten provider or a public school  
 121 prekindergarten provider, as those terms are defined in s.  
 122 1002.51(7) and (8), respectively;
- 123 f. A public K-12 school as described in s. 1000.04;
- 124 g. A private school as defined in s. 1002.01;
- 125 h. A Florida College System institution or a state

126 university, as those terms are defined in s. 1000.21(5) and (9)  
 127 ~~1000.21(5) and (8)~~, respectively; or

128 i. A school, as defined in s. 1005.02.

129 Reviser's note.—Amended to conform to the reordering of  
 130 definitions in s. 1000.21 by this act.

131 Section 5. Paragraph (b) of subsection (4) of section  
 132 39.4085, Florida Statutes, is amended to read:

133 39.4085 Goals for dependent children; responsibilities;  
 134 education; Office of the Children's Ombudsman.—

135 (4) The Office of the Children's Ombudsman is established  
 136 within the department. To the extent permitted by available  
 137 resources, the office shall, at a minimum:

138 (b) Be a resource to identify and explain relevant  
 139 policies ~~polices~~ or procedures to children, young adults, and  
 140 their caregivers.

141 Reviser's note.—Amended to confirm an editorial substitution to  
 142 conform to context and facilitate correct interpretation.

143 Section 6. Subsection (2) of section 112.215, Florida  
 144 Statutes, is amended to read:

145 112.215 Government employees; deferred compensation  
 146 program.—

147 (2) For the purposes of this section, the term "government  
 148 employee" means any person employed, whether appointed, elected,  
 149 or under contract, by the state or any governmental unit of the  
 150 state, including, but not limited to, any state agency; any

151 county, municipality, or other political subdivision of the  
 152 state; any special district or water management district, as the  
 153 terms are defined in s. 189.012; any state university or Florida  
 154 College System institution, as the terms are defined in s.  
 155 1000.21(9) and (5) ~~1000.21(6) and (3)~~, respectively; or any  
 156 constitutional county officer under s. 1(d), Art. VIII of the  
 157 State Constitution for which compensation or statutory fees are  
 158 paid.

159 Reviser's note.—Amended to confirm an editorial substitution to  
 160 conform to the reordering of definitions in s. 1000.21 by  
 161 s. 136, ch. 2023-8, Laws of Florida, and to conform to the  
 162 further reordering of definitions in s. 1000.21 by this  
 163 act.

164 Section 7. Paragraph (a) of subsection (7) of section  
 165 112.313, Florida Statutes, is amended to read:

166 112.313 Standards of conduct for public officers,  
 167 employees of agencies, and local government attorneys.—

168 (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

169 (a) No public officer or employee of an agency shall have  
 170 or hold any employment or contractual relationship with any  
 171 business entity or any agency which is subject to the regulation  
 172 of, or is doing business with, an agency of which he or she is  
 173 an officer or employee, excluding those organizations and their  
 174 officers who, when acting in their official capacity, enter into  
 175 or negotiate a collective bargaining contract with the state or

176 any municipality, county, or other political subdivision of the  
 177 state; nor shall an officer or employee of an agency have or  
 178 hold any employment or contractual relationship that will create  
 179 a continuing or frequently recurring conflict between his or her  
 180 private interests and the performance of his or her public  
 181 duties or that would impede the full and faithful discharge of  
 182 his or her public duties.

183 1. When the agency referred to is that certain kind of  
 184 special tax district created by general or special law and is  
 185 limited specifically to constructing, maintaining, managing, and  
 186 financing improvements in the land area over which the agency  
 187 has jurisdiction, or when the agency has been organized pursuant  
 188 to chapter 298, then employment with, or entering into a  
 189 contractual relationship with, such business entity by a public  
 190 officer or employee of such agency is not prohibited by this  
 191 subsection or ~~be~~ deemed a conflict per se. However, conduct by  
 192 such officer or employee that is prohibited by, or otherwise  
 193 frustrates the intent of, this section, including conduct that  
 194 violates subsections (6) and (8), is deemed a conflict of  
 195 interest in violation of the standards of conduct set forth by  
 196 this section.

197 2. When the agency referred to is a legislative body and  
 198 the regulatory power over the business entity resides in another  
 199 agency, or when the regulatory power which the legislative body  
 200 exercises over the business entity or agency is strictly through

201 the enactment of laws or ordinances, then employment or a  
 202 contractual relationship with such business entity by a public  
 203 officer or employee of a legislative body shall not be  
 204 prohibited by this subsection or be deemed a conflict.

205 Reviser's note.—Amended to confirm an editorial deletion to  
 206 improve clarity.

207 Section 8. Paragraph (a) of subsection (3) of section  
 208 121.091, Florida Statutes, is amended to read:

209 121.091 Benefits payable under the system.—Benefits may  
 210 not be paid under this section unless the member has terminated  
 211 employment as provided in s. 121.021(39) (a) or begun  
 212 participation in the Deferred Retirement Option Program as  
 213 provided in subsection (13), and a proper application has been  
 214 filed in the manner prescribed by the department. The department  
 215 may cancel an application for retirement benefits when the  
 216 member or beneficiary fails to timely provide the information  
 217 and documents required by this chapter and the department's  
 218 rules. The department shall adopt rules establishing procedures  
 219 for application for retirement benefits and for the cancellation  
 220 of such application when the required information or documents  
 221 are not received.

222 (3) EARLY RETIREMENT BENEFIT.—Upon retirement on his or  
 223 her early retirement date, the member shall receive an immediate  
 224 monthly benefit that shall begin to accrue on the first day of  
 225 the month of the retirement date and be payable on the last day

226 of that month and each month thereafter during his or her  
 227 lifetime. Such benefit shall be calculated as follows:

228 (a) For a member initially enrolled:

229 1. Before July 1, 2011, the amount of each monthly payment  
 230 shall be computed in the same manner as for a normal retirement  
 231 benefit, in accordance with subsection (1), but shall be based  
 232 on the member's average monthly compensation and creditable  
 233 service as of the member's early retirement date. The benefit so  
 234 computed shall be reduced by five-twelfths of 1 percent for each  
 235 complete month by which the early retirement date precedes the  
 236 normal retirement date of age 62 for a member of the Regular  
 237 Class, Senior Management Service Class, or the Elected Officers'  
 238 Class, and age 55 for a member of the Special Risk Class, or age  
 239 52 if a special risk member has completed 25 years of creditable  
 240 service in accordance with s. 121.021(29)(b)3.

241 2. On or after July 1, 2011, the amount of each monthly  
 242 payment shall be computed in the same manner as for a normal  
 243 retirement benefit, in accordance with subsection (1), but shall  
 244 be based on the member's average monthly compensation and  
 245 creditable service as of the member's early retirement date. The  
 246 benefit so computed shall be reduced by five-twelfths of 1  
 247 percent for each complete month by which the early retirement  
 248 date precedes the normal retirement date of age 65 for a member  
 249 of the Regular Class, Senior Management Service Class, or the  
 250 Elected Officers' Class, and age 55 for a member of the Special



251 Risk Class, or age 52 if a special risk member has completed 25  
 252 years of creditable service in accordance with s.

253 121.021(29)(b)3. ~~121.091(29)(b)3.~~

254 Reviser's note.—Amended to correct a cross-reference. Section  
 255 121.091(29)(b)3. does not exist; s. 121.021(29)(b)3.  
 256 references the age and years of creditable service for a  
 257 special risk member in the Special Risk Class.

258 Section 9. Paragraphs (c), (d), and (e) of subsection (4)  
 259 of section 125.0104, Florida Statutes, are amended to read:

260 125.0104 Tourist development tax; procedure for levying;  
 261 authorized uses; referendum; enforcement.—

262 (4) ORDINANCE LEVY TAX; PROCEDURE.—

263 (c) Before a referendum to enact or renew ~~of~~ the ordinance  
 264 levying and imposing the tax, the county tourist development  
 265 council shall prepare and submit to the governing board of the  
 266 county for its approval a plan for tourist development. The plan  
 267 shall set forth the anticipated net tourist development tax  
 268 revenue to be derived by the county for the 24 months following  
 269 the levy of the tax; the tax district in which the enactment or  
 270 renewal of the ordinance levying and imposing the tourist  
 271 development tax is proposed; and a list, in the order of  
 272 priority, of the proposed uses of the tax revenue by specific  
 273 project or special use as the same are authorized under  
 274 subsection (5). The plan shall include the approximate cost or  
 275 expense allocation for each specific project or special use.

276 (d) The governing board of the county shall adopt the  
 277 county plan for tourist development as part of the ordinance  
 278 levying the tax. After enactment or renewal of the ordinance  
 279 levying and imposing the tax, the plan for ~~of~~ tourist  
 280 development may not be substantially amended except by ordinance  
 281 enacted by an affirmative vote of a majority plus one additional  
 282 member of the governing board.

283 (e) The governing board of each county which levies and  
 284 imposes a tourist development tax under this section shall  
 285 appoint an advisory council to be known as the "... (name of  
 286 county)... Tourist Development Council." The council shall be  
 287 established by ordinance and composed of nine members who shall  
 288 be appointed by the governing board. The chair of the governing  
 289 board of the county or any other member of the governing board  
 290 as designated by the chair shall serve on the council. Two  
 291 members of the council shall be elected municipal officials, at  
 292 least one of whom shall be from the most populous municipality  
 293 in the county or subcounty special taxing district in which the  
 294 tax is levied. Six members of the council shall be persons who  
 295 are involved in the tourist industry and who have demonstrated  
 296 an interest in tourist development, of which members, not less  
 297 than three nor more than four shall be owners or operators of  
 298 motels, hotels, recreational vehicle parks, or other tourist  
 299 accommodations in the county and subject to the tax. All members  
 300 of the council shall be electors of the county. The governing

301 board of the county shall have the option of designating the  
 302 chair of the council or allowing the council to elect a chair.  
 303 The chair shall be appointed or elected annually and may be  
 304 reelected or reappointed. The members of the council shall serve  
 305 for staggered terms of 4 years. The terms of office of the  
 306 original members shall be prescribed in the resolution required  
 307 under paragraph (b). The council shall meet at least once each  
 308 quarter and, from time to time, shall make recommendations to  
 309 the county governing board for the effective operation of the  
 310 special projects or for uses of the tourist development tax  
 311 revenue and perform such other duties as may be prescribed by  
 312 county ordinance or resolution. The council shall continuously  
 313 review expenditures of revenues from the tourist development  
 314 trust fund and shall receive, at least quarterly, expenditure  
 315 reports from the county governing board or its designee.  
 316 Expenditures which the council believes to be unauthorized shall  
 317 be reported to the county governing board and the Department of  
 318 Revenue. The governing board and the department shall review the  
 319 findings of the council and take appropriate administrative or  
 320 judicial action to ensure compliance with this section. ~~The~~  
 321 ~~changes in the composition of the membership of the tourist~~  
 322 ~~development council mandated by chapter 86-4, Laws of Florida,~~  
 323 ~~and this act shall not cause the interruption of the current~~  
 324 ~~term of any person who is a member of a council on October 1,~~  
 325 ~~1996.~~

326 Reviser's note.—Paragraph (4)(c) is amended to confirm an  
 327 editorial deletion to improve clarity. Paragraph (4)(d) is  
 328 amended to confirm an editorial substitution to conform to  
 329 context. Paragraph (4)(e) is amended to delete obsolete  
 330 language.

331 Section 10. Subsection (7) of section 163.11, Florida  
 332 Statutes, is amended to read:

333 163.11 Biscayne Bay Commission.—

334 (7) The commission shall submit a semiannual report  
 335 describing the accomplishments of the commission and each member  
 336 agency, as well as the status of each pending task, to the Miami  
 337 City Commission, the Miami-Dade County Board of County  
 338 Commissioners, the Mayor of Miami, the Mayor of Miami-Dade  
 339 County, the Governor, and the chair of the Miami-Dade County  
 340 Legislative Delegation. ~~The first report shall be submitted by~~  
 341 ~~January 15, 2022.~~ The report shall also be made available on the  
 342 Department of Environmental Protection's website and Miami-Dade  
 343 County's website.

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

345 Section 11. Subsection (6) of section 163.3202, Florida  
 346 Statutes, is amended to read:

347 163.3202 Land development regulations.—

348 (6) Land development regulations relating to any  
 349 characteristic of development other than use, or intensity or  
 350 density of use, do not apply to Florida College System

351 institutions as defined in s. 1000.21(5) ~~1000.21(3)~~.

352 Reviser's note.—Amended to confirm an editorial substitution to

353 conform to the reordering of definitions in s. 1000.21 by

354 s. 136, ch. 2023-8, Laws of Florida.

355 Section 12. Subsection (6) of section 163.32051, Florida

356 Statutes, is amended to read:

357 163.32051 Floating solar facilities.—

358 ~~(6) The Office of Energy within the Department of~~

359 ~~Agriculture and Consumer Services shall develop and submit~~

360 ~~recommendations to the Legislature by December 31, 2022, to~~

361 ~~provide a regulatory framework to private and public sector~~

362 ~~entities that implement floating solar facilities.~~

363 Reviser's note.—Amended to delete an obsolete provision.

364 Section 13. Subsection (3) of section 173.04, Florida

365 Statutes, is amended to read:

366 173.04 Procedure for bringing foreclosure suit;

367 certificate of attorney as to notice of suit; jurisdiction

368 obtained by publication of notice of suit; form of notice.—

369 (3) Jurisdiction of any of said lands and of all parties

370 interested therein or having any lien thereon shall be obtained

371 by publication of a notice to be issued as of course by the

372 clerk of the circuit court in which such bill is filed on the

373 request of complainant, once each week for not less than 2

374 consecutive weeks, directed to all persons and corporations

375 interested in or having any lien or claim upon any of the lands

376 described in said notice and said bill. Such notice shall  
 377 describe the lands involved and the respective principal amounts  
 378 sought to be recovered in such suit for taxes, tax certificates  
 379 and special assessments on such respective parcels of land, and  
 380 requiring all such parties to appear and defend said suit on or  
 381 before the day specified in said notice, which shall be not less  
 382 than 4 weeks after the date of the first publication of such  
 383 notice. Said notice may be in substantially the following form,  
 384 with blanks appropriately filled in:

385  
 386 ... (Name City or Town) ...  
 387 Complainant,  
 388  
 389 vs. IN THE CIRCUIT  
 390 COURT FOR .....  
 391 COUNTY, FLORIDA.  
 392 Certain lands upon  
 393 which ... (~~here~~ insert... IN CHANCERY.  
 394 ...the word "taxes~~r~~"...  
 395 ...or the words "special...  
 396 ...assessments" or both,...  
 397 ...as the case may be)...  
 398 are delinquent,  
 399 Defendant.

400 NOTICE

401  
 402 To all persons and corporations interested in or having any lien  
 403 or claim upon any of the lands described herein:

404 You are hereby notified that ... (name city or town) ... has  
 405 filed its bill of complaint in the above named court to  
 406 foreclose delinquent ~~....~~ ... (~~here~~ insert the words "tax liens,"  
 407 "tax certificates," or "special assessments," as the case may  
 408 be) ... with interest and penalties, upon the parcels of land set  
 409 forth in the following schedule, the aggregate amount of such  
 410 ~~....~~ ... (~~here~~ insert the words "tax liens," "tax certificates,"  
 411 or "special assessments," as the case may be) ... interest and  
 412 penalties, against said respective parcels of land, as set forth  
 413 in said bill of complaint, being set opposite such parcels in  
 414 the following schedule, to wit:

415  
 416 DESCRIPTION OF LANDS  
 417

418 Amount of ~~....~~ ... (~~here~~ insert the word "taxes," or the  
 419 words "special assessments" or both, as the case may be) ....

420 In addition to the amounts set opposite each parcel of land  
 421 in the foregoing schedule, interest and penalties, as provided  
 422 by law, on such delinquent taxes and special assessments,  
 423 together with a proportionate part of the costs and expenses of  
 424 this suit, are sought to be enforced and foreclosed in this  
 425 suit.

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ORIGINAL

2024

426 You are hereby notified to appear and make your defenses to  
 427 said bill of complaint on or before the .... day of ....., and if  
 428 you fail to do so on or before said date the bill will be taken  
 429 as confessed by you and you will be barred from thereafter  
 430 contesting said suit, and said respective parcels of land will  
 431 be sold by decree of said court for nonpayment of said taxes and  
 432 assessment liens and interest and penalties thereon and the  
 433 costs of this suit.

434 IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
 435 the official seal of said court, this .... day of .....

436 ...(Clerk of said court)...

437 By ...(Deputy clerk)...

438

439 Reviser's note.—Amended to conform to general style in forms and  
 440 to improve punctuation.

441 Section 14. Subsection (5) of section 196.101, Florida  
 442 Statutes, is amended to read:

443 196.101 Exemption for totally and permanently disabled  
 444 persons.—

445 (5) The physician's certification shall read as follows:

446

447 PHYSICIAN'S CERTIFICATION OF  
 448 TOTAL AND PERMANENT DISABILITY

449

450 I, ...(name of physician)..., a physician licensed pursuant to



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2024

451 chapter 458 or chapter 459, Florida Statutes, hereby certify Mr.  
452 .... Mrs. .... Miss .... Ms. .... ...(name of totally and  
453 permanently disabled person)..., social security number ....., is  
454 totally and permanently disabled as of January 1, ...(year)...,  
455 due to the following mental or physical condition(s):

- 456
- 457 .... Quadriplegia
- 458 .... Paraplegia
- 459 .... Hemiplegia
- 460 .... Other total and permanent disability requiring use of
- 461 a wheelchair for mobility
- 462 .... Legal Blindness
- 463

464 It is my professional belief that the above-named condition(s)  
465 render Mr. .... Mrs. .... Miss .... Ms. .... ...(name of  
466 totally and permanently disabled person)... totally and  
467 permanently disabled, and that the foregoing statements are  
468 true, correct, and complete to the best of my knowledge and  
469 professional belief.

470

471 Signature .....

472 Address (print) .....

473 Date .....

474 Florida Board of Medicine or Osteopathic Medicine license number

475 .....

476 Issued on .....

477

478 NOTICE TO TAXPAYER: Each Florida resident applying for a total  
479 and permanent disability exemption must present to the county  
480 property appraiser, on or before March 1 of each year, a copy of  
481 this form or a letter from the United States Department of  
482 Veterans Affairs or its predecessor. Each form is to be  
483 completed by a licensed Florida physician.

484

485 NOTICE TO TAXPAYER AND PHYSICIAN: Section 196.131(2), Florida  
486 Statutes, provides that any person who shall knowingly and  
487 willfully give false information for the purpose of claiming  
488 homestead exemption shall be guilty of a misdemeanor of the  
489 first degree, punishable by a term of imprisonment not exceeding  
490 1 year or a fine not exceeding \$5,000, or both.

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

492 Section 15. Paragraph (m) of subsection (5) of section  
493 212.08, Florida Statutes, is amended to read:

494 212.08 Sales, rental, use, consumption, distribution, and  
495 storage tax; specified exemptions.—The sale at retail, the  
496 rental, the use, the consumption, the distribution, and the  
497 storage to be used or consumed in this state of the following  
498 are hereby specifically exempt from the tax imposed by this  
499 chapter.

500 (5) EXEMPTIONS; ACCOUNT OF USE.—

501 (m) *Educational materials purchased by certain child care*  
 502 *facilities.*—Educational materials, such as glue, paper, paints,  
 503 crayons, unique craft items, scissors, books, and educational  
 504 toys, purchased by a child care facility that meets the  
 505 standards delineated in s. 402.305, is licensed under s.  
 506 402.308, holds a current Gold Seal Quality Care designation  
 507 pursuant to s. 1002.945, and provides basic health insurance to  
 508 all employees are exempt from the taxes imposed by this chapter.  
 509 For purposes of this paragraph, the term "basic health  
 510 insurance" shall be defined and promulgated in rules developed  
 511 jointly by the Department of Education, the Agency for Health  
 512 Care Administration, and the Financial Services Commission.  
 513 Reviser's note.—Amended to confirm an editorial insertion to  
 514 improve clarity.

515 Section 16. Paragraph (d) of subsection (1) of section  
 516 215.681, Florida Statutes, is amended to read:

517 215.681 ESG bonds; prohibitions.—

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

519 (d) "Issuer" means the division, acting on behalf of any  
 520 entity; any local government, educational entity, or entity of  
 521 higher education as defined in s. 215.89(2)(c), (d), and (e),  
 522 respectively, or other political subdivision granted the power  
 523 to issue bonds; or any public body corporate and politic  
 524 authorized or created by general or special law and granted the  
 525 power to issue bonds, including, but not limited to, a water and

526 sewer district created under chapter 153, a health facilities  
 527 authority as defined in s. 154.205, an industrial development  
 528 authority created under chapter 159, a housing financing  
 529 authority as defined in s. 159.603(3), a research and  
 530 development authority as defined in s. 159.702(1)(c), a legal or  
 531 administrative entity created by interlocal agreement pursuant  
 532 to s. 163.01(7), a community redevelopment agency as defined in  
 533 s. 163.340(1), a regional transportation authority created under  
 534 chapter 163, a community development district as defined in s.  
 535 190.003, an educational facilities authority as defined in s.  
 536 243.52(1), the Higher Educational Facilities Financing Authority  
 537 created under s. 243.53, the Florida Development Finance  
 538 Corporation created under s. 288.9604, a port district or port  
 539 authority as defined in s. 315.02(1) and (2), respectively, the  
 540 South Florida Regional Transportation Authority created under s.  
 541 343.53, the Central Florida Regional Transportation Authority  
 542 created under s. 343.63, ~~the Tampa Bay Area Regional Transit~~  
 543 ~~Authority created under s. 343.92~~, the Greater Miami Expressway  
 544 Agency created under s. 348.0304, the Tampa-Hillsborough County  
 545 Expressway Authority created under s. 348.52, the Central  
 546 Florida Expressway Authority created under s. 348.753, the  
 547 Jacksonville Transportation Authority created under s. 349.03,  
 548 and the Florida Housing Finance Corporation created under s.  
 549 420.504.  
 550 Reviser's note.—Amended to insert a word to improve clarity, and

551 to conform to the fact that part III, chapter 343, the  
 552 Tampa Bay Area Regional Transit Authority Act, was repealed  
 553 by s. 1, ch. 2023-143, Laws of Florida, and the authority  
 554 was dissolved effective June 30, 2024, by s. 2, ch. 2023-  
 555 143.

556 Section 17. Paragraph (b) of subsection (1) of section  
 557 220.199, Florida Statutes, is amended to read:

558 220.199 Residential graywater system tax credit.—

559 (1) For purposes of this section, the term:

560 (b) "Graywater" has the same meaning as in s.

561 381.0065(2)(g) ~~381.0065(2)(f)~~.

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

563 381.0065(2)(f) as s. 381.0065(2)(g) by s. 11, ch. 2023-169,  
 564 Laws of Florida.

565 Section 18. Paragraph (d) of subsection (6) of section  
 566 288.012, Florida Statutes, is amended to read:

567 288.012 State of Florida international offices; direct-  
 568 support organization.—The Legislature finds that the expansion  
 569 of international trade and tourism is vital to the overall  
 570 health and growth of the economy of this state. This expansion  
 571 is hampered by the lack of technical and business assistance,  
 572 financial assistance, and information services for businesses in  
 573 this state. The Legislature finds that these businesses could be  
 574 assisted by providing these services at State of Florida  
 575 international offices. The Legislature further finds that the

576 accessibility and provision of services at these offices can be  
 577 enhanced through cooperative agreements or strategic alliances  
 578 between private businesses and state, local, and international  
 579 governmental entities.

580 (6)

581 (d) The senior managers and members of the board of  
 582 directors of the organization ~~of the organization~~ are subject to  
 583 ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
 584 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10),  
 585 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
 586 president and staff, those persons shall be considered public  
 587 officers or employees and the corporation shall be considered  
 588 their agency. The exemption set forth in s. 112.313(12) for  
 589 advisory boards applies to the members of board of directors.  
 590 Further, each member of the board of directors who is not  
 591 otherwise required to file financial disclosures pursuant to s.  
 592 8, Art. II of the State Constitution or s. 112.3144, shall file  
 593 disclosure of financial interests pursuant to s. 112.3145.

594 Reviser's note.—Amended to confirm an editorial deletion to  
 595 eliminate repetition.

596 Section 19. Paragraph (c) of subsection (3) of section  
 597 288.095, Florida Statutes, is amended to read:

598 288.095 Economic Development Trust Fund.—

599 (3)

600 (c) Moneys in the Economic Development Incentives Account

601 may be used only to pay tax refunds and make other payments  
 602 authorized under s. 288.107 or in agreements authorized under  
 603 former s. 288.106. The department shall report within 10 days  
 604 after the end of each quarter to the Office of Policy and Budget  
 605 in the Executive Officer of the Governor, the chair of the  
 606 Senate Appropriations Committee or its successor, and the chair  
 607 of the House of Representatives Appropriations Committee or its  
 608 successor regarding the status of payments made for all economic  
 609 development programs administered by the department under this  
 610 chapter, including ss. s. 288.107 and 288.108 and former s. ss.  
 611 288.106 and 288.108.

612 Reviser's note.—Amended to correct cross-references. The  
 613 reference to former ss. 288.106 and 288.108 was added by s.  
 614 44, ch. 2023-173, Laws of Florida. Section 288.106 was  
 615 repealed by s. 47, ch. 2023-173; s. 288.108 was amended by  
 616 s. 49, ch. 2023-173, and was not repealed.

617 Section 20. Paragraph (b) of subsection (5) of section  
 618 288.107, Florida Statutes, is amended to read:

619 288.107 Brownfield redevelopment bonus refunds.—

620 (5) ADMINISTRATION.—

621 (b) To facilitate the process of monitoring and auditing  
 622 applications made under this program, the department may provide  
 623 a list of businesses to the Department of Revenue, to the  
 624 Department of Environmental Protection, or to any local  
 625 government authority. The department may request the assistance

626 of those entities with respect to monitoring the payment of the  
 627 taxes listed in paragraph (4)(c) ~~(3)(e)~~.

628 Reviser's note.—Amended to correct a cross-reference. Paragraph  
 629 (3)(c) does not exist; paragraph (4)(c) contains a list of  
 630 taxes.

631 Section 21. Subsection (4) of section 296.44, Florida  
 632 Statutes, is amended to read:

633 296.44 Definitions.—As used in this part, the term:

634 (4) "Operator" means the person designated to have and who  
 635 has the general administrative charge of an adult day health  
 636 care facility or adult day care center. The administrator of a  
 637 veterans' nursing home under s. 296.34 or the administrator of  
 638 the Veterans' Domiciliary Home of Florida under s. 296.04 may  
 639 serve as the operator if the adult day health care facility or  
 640 adult day care center is collocated at an existing veterans'  
 641 nursing home or the Veterans' Domiciliary Home of Florida or is  
 642 a freestanding facility.

643 Reviser's note.—Amended to confirm an editorial insertion to  
 644 improve clarity.

645 Section 22. Subsections (2) and (6) of section 298.301,  
 646 Florida Statutes, are amended to read:

647 298.301 District water control plan adoption; district  
 648 boundary modification; plan amendment; notice forms; objections;  
 649 hearings; assessments.—

650 (2) Before adopting a water control plan or plan



651 amendment, the board of supervisors must adopt a resolution to  
 652 consider adoption of the proposed plan or plan amendment. As  
 653 soon as the resolution proposing the adoption or amendment of  
 654 the district's water control plan has been filed with the  
 655 district secretary, the board of supervisors shall give notice  
 656 of a public hearing on the proposed plan or plan amendment by  
 657 causing publication to be made once a week for 3 consecutive  
 658 weeks in a newspaper of general circulation published in each  
 659 county in which lands and other property described in the  
 660 resolution are situated. The notice must be in substantially the  
 661 following form:

662  
 663 Notice of Hearing  
 664

665 To the owners and all persons interested in the lands  
 666 corporate, and other property in and adjacent to the ... (name of  
 667 district)... District.

668 You are notified that the ... (name of district)... District  
 669 has filed in the office of the secretary of the district a  
 670 resolution to consider approval of a water control plan or an  
 671 amendment to the current water control plan to provide ... (~~here~~  
 672 insert a summary of the proposed water control plan or plan  
 673 amendment).... On or before its scheduled meeting of ... (date  
 674 and time)... at the district's offices located at ... (list  
 675 address of offices)... written objections to the proposed plan

676 or plan amendment may be filed at the district's offices. A  
 677 public hearing on the proposed plan or plan amendment will be  
 678 conducted at the scheduled meeting, and written objections will  
 679 be considered at that time. At the conclusion of the hearing,  
 680 the board of supervisors may determine to proceed with the  
 681 process for approval of the proposed plan or plan amendment and  
 682 direct the district engineer to prepare an engineer's report  
 683 identifying any property to be taken, determining benefits and  
 684 damages, and estimating the cost of implementing the  
 685 improvements associated with the proposed plan or plan  
 686 amendment. A final hearing on approval of the proposed plan or  
 687 plan amendment and engineer's report shall be duly noticed and  
 688 held at a regularly scheduled board of supervisors meeting at  
 689 least 25 days but no later than 60 days after the last scheduled  
 690 publication of the notice of filing of the engineer's report  
 691 with the secretary of the district.

692  
 693 Date of first publication: ....., ... (year) ...  
 694 .....  
 695 (Chair or President, Board of Supervisors)  
 696 ..... County, Florida

697 (6) Upon the filing of the engineer's report, the board of  
 698 supervisors shall give notice thereof by arranging the  
 699 publication of the notice of filing of the engineer's report  
 700 together with a geographical depiction of the district once a

701 week for 2 consecutive weeks in a newspaper of general  
 702 circulation in each county in the district. A location map or  
 703 legal description of the land shall constitute a geographical  
 704 depiction. The notice must be substantially as follows:

705  
 706 Notice of Filing Engineer's Report for  
 707 ..... District  
 708

709 Notice is given to all persons interested in the following  
 710 described land and property in ..... County (or Counties),  
 711 Florida, viz.: ... (~~Here~~ Describe land and property)... included  
 712 within the ..... district that the engineer hereto  
 713 appointed to determine benefits and damages to the property and  
 714 lands situated in the district and to determine the estimated  
 715 cost of construction required by the water control plan, within  
 716 or without the limits of the district, under the proposed water  
 717 control plan or plan amendment, filed her or his report in the  
 718 office of the secretary of the district, located at ... (list  
 719 address of district offices)..., on the ..... day of  
 720 ....., ... (year)..., and you may examine the report and  
 721 file written objections with the secretary of the district to  
 722 all, or any part thereof, on or before ... (enter date 20 days  
 723 after the last scheduled publication of this notice, which date  
 724 must be before the date of the final hearing).... The report  
 725 recommends ... (describe benefits and damages).... A final

726 hearing to consider approval of the report and proposed water  
727 control plan or plan amendment shall be held ... (time, place,  
728 and date at least 25 days but no later than 60 days after the  
729 last scheduled publication of this notice)....

730

731 Date of first publication: ....., ... (year)...

732 .....

733 (Chair or President, Board of Supervisors)

734 ..... County, Florida

735

736 Reviser's note.—Amended to conform to general style in forms.

737 Section 23. Paragraph (d) of subsection (3) of section  
738 322.27, Florida Statutes, is amended to read:

739 322.27 Authority of department to suspend or revoke driver  
740 license or identification card.—

741 (3) There is established a point system for evaluation of  
742 convictions of violations of motor vehicle laws or ordinances,  
743 and violations of applicable provisions of s. 403.413(6) (b) when  
744 such violations involve the use of motor vehicles, for the  
745 determination of the continuing qualification of any person to  
746 operate a motor vehicle. The department is authorized to suspend  
747 the license of any person upon showing of its records or other  
748 good and sufficient evidence that the licensee has been  
749 convicted of violation of motor vehicle laws or ordinances, or  
750 applicable provisions of s. 403.413(6) (b), amounting to 12 or

751 more points as determined by the point system. The suspension  
752 shall be for a period of not more than 1 year.

753 (d) The point system shall have as its basic element a  
754 graduated scale of points assigning relative values to  
755 convictions of the following violations:

756 1. Reckless driving, willful and wanton—4 points.

757 2. Leaving the scene of a crash resulting in property  
758 damage of more than \$50—6 points.

759 3. Unlawful speed, or unlawful use of a wireless  
760 communications device, resulting in a crash—6 points.

761 4. Passing a stopped school bus:

762 a. Not causing or resulting in serious bodily injury to or  
763 death of another—4 points.

764 b. Causing or resulting in serious bodily injury to or  
765 death of another—6 points.

766 c. Points may not be imposed for a violation of passing a  
767 stopped school bus as provided in s. 316.172(1)(a) or (b) when  
768 enforced by a school bus infraction detection system pursuant s.  
769 316.173. In addition, a violation of s. 316.172(1)(a) or (b)  
770 when enforced by a school bus infraction detection system  
771 pursuant to s. 316.173 may not be used for purposes of setting  
772 motor vehicle insurance rates.

773 5. Unlawful speed:

774 a. Not in excess of 15 miles per hour of lawful or posted  
775 speed—3 points.

776           b. In excess of 15 miles per hour of lawful or posted  
777 speed—4 points.

778           c. Points may not be imposed for a violation of unlawful  
779 speed as provided in s. 316.1895 or s. 316.183 when enforced by  
780 a traffic infraction enforcement officer pursuant to s.  
781 316.1896. In addition, a violation of s. 316.1895 or s. 316.183  
782 when enforced by a traffic infraction enforcement officer  
783 pursuant to s. 316.1896 may not be used for purposes of setting  
784 motor vehicle insurance rates.

785           6. A violation of a traffic control signal device as  
786 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
787 However, points may not be imposed for a violation of s.  
788 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
789 stop at a traffic signal and when enforced by a traffic  
790 infraction enforcement officer. In addition, a violation of s.  
791 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
792 stop at a traffic signal and when enforced by a traffic  
793 infraction enforcement officer may not be used for purposes of  
794 setting motor vehicle insurance rates.

795           7. All other moving violations (including parking on a  
796 highway outside the limits of a municipality)—3 points. However,  
797 points may not be imposed for a violation of s. 316.0741 or s.  
798 316.2065(11); and points may be imposed for a violation of s.  
799 316.1001 only when imposed by the court after a hearing pursuant  
800 to s. 318.14(5).

801 8. Any moving violation covered in this paragraph,  
 802 excluding unlawful speed and unlawful use of a wireless  
 803 communications device, resulting in a crash—4 points.

804 9. Any conviction under s. 403.413(6)(b)—3 points.

805 10. Any conviction under s. 316.0775(2)—4 points.

806 11. A moving violation covered in this paragraph which is  
 807 committed in conjunction with the unlawful use of a wireless  
 808 communications device within a school safety zone—2 points, in  
 809 addition to the points assigned for the moving violation.

810 Reviser's note.—Amended to confirm an editorial insertion to  
 811 improve clarity.

812 Section 24. Paragraph (a) of subsection (2) of section  
 813 330.41, Florida Statutes, is amended to read:

814 330.41 Unmanned Aircraft Systems Act.—

815 (2) DEFINITIONS.—As used in this act, the term:

816 (a) "Critical infrastructure facility" means any of the  
 817 following, if completely enclosed by a fence or other physical  
 818 barrier that is obviously designed to exclude intruders, or if  
 819 clearly marked with a sign or signs which indicate that entry is  
 820 forbidden and which are posted on the property in a manner  
 821 reasonably likely to come to the attention of intruders:

822 1. A power generation or transmission facility,  
 823 substation, switching station, or electrical control center.

824 2. A chemical or rubber manufacturing or storage facility.

825 3. A water intake structure, water treatment facility,

- 826 | wastewater treatment plant, or pump station.
- 827 |       4. A mining facility.
- 828 |       5. A natural gas or compressed gas compressor station,
- 829 | storage facility, or natural gas or compressed gas pipeline.
- 830 |       6. A liquid natural gas or propane gas terminal or storage
- 831 | facility.
- 832 |       7. Any portion of an aboveground oil or gas pipeline.
- 833 |       8. A refinery.
- 834 |       9. A gas processing plant, including a plant used in the
- 835 | processing, treatment, or fractionation of natural gas.
- 836 |       10. A wireless communications facility, including the
- 837 | tower, antennae, support structures, and all associated ground-
- 838 | based equipment.
- 839 |       11. A seaport as listed in s. 311.09(1), which need not be
- 840 | completely enclosed by a fence or other physical barrier and
- 841 | need not be marked with a sign or signs indicating that entry is
- 842 | forbidden.
- 843 |       12. An inland port or other facility or group of
- 844 | facilities serving as a point of intermodal transfer of freight
- 845 | in a specific area physically separated from a seaport.
- 846 |       13. An airport as defined in s. 330.27.
- 847 |       14. A spaceport territory as defined in s. 331.303(19)
- 848 | ~~331.303(18)~~.
- 849 |       15. A military installation as defined in 10 U.S.C. s.
- 850 | 2801(c)(4) and an armory as defined in s. 250.01.



851 16. A dam as defined in s. 373.403(1) or other structures,  
 852 such as locks, floodgates, or dikes, which are designed to  
 853 maintain or control the level of navigable waterways.

854 17. A state correctional institution as defined in s.  
 855 944.02 or a private correctional facility authorized under  
 856 chapter 957.

857 18. A secure detention center or facility as defined in s.  
 858 985.03, or a nonsecure residential facility, a high-risk  
 859 residential facility, or a maximum-risk residential facility as  
 860 those terms are described in s. 985.03(44).

861 19. A county detention facility as defined in s. 951.23.

862 20. A critical infrastructure facility as defined in s.  
 863 692.201.

864 Reviser's note.—Amended to conform to the reordering of  
 865 definitions in s. 331.303 by s. 69, ch. 2023-8, Laws of  
 866 Florida.

867 Section 25. Subsection (3) of section 348.0304, Florida  
 868 Statutes, is reenacted to read:

869 348.0304 Greater Miami Expressway Agency.—

870 (3)(a) The governing body of the agency shall consist of  
 871 nine voting members. Except for the district secretary of the  
 872 department, each member must be a permanent resident of a county  
 873 served by the agency and may not hold, or have held in the  
 874 previous 2 years, elected or appointed office in such county,  
 875 except that this paragraph does not apply to any initial

876 | appointment under paragraph (b) or to any member who previously  
 877 | served on the governing body of the former Greater Miami  
 878 | Expressway Agency. Each member may only serve two terms of 4  
 879 | years each, except that there is no restriction on the term of  
 880 | the department's district secretary. Four members, each of whom  
 881 | must be a permanent resident of Miami-Dade County, shall be  
 882 | appointed by the Governor, subject to confirmation by the Senate  
 883 | at the next regular session of the Legislature. Refusal or  
 884 | failure of the Senate to confirm an appointment shall create a  
 885 | vacancy. Appointments made by the Governor and board of county  
 886 | commissioners of Miami-Dade County shall reflect the state's  
 887 | interests in the transportation sector and represent the intent,  
 888 | duties, and purpose of the Greater Miami Expressway Agency, and  
 889 | have at least 3 years of professional experience in one or more  
 890 | of the following areas: finance; land use planning; tolling  
 891 | industry; or transportation engineering. Two members, who must  
 892 | be residents of an unincorporated portion of the geographic area  
 893 | described in subsection (1) and residing within 15 miles of an  
 894 | area with the highest amount of agency toll roads, shall be  
 895 | appointed by the board of county commissioners of Miami-Dade  
 896 | County. Two members, who must be residents of incorporated  
 897 | municipalities within a county served by the agency, shall be  
 898 | appointed by the metropolitan planning organization for a county  
 899 | served by the agency. The district secretary of the department  
 900 | serving in the district that contains Miami-Dade County shall

901 | serve as an ex officio voting member of the governing body.

902 |       (b) Initial appointments to the governing body of the  
903 | agency shall be made by July 31, 2019. For the initial  
904 | appointments:

905 |           1. The Governor shall appoint one member for a term of 1  
906 | year, one member for a term of 2 years, one member for a term of  
907 | 3 years, and one member for a term of 4 years.

908 |           2. The board of county commissioners of Miami-Dade County  
909 | shall appoint one member for a term of 1 year and one member for  
910 | a term of 3 years.

911 |           3. The metropolitan planning organization of Miami-Dade  
912 | County shall appoint one member for a term of 2 years and one  
913 | member for a term of 4 years.

914 |       (c) Persons who, on or after July 1, 2009, were members of  
915 | the governing body or employees of the former Miami-Dade County  
916 | Expressway Authority may not be appointed members of the  
917 | governing body of the agency. This paragraph does not apply to  
918 | appointments to the governing body of the agency made by the  
919 | Governor or to the district secretary of the department serving  
920 | in an ex officio role pursuant to paragraph (a).

921 | Reviser's note.—Section 23, ch. 2023-70, Laws of Florida,  
922 | purported to amend subsection (2), redesignated as  
923 | subsection (3), without publishing paragraph (c). Absent  
924 | affirmative evidence of legislative intent to repeal it,  
925 | subsection (3) is reenacted here to confirm that the

926 omission was not intended.

927 Section 26. Paragraphs (aa) and (cc) of subsection (3) of  
 928 section 365.172, Florida Statutes, are amended to read:

929 365.172 Emergency communications.—

930 (3) DEFINITIONS.—Only as used in this section and ss.  
 931 365.171, 365.173, 365.174, and 365.177, the term:

932 (aa) "Public safety answering point," "PSAP," or  
 933 "answering point" means the public safety agency that receives  
 934 incoming 911 requests for assistance and dispatches appropriate  
 935 public safety agencies to respond to the requests in accordance  
 936 with the statewide emergency communications ~~state E911~~ plan.

937 (cc) "Service identifier" means the service number, access  
 938 line, or other unique identifier assigned to a subscriber and  
 939 established by the Federal Communications Commission for  
 940 purposes of routing calls whereby the subscriber has access to  
 941 the emergency communications ~~E911~~ system.

942 Reviser's note.—Paragraph (3)(aa) is amended to conform to the  
 943 redesignation of the statewide emergency communications  
 944 number E911 system plan as the statewide emergency  
 945 communications plan by s. 5, ch. 2023-55, Laws of Florida.

946 Paragraph (3)(cc) is amended to conform to the  
 947 redesignation of the E911 system to the emergency  
 948 communications system by s. 5, ch. 2023-55.

949 Section 27. Subsection (4) of section 373.228, Florida  
 950 Statutes, is amended to read:

951           373.228 Landscape irrigation design.—  
 952           (4) The water management districts shall work with the  
 953 Florida Nursery, Growers and Landscape Association, the Florida  
 954 Native Plant Society, the Florida Chapter of the American  
 955 Society of Landscape Architects, the Florida Irrigation Society,  
 956 the Department of Agriculture and Consumer Services, the  
 957 Institute of Food and Agricultural Sciences, the Department of  
 958 Environmental Protection, the Department of Transportation, the  
 959 Florida League of Cities, the Florida Association of Counties,  
 960 and the Florida Association of Community Developers to develop  
 961 landscape irrigation and Florida-friendly landscaping design  
 962 standards for new construction which incorporate a landscape  
 963 irrigation system and develop scientifically based model  
 964 guidelines for urban, commercial, and residential landscape  
 965 irrigation, including drip irrigation, for plants, trees, sod,  
 966 and other landscaping. The standards shall be based on the  
 967 irrigation code defined in the Florida Building Code, Plumbing  
 968 Volume, Appendix F. Local governments shall use the standards  
 969 and guidelines when developing landscape irrigation and Florida-  
 970 friendly landscaping ordinances. ~~By January 1, 2011, the~~  
 971 ~~agencies and entities specified in this subsection shall review~~  
 972 ~~the standards and guidelines to determine whether new research~~  
 973 ~~findings require a change or modification of the standards and~~  
 974 ~~guidelines.~~  
 975 Reviser's note.—Amended to delete obsolete language.

976 Section 28. Subsection (2) of section 373.583, Florida  
 977 Statutes, is amended to read:

978 373.583 Registration of bonds.—

979 (2) Such statement stamped, printed or written upon any  
 980 such bond may be in substantially the following form:

981  
 982 ... (Date, giving month, year and day.) ...

983 This bond is to be registered pursuant to the statutes in  
 984 such case made and provided in the name of ... (~~here~~ insert name  
 985 of owner) ..., and the interest and principal thereof are  
 986 hereafter payable to such owner.

987 ... (Treasurer) ...

988 Reviser's note.—Amended to conform to general style in forms.

989 Section 29. Section 376.323, Florida Statutes, is amended  
 990 to read:

991 376.323 Registration.—All tanks shall be registered ~~no~~  
 992 ~~later than July 1, 1992~~. Registrations shall be renewed  
 993 annually. Registration fees shall not exceed \$2,500 per  
 994 facility. The department shall issue to the tank owner or  
 995 operator one registration placard per facility, covering all  
 996 tanks at that facility which have been properly registered, as  
 997 evidence of the completion of the registration requirement. The  
 998 department shall develop by rule a fee schedule sufficient to  
 999 cover the costs associated with registration, inspection,  
 1000 surveillance, and other activities associated with ss. 376.320—

1001 376.326. Revenues from such fees collected shall be deposited  
 1002 into the Water Quality Assurance Trust Fund, and shall be used  
 1003 to implement the provisions of ss. 376.320-376.326.

1004 Reviser's note.—Amended to delete obsolete language.

1005 Section 30. Paragraph (b) of subsection (2) of section  
 1006 380.0553, Florida Statutes, is amended to read:

1007 380.0553 Brevard Barrier Island Area; protection and  
 1008 designation as area of critical state concern.—

1009 (2) LEGISLATIVE FINDINGS.—The Legislature finds that the  
 1010 designation of the Brevard Barrier Island Area as an area of  
 1011 critical state concern is necessary for the following reasons:

1012 (b) The beaches of the region are among the most important  
 1013 nesting grounds for threatened and endangered sea turtles in the  
 1014 Western Hemisphere, ~~and~~ the beach running the length of the  
 1015 southern barrier island of Brevard County is home to the largest  
 1016 nesting aggregation of loggerhead sea turtles in the world, and  
 1017 the management decisions made in the region have global impacts  
 1018 for the species.

1019 Reviser's note.—Amended to confirm an editorial deletion to  
 1020 improve clarity.

1021 Section 31. Subsection (5) of section 380.0933, Florida  
 1022 Statutes, is amended to read:

1023 380.0933 Florida Flood Hub for Applied Research and  
 1024 Innovation.—

1025 (5) By July 1 of each year, ~~2022, and each July 1~~

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1026 ~~thereafter~~, the hub shall provide an annual comprehensive report  
 1027 to the Governor, the President of the Senate, and the Speaker of  
 1028 the House of Representatives that outlines its clearly defined  
 1029 goals and its efforts and progress on reaching such goals.

1030 Reviser's note.—Amended to delete obsolete language.

1031 Section 32. Paragraph (a) of subsection (3) of section  
 1032 381.986, Florida Statutes, is amended to read:

1033 381.986 Medical use of marijuana.—

1034 (3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.—

1035 (a) Before being approved as a qualified physician and  
 1036 before each license renewal, a physician must successfully  
 1037 complete a 2-hour course and subsequent examination offered by  
 1038 the Florida Medical Association or the Florida Osteopathic  
 1039 Medical Association which encompass the requirements of this  
 1040 section and any rules adopted hereunder. The course and  
 1041 examination must be administered at least annually and may be  
 1042 offered in a distance learning format, including an electronic,  
 1043 online format that is available upon request. The price of the  
 1044 course may not exceed \$500. ~~A physician who has met the~~  
 1045 ~~physician education requirements of former s. 381.986(4),~~  
 1046 ~~Florida Statutes 2016, before June 23, 2017, shall be deemed to~~  
 1047 ~~be in compliance with this paragraph from June 23, 2017, until~~  
 1048 ~~90 days after the course and examination required by this~~  
 1049 ~~paragraph become available.~~

1050 Reviser's note.—Amended to delete obsolete language.



1051 Section 33. Subsection (3) of section 394.9086, Florida  
 1052 Statutes, is reenacted to read:  
 1053 394.9086 Commission on Mental Health and Substance Use  
 1054 Disorder.—  
 1055 (3) MEMBERSHIP; TERM LIMITS; MEETINGS.—  
 1056 (a) The commission shall be composed of 20 members as  
 1057 follows:  
 1058 1. A member of the Senate, appointed by the President of  
 1059 the Senate.  
 1060 2. A member of the House of Representatives, appointed by  
 1061 the Speaker of the House of Representatives.  
 1062 3. The Secretary of Children and Families or his or her  
 1063 designee.  
 1064 4. The Secretary of the Agency for Health Care  
 1065 Administration or his or her designee.  
 1066 5. A person living with a mental health disorder,  
 1067 appointed by the President of the Senate.  
 1068 6. A family member of a consumer of publicly funded mental  
 1069 health services, appointed by the President of the Senate.  
 1070 7. A representative of the Louis de la Parte Florida  
 1071 Mental Health Institute within the University of South Florida,  
 1072 appointed by the President of the Senate.  
 1073 8. A representative of a county school district, appointed  
 1074 by the President of the Senate.  
 1075 9. A representative of mental health courts, appointed by

- 1076 the Governor.
- 1077 10. A representative of a treatment facility, as defined
- 1078 in s. 394.455, appointed by the Speaker of the House of
- 1079 Representatives.
- 1080 11. A representative of a managing entity, as defined in
- 1081 s. 394.9082(2), appointed by the Speaker of the House of
- 1082 Representatives.
- 1083 12. A representative of a community substance use disorder
- 1084 provider, appointed by the Speaker of the House of
- 1085 Representatives.
- 1086 13. A psychiatrist licensed under chapter 458 or chapter
- 1087 459 practicing within the mental health delivery system,
- 1088 appointed by the Speaker of the House of Representatives.
- 1089 14. A psychologist licensed under chapter 490 practicing
- 1090 within the mental health delivery system, appointed by the
- 1091 Governor.
- 1092 15. A mental health professional licensed under chapter
- 1093 491, appointed by the Governor.
- 1094 16. An emergency room physician, appointed by the
- 1095 Governor.
- 1096 17. A representative from the field of law enforcement,
- 1097 appointed by the Governor.
- 1098 18. A representative from the criminal justice system,
- 1099 appointed by the Governor.
- 1100 19. A representative of a child welfare agency involved in

1101 the delivery of behavioral health services, appointed by the  
 1102 Governor.

1103 20. A representative of the statewide Florida 211 Network  
 1104 as described in s. 408.918, appointed by the Governor.

1105 (b) The Governor shall appoint the chair from the members  
 1106 of the commission. Appointments to the commission must be made  
 1107 by August 1, 2021. Members shall be appointed to serve at the  
 1108 pleasure of the officer who appointed the member. A vacancy on  
 1109 the commission shall be filled in the same manner as the  
 1110 original appointment.

1111 (c) The commission shall convene no later than September  
 1112 1, 2021. The commission shall meet quarterly or upon the call of  
 1113 the chair. The commission may hold its meetings in person at  
 1114 locations throughout the state or via teleconference or other  
 1115 electronic means.

1116 (d) Members of the commission are entitled to receive  
 1117 reimbursement for per diem and travel expenses pursuant to s.  
 1118 112.061.

1119 (e) Notwithstanding any other law, the commission may  
 1120 request and shall be provided with access to any information or  
 1121 records, including exempt and confidential information or  
 1122 records, which are necessary for the commission to carry out its  
 1123 duties. Information or records obtained by the commission which  
 1124 are otherwise exempt or confidential and exempt shall retain  
 1125 such exempt or confidential and exempt status, and the

1126 | commission may not disclose such information or records.  
 1127 | Reviser's note.—Section 3, ch. 2023-252, Laws of Florida,  
 1128 |       purported to amend subsection (3) but did not publish  
 1129 |       paragraphs (b)-(e). Absent affirmative evidence of  
 1130 |       legislative intent to repeal them, subsection (3) is  
 1131 |       reenacted to confirm that the omission was not intended.  
 1132 |       Section 34. Paragraph (i) of subsection (4) of section  
 1133 | 397.335, Florida Statutes, is amended to read:  
 1134 |       397.335 Statewide Council on Opioid Abatement.—  
 1135 |       (4) DUTIES.—  
 1136 |       (i) By each December 1, ~~2023, and annually thereafter,~~ the  
 1137 | council shall provide and publish an annual report. The report  
 1138 | shall contain information on how settlement moneys were spent  
 1139 | the previous fiscal year by the state, each of the managing  
 1140 | entities, and each of the counties and municipalities. The  
 1141 | report shall also contain recommendations to the Governor, the  
 1142 | Legislature, and local governments for how moneys should be  
 1143 | prioritized and spent in the coming fiscal year to respond to  
 1144 | the opioid epidemic.  
 1145 | Reviser's note.—Amended to delete obsolete language and improve  
 1146 |       clarity.  
 1147 |       Section 35. Paragraph (b) of subsection (1) of section  
 1148 | 403.865, Florida Statutes, is amended to read:  
 1149 |       403.865 Water and wastewater facility personnel;  
 1150 | legislative purpose.—

1151 (1) The Legislature finds that:  
 1152 (b) Water and wastewater facility personnel are essential  
 1153 first responders. As used in this section, the term "water and  
 1154 wastewater facility personnel" means any employee of a  
 1155 governmental authority as defined in s. 367.021; a utility as  
 1156 defined in s. 367.021; a state, municipal, or county sewerage  
 1157 system as defined in s. 403.031(14) ~~403.031(9)~~; or a public  
 1158 water system as defined in s. 403.852(2).

1159 Reviser's note.—Amended to conform to the redesignation of s.  
 1160 403.031(9) as s. 403.031(14) by s. 13, ch. 2023-169, Laws  
 1161 of Florida.

1162 Section 36. Paragraph (a) of subsection (3) of section  
 1163 409.1678, Florida Statutes, is amended to read:

1164 409.1678 Specialized residential options for children who  
 1165 are victims of commercial sexual exploitation.—

1166 (3) SERVICES WITHIN A RESIDENTIAL TREATMENT CENTER OR  
 1167 HOSPITAL.—Residential treatment centers licensed under s.  
 1168 394.875, and hospitals licensed under chapter 395 that provide  
 1169 residential mental health treatment, shall provide specialized  
 1170 treatment for commercially sexually exploited children in the  
 1171 custody of the department who are placed in these facilities  
 1172 pursuant to s. 39.407(6), s. 394.4625, or s. 394.467.

1173 (a) The specialized treatment must meet the requirements  
 1174 of subparagraphs (2)(c)1., 3., 6., and 8. ~~(2)(c)1., 3., 6., and~~  
 1175 ~~7.~~, paragraph (2)(d), and the department's treatment standards

1176 adopted pursuant to this section. However, a residential  
 1177 treatment center or hospital may prioritize the delivery of  
 1178 certain services among those required under paragraph (2)(d) to  
 1179 meet the specific treatment needs of the child.  
 1180 Reviser's note.—Amended to conform to the redesignation of  
 1181 subparagraph (2)(c)7. as subparagraph (2)(c)8. by s. 3, ch.  
 1182 2023-85, Laws of Florida.  
 1183 Section 37. Subsections (25) and (26) of section 409.996,  
 1184 Florida Statutes, are amended to read:  
 1185 409.996 Duties of the Department of Children and  
 1186 Families.—The department shall contract for the delivery,  
 1187 administration, or management of care for children in the child  
 1188 protection and child welfare system. In doing so, the department  
 1189 retains responsibility for the quality of contracted services  
 1190 and programs and shall ensure that, at a minimum, services are  
 1191 delivered in accordance with applicable federal and state  
 1192 statutes and regulations and the performance standards and  
 1193 metrics specified in the strategic plan created under s.  
 1194 20.19(1).  
 1195 (25) The department shall develop, in collaboration with  
 1196 the Florida Institute for Child Welfare, lead agencies, service  
 1197 providers, current and former foster children placed in  
 1198 residential group care, and other community stakeholders, a  
 1199 statewide accountability system for residential group care  
 1200 providers based on measurable quality standards.

1201 (a) The accountability system must:

1202 1. Promote high quality in services and accommodations,

1203 differentiating between shift and family-style models and

1204 programs and services for children with specialized or

1205 extraordinary needs, such as pregnant teens and children with

1206 Department of Juvenile Justice involvement.

1207 2. Include a quality measurement system with domains and

1208 clearly defined levels of quality. The system must measure the

1209 level of quality for each domain, using criteria that

1210 residential group care providers must meet in order to achieve

1211 each level of quality. Domains may include, but are not limited

1212 to, admissions, service planning, treatment planning, living

1213 environment, and program and service requirements. The system

1214 may also consider outcomes 6 months and 12 months after a child

1215 leaves the provider's care. However, the system may not assign a

1216 single summary rating to residential group care providers.

1217 3. Consider the level of availability of trauma-informed

1218 care and mental health and physical health services, providers'

1219 engagement with the schools children in their care attend, and

1220 opportunities for children's involvement in extracurricular

1221 activities.

1222 (b) After development and implementation of the

1223 accountability system in accordance with paragraph (a), the

1224 department and each lead agency shall use the information from

1225 the accountability system to promote enhanced quality in

1226 residential group care within their respective areas of  
 1227 responsibility. Such promotion may include, but is not limited  
 1228 to, the use of incentives and ongoing contract monitoring  
 1229 efforts.

1230 (c) The department shall submit a report to the Governor,  
 1231 the President of the Senate, and the Speaker of the House of  
 1232 Representatives by October 1 of each year. The report must, at a  
 1233 minimum, include an update on the development of a statewide  
 1234 accountability system for residential group care providers and a  
 1235 plan for department oversight and implementation of the  
 1236 statewide accountability system. After implementation of the  
 1237 statewide accountability system, the report must also include a  
 1238 description of the system, including measures and any tools  
 1239 developed, a description of how the information is being used by  
 1240 the department and lead agencies, an assessment of placement of  
 1241 children in residential group care using data from the  
 1242 accountability system measures, and recommendations to further  
 1243 improve quality in residential group care.

1244 ~~(d) The accountability system must be implemented by July~~  
 1245 ~~1, 2022.~~

1246 (d)~~(e)~~ Nothing in this subsection impairs the department's  
 1247 licensure authority under s. 409.175.

1248 (e)~~(f)~~ The department may adopt rules to administer this  
 1249 subsection.

1250 (26) In collaboration with lead agencies, service



1251 providers, and other community stakeholders, the department  
 1252 shall develop a statewide accountability system based on  
 1253 measurable quality standards. ~~The accountability system must be~~  
 1254 ~~implemented by July 1, 2021.~~

1255 (a) The accountability system must:

1256 1. Assess the overall health of the child welfare system,  
 1257 by circuit, using grading criteria established by the  
 1258 department.

1259 2. Include a quality measurement system with domains and  
 1260 clearly defined levels of quality. The system must measure the  
 1261 performance standards for child protective investigators, lead  
 1262 agencies, and children's legal services throughout the system of  
 1263 care, using criteria established by the department, and, at a  
 1264 minimum, address applicable federal- and state-mandated metrics.

1265 3. Align with the principles of the results-oriented  
 1266 accountability program established under s. 409.997.

1267 (b) After the development and implementation of the  
 1268 accountability system under this subsection, the department and  
 1269 each lead agency shall use the information from the  
 1270 accountability system to promote enhanced quality service  
 1271 delivery within their respective areas of responsibility.

1272 (c) By December 1 of each year, the department shall  
 1273 submit a report on the overall health of the child welfare  
 1274 system to the Governor, the President of the Senate, and the  
 1275 Speaker of the House of Representatives.

1276 (d) The department may adopt rules to implement this  
 1277 subsection.

1278 Reviser's note.—Amended to delete obsolete language.

1279 Section 38. Subsection (9) of section 413.801, Florida  
 1280 Statutes, is amended to read:

1281 413.801 Florida Unique Abilities Partner Program.—

1282 (9) REPORT.—

1283 ~~(a) By January 1, 2017, the department shall provide a~~  
 1284 ~~report to the President of the Senate and the Speaker of the~~  
 1285 ~~House of Representatives on the status of the implementation of~~  
 1286 ~~this section, including the adoption of rules, development of~~  
 1287 ~~the logo, and development of application procedures.~~

1288 ~~(b) Beginning in 2017 and each year thereafter, The~~  
 1289 department's annual report required under s. 20.60 must describe  
 1290 in detail the progress and use of the program. At a minimum, the  
 1291 report must include, for the most recent year: the number of  
 1292 applications and nominations received; the number of nominations  
 1293 accepted and declined; the number of designations awarded;  
 1294 annual certifications; the use of information provided under  
 1295 subsection (8); and any other information deemed necessary to  
 1296 evaluate the program.

1297 Reviser's note.—Amended to delete obsolete language.

1298 Section 39. Paragraph (a) of subsection (10) of section  
 1299 415.1103, Florida Statutes, is amended to read:

1300 415.1103 Elder and vulnerable adult abuse fatality review

1301 teams.—

1302 (10) (a)1. Any information that is exempt or confidential  
 1303 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 1304 Constitution and is obtained by an elder ~~abuse~~ or vulnerable  
 1305 adult abuse fatality review team while executing its duties  
 1306 under this section retains its exempt or confidential and exempt  
 1307 status when held by the review team.

1308 2. Any information contained in a record created by a  
 1309 review team pursuant to this section which reveals the identity  
 1310 of a victim of abuse, exploitation, or neglect or the identity  
 1311 of persons responsible for the welfare of a victim is  
 1312 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 1313 of the State Constitution.

1314 3. Any information that is maintained as exempt or  
 1315 confidential and exempt within this chapter retains its exempt  
 1316 or confidential and exempt status when held by a review team.  
 1317 Reviser's note.—Amended to confirm an editorial deletion to  
 1318 conform to the majority of references to the elder or  
 1319 vulnerable adult abuse fatality review teams in this  
 1320 section.

1321 Section 40. Subsection (3) of section 420.5096, Florida  
 1322 Statutes, is amended to read:

1323 420.5096 Florida Hometown Hero Program.—

1324 (3) For loans made available pursuant to s.  
 1325 420.507(23)(a)1. or 2., the corporation may underwrite and make

1326 those mortgage loans through the program to persons or families  
 1327 who have household incomes that do not exceed 150 percent of the  
 1328 state median income or local median income, whichever is  
 1329 greater. A borrower must be seeking to purchase a home as a  
 1330 primary residence; must be a first-time homebuyer and a Florida  
 1331 resident; and must be employed full-time by a Florida-based  
 1332 employer. The borrower must provide documentation of full-time  
 1333 employment, or full-time status for self-employed individuals,  
 1334 of 35 hours or more per week. The requirement to be a first-time  
 1335 homebuyer does not apply to a borrower who is an active duty  
 1336 servicemember of a branch of the armed forces or the Florida  
 1337 National Guard, as defined in s. 250.01, or a veteran.

1338 Reviser's note.—Amended to confirm editorial insertions to  
 1339 improve clarity.

1340 Section 41. Paragraph (b) of subsection (7) of section  
 1341 445.003, Florida Statutes, is amended to read:

1342 445.003 Implementation of the federal Workforce Innovation  
 1343 and Opportunity Act.—

1344 (7) DUTIES OF THE DEPARTMENT.—The department shall adopt  
 1345 rules to implement the requirements of this chapter, including:

1346 (b) Initial and subsequent eligibility criteria, based on  
 1347 input from the state board, local workforce development boards,  
 1348 the Department of Education, and other stakeholders, for the  
 1349 Workforce Innovation and Opportunity Act eligible training  
 1350 provider list. This list directs training resources to programs

1351 leading to employment in high-demand and high-priority  
 1352 occupations that provide economic security, particularly those  
 1353 occupations facing a shortage of skilled workers. A training  
 1354 provider who offers training to obtain a credential on the  
 1355 Master Credentials List under s. 445.004(4)(h) may not be  
 1356 included on a state or local eligible training provider list if  
 1357 the provider fails to submit the required information or fails  
 1358 to meet initial or subsequent eligibility criteria. Subsequent  
 1359 eligibility criteria must use the performance and outcome  
 1360 measures defined and reported under s. 1008.40, to determine  
 1361 whether each program offered by a training provider is qualified  
 1362 to remain on the list. The Department of Economic Opportunity  
 1363 and the Department of Education shall establish the minimum  
 1364 criteria a training provider must achieve for completion,  
 1365 earnings, and employment rates of eligible participants. A  
 1366 provider must meet at least two of the minimum criteria for  
 1367 subsequent eligibility. The minimum program criteria may not  
 1368 exceed the threshold below ~~at~~ which more than 20 percent of all  
 1369 eligible training providers in the state would fall ~~below~~.  
 1370 Reviser's note.—Amended to improve clarity.

1371 Section 42. Subsection (3) of section 456.42, Florida  
 1372 Statutes, is amended to read:

1373 456.42 Written prescriptions for medicinal drugs.—

1374 (3) A health care practitioner licensed by law to  
 1375 prescribe a medicinal drug who maintains a system of electronic

1376 health records as defined in s. 408.051(2)(c) ~~408.051(2)(a)~~, or  
 1377 who prescribes medicinal drugs as an owner, an employee, or a  
 1378 contractor of a licensed health care facility or practice that  
 1379 maintains such a system and who is prescribing in his or her  
 1380 capacity as such an owner, an employee, or a contractor, may  
 1381 only electronically transmit prescriptions for such drugs. This  
 1382 requirement applies to such a health care practitioner upon  
 1383 renewal of the health care practitioner's license or by July 1,  
 1384 2021, whichever is earlier, but does not apply if:

1385 (a) The practitioner and the dispenser are the same  
 1386 entity;

1387 (b) The prescription cannot be transmitted electronically  
 1388 under the most recently implemented version of the National  
 1389 Council for Prescription Drug Programs SCRIPT Standard;

1390 (c) The practitioner has been issued a waiver by the  
 1391 department, not to exceed 1 year in duration, from the  
 1392 requirement to use electronic prescribing due to demonstrated  
 1393 economic hardship, technological limitations that are not  
 1394 reasonably within the control of the practitioner, or another  
 1395 exceptional circumstance demonstrated by the practitioner;

1396 (d) The practitioner reasonably determines that it would  
 1397 be impractical for the patient in question to obtain a medicinal  
 1398 drug prescribed by electronic prescription in a timely manner  
 1399 and such delay would adversely impact the patient's medical  
 1400 condition;

1401 (e) The practitioner is prescribing a drug under a  
 1402 research protocol;

1403 (f) The prescription is for a drug for which the federal  
 1404 Food and Drug Administration requires the prescription to  
 1405 contain elements that may not be included in electronic  
 1406 prescribing;

1407 (g) The prescription is issued to an individual receiving  
 1408 hospice care or who is a resident of a nursing home facility; or

1409 (h) The practitioner determines that it is in the best  
 1410 interest of the patient, or the patient determines that it is in  
 1411 his or her own best interest, to compare prescription drug  
 1412 prices among area pharmacies. The practitioner must document  
 1413 such determination in the patient's medical record.  
 1414

1415 The department, in consultation with the Board of Medicine, the  
 1416 Board of Osteopathic Medicine, the Board of Podiatric Medicine,  
 1417 the Board of Dentistry, the Board of Nursing, and the Board of  
 1418 Optometry, may adopt rules to implement this subsection.  
 1419 Reviser's note.—Amended to correct a cross-reference to conform  
 1420 to the redesignation of s. 408.051(2) (a) as s.  
 1421 408.051(2) (c) by s. 9, ch. 2023-33, Laws of Florida.  
 1422 Section 43. Subsection (6) of section 480.041, Florida  
 1423 Statutes, is amended to read:  
 1424 480.041 Massage therapists; qualifications; licensure;  
 1425 endorsement.—

1426 ~~(6) Massage therapists who were issued a license before~~  
 1427 ~~July 1, 2014, must submit to the background screening~~  
 1428 ~~requirements of s. 456.0135 by January 31, 2015.~~

1429 Reviser's note.—Amended to delete an obsolete provision.

1430 Section 44. Paragraph (i) of subsection (1) of section  
 1431 497.260, Florida Statutes, is amended to read:

1432 497.260 Cemeteries; exemption; investigation and  
 1433 mediation.—

1434 (1) The provisions of this chapter relating to cemeteries  
 1435 and all rules adopted pursuant thereto shall apply to all  
 1436 cemeteries except for:

1437 (i) A columbarium consisting of 5 acres or less which is  
 1438 located on the main campus of a state university as defined in  
 1439 s. 1000.21(9) ~~1000.21(8)~~. The university or university direct-  
 1440 support organization, as defined in s. 1004.28(1), which  
 1441 establishes the columbarium shall ensure that the columbarium is  
 1442 constructed and perpetually kept and maintained in a manner  
 1443 consistent with subsection (2) and the intent of this chapter.

1444 Reviser's note.—Amended to conform to the reordering of  
 1445 definitions in s. 1000.21 by this act.

1446 Section 45. Section 501.2042, Florida Statutes, is amended  
 1447 to read:

1448 501.2042 Unlawful acts and practices by online crowd-  
 1449 funding campaigns.—

1450 (1) As used in this section, the term:



1451 (a) "Crowd-funding campaign" means an online fundraising  
 1452 initiative that is intended to receive monetary donations from  
 1453 donors and is created by an organizer in the interest of a  
 1454 beneficiary.

1455 (b) "Crowd-funding platform" means an entity doing  
 1456 business in this state which provides an online medium for the  
 1457 creation and facilitation of a crowd-funding campaign.

1458 (c) "Disaster" has the same meaning as in s. 252.34(2).

1459 (d) "Organizer" means a person who:

- 1460 1. Resides or is domiciled in this state; and
- 1461 2. Has an account on a crowd-funding platform and has  
 1462 created a crowd-funding campaign either as a beneficiary or on  
 1463 behalf of a beneficiary, regardless of whether the beneficiary  
 1464 or the crowd-funding campaign has received donations.

1465 ~~(2)a-~~ For crowd-funding campaigns related to and arising  
 1466 out of a declared disaster, a crowd-funding platform must:

1467 ~~(a)-(I)~~ Collect and retain, for 1 year after the date of  
 1468 the declared disaster, the name, e-mail address, phone number,  
 1469 and state of residence of the organizer.

1470 ~~(b)-(II)~~ Require the organizer to indicate, on the crowd-  
 1471 funding campaign, the state in which they are located.

1472 ~~(c)-(III)~~ Cooperate with any investigation by or in  
 1473 partnership with law enforcement.

1474 ~~(d)-(IV)~~ Clearly display and direct donors to fundraisers  
 1475 that comply with the crowd-funding platform's terms of service.

1476            ~~(3)b.~~ When an organizer arranges a crowd-funding campaign  
 1477 related to and arising out of a declared disaster, the organizer  
 1478 must attest that:

1479            ~~(a)(I)~~ All information provided in connection with a  
 1480 crowd-funding campaign is accurate, complete, and not likely to  
 1481 deceive users.

1482            ~~(b)(II)~~ All donations contributed to the crowd-funding  
 1483 campaign will be used solely as described in the materials the  
 1484 organizer posts or provides on the crowd-funding platform.

1485 Reviser's note.—Amended to redesignate subunits to improve the  
 1486 structure of the section. Section 501.2042, as added by s.  
 1487 3, ch. 2023-130, Laws of Florida, contained a subsection  
 1488 (1) but no subsection (2). Paragraph (1)(c) is amended to  
 1489 confirm an editorial insertion to improve clarity.

1490 Section 46. Paragraphs (g) and (i) of subsection (3) and  
 1491 paragraphs (c) and (d) of subsection (12) of section 553.865,  
 1492 Florida Statutes, are amended to read:

1493            553.865 Private spaces.—

1494            (3) As used in this section, the term:

1495            (g) "K-12 educational institution or facility" means:

1496            1. A school as defined in s. 1003.01(17) ~~1003.01(2)~~  
 1497 operated under the control of a district school board as defined  
 1498 in s. 1003.01(7) ~~1003.01(1)~~;

1499            2. The Florida School for the Deaf and the Blind as  
 1500 described in ss. 1000.04(4) and 1002.36;

1501           3. A developmental research (laboratory) school  
 1502 established pursuant to s. 1002.32(2);  
 1503           4. A charter school authorized under s. 1002.33; or  
 1504           5. A private school as defined in s. 1002.01(3)  
 1505 ~~1002.01(2)~~.  
 1506           (i) "Postsecondary educational institution or facility"  
 1507 means:  
 1508           1. A state university as defined in s. 1000.21(9)  
 1509 ~~1000.21(6)~~;  
 1510           2. A Florida College System institution as defined in s.  
 1511 1000.21(5) ~~1000.21(3)~~;  
 1512           3. A school district career center as described in s.  
 1513 1001.44(3);  
 1514           4. A college or university licensed by the Commission for  
 1515 Independent Education pursuant to s. 1005.31(1)(a); or  
 1516           5. An institution not under the jurisdiction or purview of  
 1517 the commission as identified in s. 1005.06(1)(b)-(f).  
 1518           (12) A covered entity that is:  
 1519           (c) A K-12 educational institution or facility, Florida  
 1520 College System institution as defined in s. 1000.21(5)  
 1521 ~~1000.21(3)~~, or a school district career center as described in  
 1522 s. 1001.44(3) shall submit documentation to the State Board of  
 1523 Education regarding compliance with subsections (4) and (5), as  
 1524 applicable, within 1 year after being established or, if such  
 1525 institution, facility, or center was established before July 1,

1526 2023, no later than April 1, 2024.

1527 (d) A state university as defined in s. 1000.21(9)  
 1528 ~~1000.21(6)~~ shall submit documentation to the Board of Governors  
 1529 regarding compliance with subsections (4) and (5), as  
 1530 applicable, within 1 year after being established or, if such  
 1531 institution was established before July 1, 2023, no later than  
 1532 April 1, 2024.

1533 Reviser's note.—Subparagraph (3)(g)1. is amended to conform to  
 1534 the reordering of definitions in s. 1003.01 by s. 148, ch.  
 1535 2023-8, Laws of Florida. Subparagraph (3)(g)5. is amended  
 1536 to conform to the redesignation of s. 1002.01(2) as s.  
 1537 1002.01(3) by s. 4, ch. 2023-16, Laws of Florida.  
 1538 Subparagraph (3)(i)2. and paragraph (12)(c) are amended to  
 1539 conform to the reordering of definitions in s. 1000.21 by  
 1540 s. 148, ch. 2023-8. Subparagraph (3)(i)1. and paragraph  
 1541 (12)(d) are amended to conform to the reordering of  
 1542 definitions in s. 1000.21 by s. 136, ch. 2023-8, and the  
 1543 further reordering of definitions in s. 1000.21 by this  
 1544 act.

1545 Section 47. Paragraph (d) of subsection (10) of section  
 1546 560.103, Florida Statutes, is amended to read:

1547 560.103 Definitions.—As used in this chapter, the term:  
 1548 (10) "Control person" means, with respect to a money  
 1549 services business, any of the following:

1550 (d) A shareholder in whose name shares are registered in

1551 the records of a corporation for profit, whether incorporated  
 1552 under the laws of this state or organized under the laws of any  
 1553 other jurisdiction and existing in that legal form, who owns 25  
 1554 percent or more of a class of the company's equity securities.  
 1555 Reviser's note.—Amended to confirm an editorial insertion to  
 1556 improve clarity.

1557 Section 48. Subsection (1) of section 565.04, Florida  
 1558 Statutes, is amended to read:

1559 565.04 Package store restrictions.—

1560 (1) Vendors licensed under s. 565.02(1)(a) shall not in  
 1561 said place of business sell, offer, or expose for sale any  
 1562 merchandise other than such beverages, and such places of  
 1563 business shall be devoted exclusively to such sales; provided,  
 1564 however, that such vendors shall be permitted to sell bitters; ~~;~~  
 1565 grenadine; ~~;~~ nonalcoholic mixer-type beverages,  ~~(not to include~~  
 1566 fruit juices produced outside this state; ~~;~~ fruit juices  
 1567 produced in this state; ~~;~~ home bar and party supplies and  
 1568 equipment,  ~~(including but not limited to glassware and party-~~  
 1569 type foods; ~~;~~ miniatures of no alcoholic content; ~~;~~ nicotine  
 1570 products; ~~;~~ and tobacco products. Such places of business shall  
 1571 have no openings permitting direct access to any other building  
 1572 or room, except to a private office or storage room of the place  
 1573 of business from which patrons are excluded.

1574 Reviser's note.—Amended to improve clarity.

1575 Section 49. Subsection (2) of section 571.265, Florida

1576 Statutes, is amended to read:

1577       571.265 Promotion of Florida thoroughbred breeding and of  
1578 thoroughbred racing at Florida thoroughbred tracks; distribution  
1579 of funds.—

1580       (2) Funds deposited into the Florida Agricultural  
1581 Promotional Campaign Trust Fund pursuant to s. 212.20(6)(d)6.f.  
1582 ~~212.20(6)(d)6.h.~~ shall be used by the department to encourage  
1583 the agricultural activity of breeding thoroughbred racehorses in  
1584 this state and to enhance thoroughbred racing conducted at  
1585 thoroughbred tracks in this state as provided in this section.  
1586 If the funds made available under this section are not fully  
1587 used in any one fiscal year, any unused amounts shall be carried  
1588 forward in the trust fund into future fiscal years and made  
1589 available for distribution as provided in this section.

1590 Reviser's note.—Amended to conform to the redesignation of s.

1591       212.20(6)(d)6.h., added by s. 25, ch. 2023-157, Laws of  
1592 Florida, as s. 212.20(6)(d)6.f. to conform to the  
1593 redesignation of existing sub-subparagraphs by s. 17, ch.  
1594 2023-173, Laws of Florida.

1595       Section 50. Subsections (17), (18), and (19) of section  
1596 585.01, Florida Statutes, are amended to read:

1597       585.01 Definitions.—In construing this part, where the  
1598 context permits, the word, phrase, or term:

1599       ~~(17) "Technical council" means the Animal Industry~~  
1600 ~~Technical Council.~~

1601            (17)~~(18)~~ "Transmissible," "communicable," "contagious,"  
 1602 and "infectious" all refer to diseases which are readily  
 1603 transferred between or among animals in a group or to  
 1604 susceptible animals in proximity to diseased animals. Such  
 1605 transference may be directly from one animal to another, by  
 1606 contact with objects contaminated by disease-causing agents, or  
 1607 by insect (vector) transmission of disease-causing agents from  
 1608 diseased animals into susceptible animals or humans.

1609            (18)~~(19)~~ "Violative levels" means levels above the  
 1610 tolerances established by the United States Food and Drug  
 1611 Administration or the United States Environmental Protection  
 1612 Agency, as adopted by department rule.

1613 Reviser's note.—Subsection (17) is deleted to conform to the  
 1614 repeal of s. 585.008, which created the Animal Industry  
 1615 Technical Council, by s. 27, ch. 2023-154, Laws of Florida.  
 1616 Subsections (18) and (19) are amended to conform to the  
 1617 deletion of subsection (17).

1618 Section 51. Paragraph (i) of subsection (1) of section  
 1619 626.321, Florida Statutes, is amended to read:

1620            626.321 Limited licenses and registration.—

1621            (1) The department shall issue to a qualified applicant a  
 1622 license as agent authorized to transact a limited class of  
 1623 business in any of the following categories of limited lines  
 1624 insurance:

1625            (i) *Preneed funeral agreement insurance*.—Limited license

1626 for insurance covering only prearranged funeral, cremation, or  
 1627 cemetery agreements, or any combination thereof, funded by  
 1628 insurance and offered in connection with an establishment that  
 1629 holds a preneed license pursuant to s. 497.452. Such license may  
 1630 be issued without examination only to an individual who has  
 1631 filed with the department an application for a license in a form  
 1632 and manner prescribed by the department, who currently holds a  
 1633 valid preneed sales agent license pursuant to s. 497.466, who  
 1634 has paid the applicable fees for a license as prescribed in s.  
 1635 624.501, who has been appointed under s. 626.112, and who has  
 1636 paid the prescribed appointment fee under s. 624.501.

1637 Reviser's note.—Amended to confirm editorial insertions to  
 1638 improve clarity.

1639 Section 52. Subsection (4) of section 626.602, Florida  
 1640 Statutes, is amended to read:

1641 626.602 Insurance agency and adjusting firm names;  
 1642 disapproval.—The department may disapprove the use of any true  
 1643 or fictitious name, other than the bona fide natural name of an  
 1644 individual, by any insurance agency or adjusting firm on any of  
 1645 the following grounds:

1646 (4) The name contains the word "Medicare" or "Medicaid."  
 1647 ~~Licenses for agencies with names containing either of these~~  
 1648 ~~words automatically expire on July 1, 2023, unless these words~~  
 1649 ~~are removed from the name.~~

1650 Reviser's note.—Amended to delete obsolete language.



1651 Section 53. Subsection (3) of section 627.06292, Florida  
 1652 Statutes, is amended to read:

1653 627.06292 Reports of hurricane loss data and associated  
 1654 exposure data; public records exemption.—

1655 (3) Each year, on October 1, ~~2011, and on each October 1~~  
 1656 ~~thereafter,~~ the Florida International University center that  
 1657 develops, maintains, and updates the public model for hurricane  
 1658 loss projections shall publish a report summarizing loss data  
 1659 and associated exposure data collected from residential property  
 1660 insurers and licensed rating and advisory organizations. The  
 1661 Florida International University center shall submit the report  
 1662 annually, on or before October 1, to the Governor, the President  
 1663 of the Senate, and the Speaker of the House of Representatives.

1664 (a) Such report must include a summary of the data  
 1665 supplied by residential property insurers and licensed rating  
 1666 and advisory organizations from September 1 of the prior year to  
 1667 August 31 of the current year, and must include the following  
 1668 information:

- 1669 1. The total amount of insurance written by county.
- 1670 2. The number of property insurance policies by county.
- 1671 3. The number of property insurance policies by county and  
 1672 by construction type.
- 1673 4. The number of property insurance policies by county and  
 1674 by decade of construction.
- 1675 5. The number of property insurance policies by county and

1676 by deductible amount.

1677           6. The number of property insurance policies by county and  
 1678 by wind mitigation features when the information is supplied by  
 1679 the residential property insurer or licensed rating and advisory  
 1680 organization.

1681           7. The total amount of hurricane losses by county and by  
 1682 decade of construction.

1683           8. The total amount of hurricane losses by county and by  
 1684 deductible amount.

1685           9. The total amount of hurricane losses by county and by  
 1686 wind mitigation features when the information is supplied by the  
 1687 residential property insurer or licensed rating and advisory  
 1688 organization.

1689           (b) Separate compilations of the data obtained shall be  
 1690 presented in order to use the public model for calculating rate  
 1691 indications and to update, validate, or calibrate the public  
 1692 model. Additional detail and a description of the operation and  
 1693 maintenance of the public model may be included in the report.

1694           (c) The report may not contain any information that  
 1695 identifies a specific insurer or policyholder.

1696 Reviser's note.—Amended to delete obsolete language.

1697           Section 54. Paragraphs (b) and (ii) of subsection (6) of  
 1698 section 627.351, Florida Statutes, are amended to read:

1699           627.351 Insurance risk apportionment plans.—

1700           (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

1701 (b)1. All insurers authorized to write one or more subject  
 1702 lines of business in this state are subject to assessment by the  
 1703 corporation and, for the purposes of this subsection, are  
 1704 referred to collectively as "assessable insurers." Insurers  
 1705 writing one or more subject lines of business in this state  
 1706 pursuant to part VIII of chapter 626 are not assessable  
 1707 insurers; however, insureds who procure one or more subject  
 1708 lines of business in this state pursuant to part VIII of chapter  
 1709 626 are subject to assessment by the corporation and are  
 1710 referred to collectively as "assessable insureds." An insurer's  
 1711 assessment liability begins on the first day of the calendar  
 1712 year following the year in which the insurer was issued a  
 1713 certificate of authority to transact insurance for subject lines  
 1714 of business in this state and terminates 1 year after the end of  
 1715 the first calendar year during which the insurer no longer holds  
 1716 a certificate of authority to transact insurance for subject  
 1717 lines of business in this state.

1718 2.a. All revenues, assets, liabilities, losses, and  
 1719 expenses of the corporation shall be divided into three separate  
 1720 accounts as follows:

1721 (I) A personal lines account for personal residential  
 1722 policies issued by the corporation which provides comprehensive,  
 1723 multiperil coverage on risks that are not located in areas  
 1724 eligible for coverage by the Florida Windstorm Underwriting  
 1725 Association as those areas were defined on January 1, 2002, and

1726 | for policies that do not provide coverage for the peril of wind  
 1727 | on risks that are located in such areas;  
 1728 |       (II) A commercial lines account for commercial residential  
 1729 | and commercial nonresidential policies issued by the corporation  
 1730 | which provides coverage for basic property perils on risks that  
 1731 | are not located in areas eligible for coverage by the Florida  
 1732 | Windstorm Underwriting Association as those areas were defined  
 1733 | on January 1, 2002, and for policies that do not provide  
 1734 | coverage for the peril of wind on risks that are located in such  
 1735 | areas; and  
 1736 |       (III) A coastal account for personal residential policies  
 1737 | and commercial residential and commercial nonresidential  
 1738 | property policies issued by the corporation which provides  
 1739 | coverage for the peril of wind on risks that are located in  
 1740 | areas eligible for coverage by the Florida Windstorm  
 1741 | Underwriting Association as those areas were defined on January  
 1742 | 1, 2002. The corporation may offer policies that provide  
 1743 | multiperil coverage and shall offer policies that provide  
 1744 | coverage only for the peril of wind for risks located in areas  
 1745 | eligible for coverage in the coastal account. Effective July 1,  
 1746 | 2014, the corporation shall cease offering new commercial  
 1747 | residential policies providing multiperil coverage and shall  
 1748 | instead continue to offer commercial residential wind-only  
 1749 | policies, and may offer commercial residential policies  
 1750 | excluding wind. The corporation may, however, continue to renew

1751 a commercial residential multiperil policy on a building that is  
 1752 insured by the corporation on June 30, 2014, under a multiperil  
 1753 policy. In issuing multiperil coverage, the corporation may use  
 1754 its approved policy forms and rates for the personal lines  
 1755 account. An applicant or insured who is eligible to purchase a  
 1756 multiperil policy from the corporation may purchase a multiperil  
 1757 policy from an authorized insurer without prejudice to the  
 1758 applicant's or insured's eligibility to prospectively purchase a  
 1759 policy that provides coverage only for the peril of wind from  
 1760 the corporation. An applicant or insured who is eligible for a  
 1761 corporation policy that provides coverage only for the peril of  
 1762 wind may elect to purchase or retain such policy and also  
 1763 purchase or retain coverage excluding wind from an authorized  
 1764 insurer without prejudice to the applicant's or insured's  
 1765 eligibility to prospectively purchase a policy that provides  
 1766 multiperil coverage from the corporation. It is the goal of the  
 1767 Legislature that there be an overall average savings of 10  
 1768 percent or more for a policyholder who currently has a wind-only  
 1769 policy with the corporation, and an ex-wind policy with a  
 1770 voluntary insurer or the corporation, and who obtains a  
 1771 multiperil policy from the corporation. It is the intent of the  
 1772 Legislature that the offer of multiperil coverage in the coastal  
 1773 account be made and implemented in a manner that does not  
 1774 adversely affect the tax-exempt status of the corporation or  
 1775 creditworthiness of or security for currently outstanding

1776 financing obligations or credit facilities of the coastal  
 1777 account, the personal lines account, or the commercial lines  
 1778 account. The coastal account must also include quota share  
 1779 primary insurance under subparagraph (c)2. The area eligible for  
 1780 coverage under the coastal account also includes the area within  
 1781 Port Canaveral, which is bordered on the south by the City of  
 1782 Cape Canaveral, bordered on the west by the Banana River, and  
 1783 bordered on the north by Federal Government property.

1784         b. The three separate accounts must be maintained as long  
 1785 as financing obligations entered into by the Florida Windstorm  
 1786 Underwriting Association or Residential Property and Casualty  
 1787 Joint Underwriting Association are outstanding, in accordance  
 1788 with the terms of the corresponding financing documents. If no  
 1789 such financing obligations remain outstanding or if the  
 1790 financing documents allow for combining of accounts, the  
 1791 corporation may consolidate the three separate accounts into a  
 1792 new account, to be known as the Citizens account, for all  
 1793 revenues, assets, liabilities, losses, and expenses of the  
 1794 corporation. The Citizens account, if established by the  
 1795 corporation, is authorized to provide coverage to the same  
 1796 extent as provided under each of the three separate accounts.  
 1797 The authority to provide coverage under the Citizens account is  
 1798 set forth in subparagraph 4. Consistent with this subparagraph  
 1799 and prudent investment policies that minimize the cost of  
 1800 carrying debt, the board shall exercise its best efforts to

1801 retire existing debt or obtain the approval of necessary parties  
 1802 to amend the terms of existing debt, so as to structure the most  
 1803 efficient plan for consolidating the three separate accounts  
 1804 into a single account. Once the accounts are combined into one  
 1805 account, this subparagraph and subparagraph 3. shall be replaced  
 1806 in their entirety by subparagraphs 4. and 5.

1807 c. Creditors of the Residential Property and Casualty  
 1808 Joint Underwriting Association and the accounts specified in  
 1809 sub-sub-subparagraphs a.(I) and (II) may have a claim against,  
 1810 and recourse to, those accounts and no claim against, or  
 1811 recourse to, the account referred to in sub-sub-subparagraph  
 1812 a.(III). Creditors of the Florida Windstorm Underwriting  
 1813 Association have a claim against, and recourse to, the account  
 1814 referred to in sub-sub-subparagraph a.(III) and no claim  
 1815 against, or recourse to, the accounts referred to in sub-sub-  
 1816 subparagraphs a.(I) and (II).

1817 d. Revenues, assets, liabilities, losses, and expenses not  
 1818 attributable to particular accounts shall be prorated among the  
 1819 accounts.

1820 e. The Legislature finds that the revenues of the  
 1821 corporation are revenues that are necessary to meet the  
 1822 requirements set forth in documents authorizing the issuance of  
 1823 bonds under this subsection.

1824 f. The income of the corporation may not inure to the  
 1825 benefit of any private person.

1826           3. With respect to a deficit in an account:  
 1827           a. After accounting for the Citizens policyholder  
 1828 surcharge imposed under sub-subparagraph j. ~~sub-subparagraph i.~~,  
 1829 if the remaining projected deficit incurred in the coastal  
 1830 account in a particular calendar year:  
 1831           (I) Is not greater than 2 percent of the aggregate  
 1832 statewide direct written premium for the subject lines of  
 1833 business for the prior calendar year, the entire deficit shall  
 1834 be recovered through regular assessments of assessable insurers  
 1835 under paragraph (q) and assessable insureds.  
 1836           (II) Exceeds 2 percent of the aggregate statewide direct  
 1837 written premium for the subject lines of business for the prior  
 1838 calendar year, the corporation shall levy regular assessments on  
 1839 assessable insurers under paragraph (q) and on assessable  
 1840 insureds in an amount equal to the greater of 2 percent of the  
 1841 projected deficit or 2 percent of the aggregate statewide direct  
 1842 written premium for the subject lines of business for the prior  
 1843 calendar year. Any remaining projected deficit shall be  
 1844 recovered through emergency assessments under sub-subparagraph  
 1845 e.  
 1846           b. Each assessable insurer's share of the amount being  
 1847 assessed under sub-subparagraph a. must be in the proportion  
 1848 that the assessable insurer's direct written premium for the  
 1849 subject lines of business for the year preceding the assessment  
 1850 bears to the aggregate statewide direct written premium for the



1851 subject lines of business for that year. The assessment  
 1852 percentage applicable to each assessable insured is the ratio of  
 1853 the amount being assessed under sub-subparagraph a. to the  
 1854 aggregate statewide direct written premium for the subject lines  
 1855 of business for the prior year. Assessments levied by the  
 1856 corporation on assessable insurers under sub-subparagraph a.  
 1857 must be paid as required by the corporation's plan of operation  
 1858 and paragraph (q). Assessments levied by the corporation on  
 1859 assessable insureds under sub-subparagraph a. shall be collected  
 1860 by the surplus lines agent at the time the surplus lines agent  
 1861 collects the surplus lines tax required by s. 626.932, and paid  
 1862 to the Florida Surplus Lines Service Office at the time the  
 1863 surplus lines agent pays the surplus lines tax to that office.  
 1864 Upon receipt of regular assessments from surplus lines agents,  
 1865 the Florida Surplus Lines Service Office shall transfer the  
 1866 assessments directly to the corporation as determined by the  
 1867 corporation.

1868 c. The corporation may not levy regular assessments under  
 1869 paragraph (q) pursuant to sub-subparagraph a. or sub-  
 1870 subparagraph b. if the three separate accounts in sub-sub-  
 1871 subparagraphs 2.a.(I)-(III) have been consolidated into the  
 1872 Citizens account pursuant to sub-subparagraph 2.b. However, the  
 1873 outstanding balance of any regular assessment levied by the  
 1874 corporation before establishment of the Citizens account remains  
 1875 payable to the corporation.

1876 d. After accounting for the Citizens policyholder  
 1877 surcharge imposed under sub-subparagraph j., the remaining  
 1878 projected deficits in the personal lines account and in the  
 1879 commercial lines account in a particular calendar year shall be  
 1880 recovered through emergency assessments under sub-subparagraph  
 1881 e.

1882 e. Upon a determination by the board of governors that a  
 1883 projected deficit in an account exceeds the amount that is  
 1884 expected to be recovered through regular assessments under sub-  
 1885 subparagraph a., plus the amount that is expected to be  
 1886 recovered through surcharges under sub-subparagraph j., the  
 1887 board, after verification by the office, shall levy emergency  
 1888 assessments for as many years as necessary to cover the  
 1889 deficits, to be collected by assessable insurers and the  
 1890 corporation and collected from assessable insureds upon issuance  
 1891 or renewal of policies for subject lines of business, excluding  
 1892 National Flood Insurance policies. The amount collected in a  
 1893 particular year must be a uniform percentage of that year's  
 1894 direct written premium for subject lines of business and all  
 1895 accounts of the corporation, excluding National Flood Insurance  
 1896 Program policy premiums, as annually determined by the board and  
 1897 verified by the office. The office shall verify the arithmetic  
 1898 calculations involved in the board's determination within 30  
 1899 days after receipt of the information on which the determination  
 1900 was based. The office shall notify assessable insurers and the

1901 Florida Surplus Lines Service Office of the date on which  
 1902 assessable insurers shall begin to collect and assessable  
 1903 insureds shall begin to pay such assessment. The date must be at  
 1904 least 90 days after the date the corporation levies emergency  
 1905 assessments pursuant to this sub-subparagraph. Notwithstanding  
 1906 any other provision of law, the corporation and each assessable  
 1907 insurer that writes subject lines of business shall collect  
 1908 emergency assessments from its policyholders without such  
 1909 obligation being affected by any credit, limitation, exemption,  
 1910 or deferment. Emergency assessments levied by the corporation on  
 1911 assessable insureds shall be collected by the surplus lines  
 1912 agent at the time the surplus lines agent collects the surplus  
 1913 lines tax required by s. 626.932 and paid to the Florida Surplus  
 1914 Lines Service Office at the time the surplus lines agent pays  
 1915 the surplus lines tax to that office. The emergency assessments  
 1916 collected shall be transferred directly to the corporation on a  
 1917 periodic basis as determined by the corporation and held by the  
 1918 corporation solely in the applicable account. The aggregate  
 1919 amount of emergency assessments levied for an account in any  
 1920 calendar year may be less than but may not exceed the greater of  
 1921 10 percent of the amount needed to cover the deficit, plus  
 1922 interest, fees, commissions, required reserves, and other costs  
 1923 associated with financing the original deficit, or 10 percent of  
 1924 the aggregate statewide direct written premium for subject lines  
 1925 of business and all accounts of the corporation for the prior

1926 | year, plus interest, fees, commissions, required reserves, and  
 1927 | other costs associated with financing the deficit.

1928 |       f. The corporation may pledge the proceeds of assessments,  
 1929 | projected recoveries from the Florida Hurricane Catastrophe  
 1930 | Fund, other insurance and reinsurance recoverables, policyholder  
 1931 | surcharges and other surcharges, and other funds available to  
 1932 | the corporation as the source of revenue for and to secure bonds  
 1933 | issued under paragraph (q), bonds or other indebtedness issued  
 1934 | under subparagraph (c)3., or lines of credit or other financing  
 1935 | mechanisms issued or created under this subsection, or to retire  
 1936 | any other debt incurred as a result of deficits or events giving  
 1937 | rise to deficits, or in any other way that the board determines  
 1938 | will efficiently recover such deficits. The purpose of the lines  
 1939 | of credit or other financing mechanisms is to provide additional  
 1940 | resources to assist the corporation in covering claims and  
 1941 | expenses attributable to a catastrophe. As used in this  
 1942 | subsection, the term "assessments" includes regular assessments  
 1943 | under sub-subparagraph a. or subparagraph (q)1. and emergency  
 1944 | assessments under sub-subparagraph e. Emergency assessments  
 1945 | collected under sub-subparagraph e. are not part of an insurer's  
 1946 | rates, are not premium, and are not subject to premium tax,  
 1947 | fees, or commissions; however, failure to pay the emergency  
 1948 | assessment shall be treated as failure to pay premium. The  
 1949 | emergency assessments shall continue as long as any bonds issued  
 1950 | or other indebtedness incurred with respect to a deficit for

1951 | which the assessment was imposed remain outstanding, unless  
 1952 | adequate provision has been made for the payment of such bonds  
 1953 | or other indebtedness pursuant to the documents governing such  
 1954 | bonds or indebtedness.

1955 |         g. As used in this subsection for purposes of any deficit  
 1956 | incurred on or after January 25, 2007, the term "subject lines  
 1957 | of business" means insurance written by assessable insurers or  
 1958 | procured by assessable insureds for all property and casualty  
 1959 | lines of business in this state, but not including workers'  
 1960 | compensation or medical malpractice. As used in this sub-  
 1961 | subparagraph, the term "property and casualty lines of business"  
 1962 | includes all lines of business identified on Form 2, Exhibit of  
 1963 | Premiums and Losses, in the annual statement required of  
 1964 | authorized insurers under s. 624.424 and any rule adopted under  
 1965 | this section, except for those lines identified as accident and  
 1966 | health insurance and except for policies written under the  
 1967 | National Flood Insurance Program or the Federal Crop Insurance  
 1968 | Program. For purposes of this sub-subparagraph, the term  
 1969 | "workers' compensation" includes both workers' compensation  
 1970 | insurance and excess workers' compensation insurance.

1971 |         h. The Florida Surplus Lines Service Office shall  
 1972 | determine annually the aggregate statewide written premium in  
 1973 | subject lines of business procured by assessable insureds and  
 1974 | report that information to the corporation in a form and at a  
 1975 | time the corporation specifies to ensure that the corporation

1976 | can meet the requirements of this subsection and the  
 1977 | corporation's financing obligations.

1978 |       i. The Florida Surplus Lines Service Office shall verify  
 1979 | the proper application by surplus lines agents of assessment  
 1980 | percentages for regular assessments and emergency assessments  
 1981 | levied under this subparagraph on assessable insureds and assist  
 1982 | the corporation in ensuring the accurate, timely collection and  
 1983 | payment of assessments by surplus lines agents as required by  
 1984 | the corporation.

1985 |       j. Upon determination by the board of governors that an  
 1986 | account has a projected deficit, the board shall levy a Citizens  
 1987 | policyholder surcharge against all policyholders of the  
 1988 | corporation.

1989 |       (I) The surcharge shall be levied as a uniform percentage  
 1990 | of the premium for the policy of up to 15 percent of such  
 1991 | premium, which funds shall be used to offset the deficit.

1992 |       (II) The surcharge is payable upon cancellation or  
 1993 | termination of the policy, upon renewal of the policy, or upon  
 1994 | issuance of a new policy by the corporation within the first 12  
 1995 | months after the date of the levy or the period of time  
 1996 | necessary to fully collect the surcharge amount.

1997 |       (III) The corporation may not levy any regular assessments  
 1998 | under paragraph (q) pursuant to sub-subparagraph a. or sub-  
 1999 | subparagraph b. with respect to a particular year's deficit  
 2000 | until the corporation has first levied the full amount of the

2001 surcharge authorized by this sub-subparagraph.

2002 (IV) The surcharge is not considered premium and is not  
 2003 subject to commissions, fees, or premium taxes. However, failure  
 2004 to pay the surcharge shall be treated as failure to pay premium.

2005 k. If the amount of any assessments or surcharges  
 2006 collected from corporation policyholders, assessable insurers or  
 2007 their policyholders, or assessable insureds exceeds the amount  
 2008 of the deficits, such excess amounts shall be remitted to and  
 2009 retained by the corporation in a reserve to be used by the  
 2010 corporation, as determined by the board of governors and  
 2011 approved by the office, to pay claims or reduce any past,  
 2012 present, or future plan-year deficits or to reduce outstanding  
 2013 debt.

2014 4. The Citizens account, if established by the corporation  
 2015 pursuant to sub-subparagraph 2.b., is authorized to provide:

2016 a. Personal residential policies that provide  
 2017 comprehensive, multiperil coverage on risks that are not located  
 2018 in areas eligible for coverage by the Florida Windstorm  
 2019 Underwriting Association, as those areas were defined on January  
 2020 1, 2002, and for policies that do not provide coverage for the  
 2021 peril of wind on risks that are located in such areas;

2022 b. Commercial residential and commercial nonresidential  
 2023 policies that provide coverage for basic property perils on  
 2024 risks that are not located in areas eligible for coverage by the  
 2025 Florida Windstorm Underwriting Association, as those areas were

2026 defined on January 1, 2002, and for policies that do not provide  
 2027 coverage for the peril of wind on risks that are located in such  
 2028 areas; and

2029 c. Personal residential policies and commercial  
 2030 residential and commercial nonresidential property policies that  
 2031 provide coverage for the peril of wind on risks that are located  
 2032 in areas eligible for coverage by the Florida Windstorm  
 2033 Underwriting Association, as those areas were defined on January  
 2034 1, 2002. The corporation may offer policies that provide  
 2035 multiperil coverage and shall offer policies that provide  
 2036 coverage only for the peril of wind for risks located in areas  
 2037 eligible for coverage by the Florida Windstorm Underwriting  
 2038 Association, as those areas were defined on January 1, 2002. The  
 2039 corporation may not offer new commercial residential policies  
 2040 providing multiperil coverage, but shall continue to offer  
 2041 commercial residential wind-only policies, and may offer  
 2042 commercial residential policies excluding wind. However, the  
 2043 corporation may continue to renew a commercial residential  
 2044 multiperil policy on a building that was insured by the  
 2045 corporation on June 30, 2014, under a multiperil policy. In  
 2046 issuing multiperil coverage under this sub-subparagraph, the  
 2047 corporation may use its approved policy forms and rates for  
 2048 risks located in areas not eligible for coverage by the Florida  
 2049 Windstorm Underwriting Association as those areas were defined  
 2050 on January 1, 2002, and for policies that do not provide



2051 coverage for the peril of wind on risks that are located in such  
 2052 areas. An applicant or insured who is eligible to purchase a  
 2053 multiperil policy from the corporation may purchase a multiperil  
 2054 policy from an authorized insurer without prejudice to the  
 2055 applicant's or insured's eligibility to prospectively purchase a  
 2056 policy that provides coverage only for the peril of wind from  
 2057 the corporation. An applicant or insured who is eligible for a  
 2058 corporation policy that provides coverage only for the peril of  
 2059 wind may elect to purchase or retain such policy and also  
 2060 purchase or retain coverage excluding wind from an authorized  
 2061 insurer without prejudice to the applicant's or insured's  
 2062 eligibility to prospectively purchase a policy that provides  
 2063 multiperil coverage from the corporation. The following  
 2064 policies, which provide coverage only for the peril of wind,  
 2065 must also include quota share primary insurance under  
 2066 subparagraph (c)2.: Personal residential policies and commercial  
 2067 residential and commercial nonresidential property policies that  
 2068 provide coverage for the peril of wind on risks that are located  
 2069 in areas eligible for coverage by the Florida Windstorm  
 2070 Underwriting Association, as those areas were defined on January  
 2071 1, 2002; policies that provide multiperil coverage, if offered  
 2072 by the corporation, and policies that provide coverage only for  
 2073 the peril of wind for risks located in areas eligible for  
 2074 coverage by the Florida Windstorm Underwriting Association, as  
 2075 those areas were defined on January 1, 2002; commercial

2076 residential wind-only policies; commercial residential policies  
 2077 excluding wind, if offered by the corporation; and commercial  
 2078 residential multiperil policies on a building that was insured  
 2079 by the corporation on June 30, 2014. The area eligible for  
 2080 coverage with the corporation under this sub-subparagraph  
 2081 includes the area within Port Canaveral, which is bordered on  
 2082 the south by the City of Cape Canaveral, bordered on the west by  
 2083 the Banana River, and bordered on the north by Federal  
 2084 Government property.

2085 5. With respect to a deficit in the Citizens account:

2086 a. Upon a determination by the board of governors that the  
 2087 Citizens account has a projected deficit, the board shall levy a  
 2088 Citizens policyholder surcharge against all policyholders of the  
 2089 corporation.

2090 (I) The surcharge shall be levied as a uniform percentage  
 2091 of the premium for the policy of up to 15 percent of such  
 2092 premium, which funds shall be used to offset the deficit.

2093 (II) The surcharge is payable upon cancellation or  
 2094 termination of the policy, upon renewal of the policy, or upon  
 2095 issuance of a new policy by the corporation within the first 12  
 2096 months after the date of the levy or the period of time  
 2097 necessary to fully collect the surcharge amount.

2098 (III) The surcharge is not considered premium and is not  
 2099 subject to commissions, fees, or premium taxes. However, failure  
 2100 to pay the surcharge shall be treated as failure to pay premium.

2101           b. After accounting for the Citizens policyholder  
 2102 surcharge imposed under sub-subparagraph a., the remaining  
 2103 projected deficit incurred in the Citizens account in a  
 2104 particular calendar year shall be recovered through emergency  
 2105 assessments under sub-subparagraph c.

2106           c. Upon a determination by the board of governors that a  
 2107 projected deficit in the Citizens account exceeds the amount  
 2108 that is expected to be recovered through surcharges under sub-  
 2109 subparagraph a., the board, after verification by the office,  
 2110 shall levy emergency assessments for as many years as necessary  
 2111 to cover the deficits, to be collected by assessable insurers  
 2112 and the corporation and collected from assessable insureds upon  
 2113 issuance or renewal of policies for subject lines of business,  
 2114 excluding National Flood Insurance Program policies. The amount  
 2115 collected in a particular year must be a uniform percentage of  
 2116 that year's direct written premium for subject lines of business  
 2117 and the Citizens account, National Flood Insurance Program  
 2118 policy premiums, as annually determined by the board and  
 2119 verified by the office. The office shall verify the arithmetic  
 2120 calculations involved in the board's determination within 30  
 2121 days after receipt of the information on which the determination  
 2122 was based. The office shall notify assessable insurers and the  
 2123 Florida Surplus Lines Service Office of the date on which  
 2124 assessable insurers shall begin to collect and assessable  
 2125 insureds shall begin to pay such assessment. The date must be at

2126 | least 90 days after the date the corporation levies emergency  
 2127 | assessments pursuant to this sub-subparagraph. Notwithstanding  
 2128 | any other law, the corporation and each assessable insurer that  
 2129 | writes subject lines of business shall collect emergency  
 2130 | assessments from its policyholders without such obligation being  
 2131 | affected by any credit, limitation, exemption, or deferment.  
 2132 | Emergency assessments levied by the corporation on assessable  
 2133 | insureds shall be collected by the surplus lines agent at the  
 2134 | time the surplus lines agent collects the surplus lines tax  
 2135 | required by s. 626.932 and paid to the Florida Surplus Lines  
 2136 | Service Office at the time the surplus lines agent pays the  
 2137 | surplus lines tax to that office. The emergency assessments  
 2138 | collected shall be transferred directly to the corporation on a  
 2139 | periodic basis as determined by the corporation and held by the  
 2140 | corporation solely in the Citizens account. The aggregate amount  
 2141 | of emergency assessments levied for the Citizens account in any  
 2142 | calendar year may be less than, but may not exceed the greater  
 2143 | of, 10 percent of the amount needed to cover the deficit, plus  
 2144 | interest, fees, commissions, required reserves, and other costs  
 2145 | associated with financing the original deficit or 10 percent of  
 2146 | the aggregate statewide direct written premium for subject lines  
 2147 | of business and the Citizens accounts for the prior year, plus  
 2148 | interest, fees, commissions, required reserves, and other costs  
 2149 | associated with financing the deficit.

2150 |         d. The corporation may pledge the proceeds of assessments,

2151 | projected recoveries from the Florida Hurricane Catastrophe  
 2152 | Fund, other insurance and reinsurance recoverables, policyholder  
 2153 | surcharges and other surcharges, and other funds available to  
 2154 | the corporation as the source of revenue for and to secure bonds  
 2155 | issued under paragraph (q), bonds or other indebtedness issued  
 2156 | under subparagraph (c)3., or lines of credit or other financing  
 2157 | mechanisms issued or created under this subsection; or to retire  
 2158 | any other debt incurred as a result of deficits or events giving  
 2159 | rise to deficits, or in any other way that the board determines  
 2160 | will efficiently recover such deficits. The purpose of the lines  
 2161 | of credit or other financing mechanisms is to provide additional  
 2162 | resources to assist the corporation in covering claims and  
 2163 | expenses attributable to a catastrophe. As used in this  
 2164 | subsection, the term "assessments" includes emergency  
 2165 | assessments under sub-subparagraph c. Emergency assessments  
 2166 | collected under sub-subparagraph c. are not part of an insurer's  
 2167 | rates, are not premium, and are not subject to premium tax,  
 2168 | fees, or commissions; however, failure to pay the emergency  
 2169 | assessment shall be treated as failure to pay premium. The  
 2170 | emergency assessments shall continue as long as any bonds issued  
 2171 | or other indebtedness incurred with respect to a deficit for  
 2172 | which the assessment was imposed remain outstanding, unless  
 2173 | adequate provision has been made for the payment of such bonds  
 2174 | or other indebtedness pursuant to the documents governing such  
 2175 | bonds or indebtedness.

2176 e. As used in this subsection and for purposes of any  
 2177 deficit incurred on or after January 25, 2007, the term "subject  
 2178 lines of business" means insurance written by assessable  
 2179 insurers or procured by assessable insureds for all property and  
 2180 casualty lines of business in this state, but not including  
 2181 workers' compensation or medical malpractice. As used in this  
 2182 sub-subparagraph, the term "property and casualty lines of  
 2183 business" includes all lines of business identified on Form 2,  
 2184 Exhibit of Premiums and Losses, in the annual statement required  
 2185 of authorized insurers under s. 624.424 and any rule adopted  
 2186 under this section, except for those lines identified as  
 2187 accident and health insurance and except for policies written  
 2188 under the National Flood Insurance Program or the Federal Crop  
 2189 Insurance Program. For purposes of this sub-subparagraph, the  
 2190 term "workers' compensation" includes both workers' compensation  
 2191 insurance and excess workers' compensation insurance.

2192 f. The Florida Surplus Lines Service Office shall annually  
 2193 determine the aggregate statewide written premium in subject  
 2194 lines of business procured by assessable insureds and report  
 2195 that information to the corporation in a form and at a time the  
 2196 corporation specifies to ensure that the corporation can meet  
 2197 the requirements of this subsection and the corporation's  
 2198 financing obligations.

2199 g. The Florida Surplus Lines Service Office shall verify  
 2200 the proper application by surplus lines agents of assessment

2201 percentages for emergency assessments levied under this  
 2202 subparagraph on assessable insureds and assist the corporation  
 2203 in ensuring the accurate, timely collection and payment of  
 2204 assessments by surplus lines agents as required by the  
 2205 corporation.

2206 h. If the amount of any assessments or surcharges  
 2207 collected from corporation policyholders, assessable insurers or  
 2208 their policyholders, or assessable insureds exceeds the amount  
 2209 of the deficits, such excess amounts shall be remitted to and  
 2210 retained by the corporation in a reserve to be used by the  
 2211 corporation, as determined by the board of governors and  
 2212 approved by the office, to pay claims or reduce any past,  
 2213 present, or future plan-year deficits or to reduce outstanding  
 2214 debt.

2215 (ii) The corporation shall revise the programs adopted  
 2216 pursuant to sub-subparagraph (q)3.a. for personal lines  
 2217 residential policies to maximize policyholder options and  
 2218 encourage increased participation by insurers and agents. After  
 2219 January 1, 2017, a policy may not be taken out of the  
 2220 corporation unless the provisions of this paragraph are met.

2221 1. The corporation must publish a periodic schedule of  
 2222 cycles during which an insurer may identify, and notify the  
 2223 corporation of, policies that the insurer is requesting to take  
 2224 out. A request must include a description of the coverage  
 2225 offered and an estimated premium and must be submitted to the

2226 corporation in a form and manner prescribed by the corporation.

2227         2. The corporation must maintain and make available to the  
 2228 agent of record a consolidated list of all insurers requesting  
 2229 to take out a policy. The list must include a description of the  
 2230 coverage offered and the estimated premium for each take-out  
 2231 request.

2232         3. If a policyholder receives a take-out offer from an  
 2233 authorized insurer, the risk is no longer eligible for coverage  
 2234 with the corporation unless the premium for coverage from the  
 2235 authorized insurer is more than 20 percent greater than the  
 2236 renewal premium for comparable coverage from the corporation  
 2237 pursuant to sub-subparagraph (c)5.c. This subparagraph applies  
 2238 to take-out offers that are part of an application to  
 2239 participate in depopulation submitted to the office on or after  
 2240 January 1, 2023.

2241         4. The corporation must provide written notice to the  
 2242 policyholder and the agent of record regarding all insurers  
 2243 requesting to take out the policy. The notice must be in a  
 2244 format prescribed by the corporation and include, for each take-  
 2245 out offer:

- 2246             a. The amount of the estimated premium;
- 2247             b. A description of the coverage; and
- 2248             c. A comparison of the estimated premium and coverage  
 2249 offered by the insurer to the estimated premium and coverage  
 2250 provided by the corporation.



2251 Reviser's note.—Sub-subparagraph (6)(b)3.a. is amended to  
 2252 confirm an editorial substitution to conform to the  
 2253 redesignation of sub-subparagraphs by s. 8, ch. 2022-271,  
 2254 Laws of Florida. Subparagraph (6)(ii)3. is amended to  
 2255 confirm an editorial insertion to improve clarity.

2256 Section 55. Subsection (4) of section 627.410, Florida  
 2257 Statutes, is amended to read:

2258 627.410 Filing, approval of forms.—

2259 (4) The office may, by order, exempt from the requirements  
 2260 of this section for so long as it deems proper any insurance  
 2261 document or form or type thereof as specified in such order, to  
 2262 which, in its opinion, this section may not practicably be  
 2263 applied, or the filing and approval of which are, in its  
 2264 opinion, not desirable or necessary for the protection of the  
 2265 public. The office may not exempt from the requirements of this  
 2266 section the insurance documents or forms of any insurer, against  
 2267 whom the office enters a final order determining that such  
 2268 insurer violated any provision of this code, for a period of 36  
 2269 months after the date of such order, and such insurance  
 2270 documents or forms may not be deemed approved under subsection  
 2271 (2).

2272 Reviser's note.—Amended to improve clarity.

2273 Section 56. Paragraph (c) of subsection (2) and paragraph  
 2274 (b) of subsection (3) of section 628.8015, Florida Statutes, are  
 2275 amended to read:

2276 628.8015 Own-risk and solvency assessment; corporate  
 2277 governance annual disclosure.—

2278 (2) OWN-RISK AND SOLVENCY ASSESSMENT.—

2279 (c) *ORSA summary report*.—

2280 1.a. A domestic insurer or insurer member of an insurance  
 2281 group of which the office is the lead state, as determined by  
 2282 the procedures in the most recent National Association of  
 2283 Insurance Commissioners Financial Analysis Handbook, shall:

2284 (I) Submit an ORSA summary report to the office once every  
 2285 calendar year.

2286 (II) Notify the office of its proposed annual submission  
 2287 date by December 1, 2016. ~~The initial ORSA summary report must~~  
 2288 ~~be submitted by December 31, 2017.~~

2289 b. An insurer not required to submit an ORSA summary  
 2290 report pursuant to sub-subparagraph a. shall:

2291 (I) Submit an ORSA summary report at the request of the  
 2292 office, but not more than once per calendar year.

2293 (II) Notify the office of the proposed submission date  
 2294 within 30 days after the request of the office.

2295 2. An insurer may comply with sub-subparagraph 1.a. or  
 2296 sub-subparagraph 1.b. by providing the most recent and  
 2297 substantially similar ORSA summary report submitted by the  
 2298 insurer, or another member of an insurance group of which the  
 2299 insurer is a member, to the chief insurance regulatory official  
 2300 of another state or the supervisor or regulator of a foreign

2301 jurisdiction. For purposes of this subparagraph, a  
 2302 "substantially similar" ORSA summary report is one that contains  
 2303 information comparable to the information described in the ORSA  
 2304 guidance manual as determined by the commissioner of the office.  
 2305 If the report is in a language other than English, it must be  
 2306 accompanied by an English translation.

2307 3. The chief risk officer or chief executive officer of  
 2308 the insurer or insurance group responsible for overseeing the  
 2309 enterprise risk management process must sign the ORSA summary  
 2310 report attesting that, to the best of his or her knowledge and  
 2311 belief, the insurer or insurance group applied the enterprise  
 2312 risk management process described in the ORSA summary report and  
 2313 provided a copy of the report to the board of directors or the  
 2314 appropriate board committee.

2315 4. The ORSA summary report must be prepared in accordance  
 2316 with the ORSA guidance manual. Documentation and supporting  
 2317 information must be maintained by the insurer and made available  
 2318 upon examination pursuant to s. 624.316 or upon the request of  
 2319 the office.

2320 5. The ORSA summary report must include a brief  
 2321 description of material changes and updates since the prior year  
 2322 report.

2323 6. The office's review of the ORSA summary report must be  
 2324 conducted, and any additional requests for information must be  
 2325 made, using procedures similar to those used in the analysis and

2326 examination of multistate or global insurers and insurance  
 2327 groups.

2328 (3) CORPORATE GOVERNANCE ANNUAL DISCLOSURE.—

2329 (b) *Disclosure requirement.*—

2330 1.a. An insurer, or insurer member of an insurance group,  
 2331 of which the office is the lead state regulator, as determined  
 2332 by the procedures in the most recent National Association of  
 2333 Insurance Commissioners Financial Analysis Handbook, shall  
 2334 submit a corporate governance annual disclosure to the office by  
 2335 June 1 of each calendar year. ~~The initial corporate governance~~  
 2336 ~~annual disclosure must be submitted by December 31, 2018.~~

2337 b. An insurer or insurance group not required to submit a  
 2338 corporate governance annual disclosure under sub-subparagraph a.  
 2339 shall do so at the request of the office, but not more than once  
 2340 per calendar year. The insurer or insurance group shall notify  
 2341 the office of the proposed submission date within 30 days after  
 2342 the request of the office.

2343 ~~e. Before December 31, 2018, the office may require an~~  
 2344 ~~insurer or insurance group to provide a corporate governance~~  
 2345 ~~annual disclosure:~~

2346 ~~(I) Based on unique circumstances, including, but not~~  
 2347 ~~limited to, the type and volume of business written, the~~  
 2348 ~~ownership and organizational structure, federal agency requests,~~  
 2349 ~~and international supervisor requests;~~

2350 ~~(II) If the insurer has risk-based capital for a company~~

2351 ~~action level event pursuant to s. 624.4085(3), meets one or more~~  
 2352 ~~of the standards of an insurer deemed to be in hazardous~~  
 2353 ~~financial condition under s. 624.805, or exhibits qualities of~~  
 2354 ~~an insurer in hazardous financial condition as determined by the~~  
 2355 ~~office;~~

2356 ~~(III) If the insurer is the member of an insurer group of~~  
 2357 ~~which the office acts as the lead state regulator as determined~~  
 2358 ~~by the procedures in the most recent National Association of~~  
 2359 ~~Insurance Commissioners Financial Analysis Handbook; or~~

2360 ~~(IV) If the office determines that it is in the best~~  
 2361 ~~interest of the state.~~

2362 2. The chief executive officer or corporate secretary of  
 2363 the insurer or the insurance group must sign the corporate  
 2364 governance annual disclosure attesting that, to the best of his  
 2365 or her knowledge and belief, the insurer has implemented the  
 2366 corporate governance practices and provided a copy of the  
 2367 disclosure to the board of directors or the appropriate board  
 2368 committee.

2369 3.a. Depending on the structure of its system of corporate  
 2370 governance, the insurer or insurance group may provide corporate  
 2371 governance information at one of the following levels:

- 2372 (I) The ultimate controlling parent level;
- 2373 (II) An intermediate holding company level; or
- 2374 (III) The individual legal entity level.

2375 b. The insurer or insurance group may make the corporate

2376 governance annual disclosure at:

2377 (I) The level used to determine the risk appetite of the  
2378 insurer or insurance group;

2379 (II) The level at which the earnings, capital, liquidity,  
2380 operations, and reputation of the insurer are collectively  
2381 overseen and the supervision of those factors is coordinated and  
2382 exercised; or

2383 (III) The level at which legal liability for failure of  
2384 general corporate governance duties would be placed.

2385

2386 An insurer or insurance group must indicate the level of  
2387 reporting used and explain any subsequent changes in the  
2388 reporting level.

2389 4. The review of the corporate governance annual  
2390 disclosure and any additional requests for information shall be  
2391 made through the lead state as determined by the procedures in  
2392 the most recent National Association of Insurance Commissioners  
2393 Financial Analysis Handbook.

2394 5. An insurer or insurance group may comply with this  
2395 paragraph by cross-referencing other existing relevant and  
2396 applicable documents, including, but not limited to, the ORSA  
2397 summary report, Holding Company Form B or F filings, Securities  
2398 and Exchange Commission proxy statements, or foreign regulatory  
2399 reporting requirements, if the documents contain information  
2400 substantially similar to the information described in paragraph

2401 (c). The insurer or insurance group shall clearly identify and  
 2402 reference the specific location of the relevant and applicable  
 2403 information within the corporate governance annual disclosure  
 2404 and attach the referenced document if it has not already been  
 2405 filed with, or made available to, the office.

2406 6. Each year following the initial filing of the corporate  
 2407 governance annual disclosure, the insurer or insurance group  
 2408 shall file an amended version of the previously filed corporate  
 2409 governance annual disclosure indicating changes that have been  
 2410 made. If changes have not been made in the previously filed  
 2411 disclosure, the insurer or insurance group should so indicate.  
 2412 Reviser's note.—Amended to delete obsolete language.

2413 Section 57. Paragraphs (c) and (i) of subsection (2) of  
 2414 section 692.201, Florida Statutes, are amended to read:

2415 692.201 Definitions.—As used in this part, the term:

2416 (2) "Critical infrastructure facility" means any of the  
 2417 following, if it employs measures such as fences, barriers, or  
 2418 guard posts that are designed to exclude unauthorized persons:

2419 (c) An electrical power plant as defined in s. 403.031(4)  
 2420 ~~403.031(20)~~.

2421 (i) A spaceport territory as defined in s. 331.303(19)  
 2422 ~~331.303(18)~~.

2423 Reviser's note.—Paragraph (2)(c) is amended to conform to the  
 2424 redesignation of s. 403.031(20) as s. 403.031(4) by s. 13,  
 2425 ch. 2023-169, Laws of Florida. Paragraph (2)(i) is amended

2426 to conform to the redesignation of s. 331.303(18) as s.  
 2427 331.303(19) by s. 69, ch. 2023-8, Laws of Florida.

2428 Section 58. Subsection (1) of section 720.305, Florida  
 2429 Statutes, is amended to read:

2430 720.305 Obligations of members; remedies at law or in  
 2431 equity; levy of fines and suspension of use rights.—

2432 (1) Each member and the member's tenants, guests, and  
 2433 invitees, and each association, are governed by, and must comply  
 2434 with, this chapter, the governing documents of the community,  
 2435 and the rules of the association. Actions at law or in equity,  
 2436 or both, to redress alleged failure or refusal to comply with  
 2437 these provisions may be brought by the association or by any  
 2438 member against:

2439 (a) The association;

2440 (b) A member;

2441 (c) Any director or officer of an association who  
 2442 willfully and knowingly fails to comply with these provisions;  
 2443 and

2444 (d) Any tenants, guests, or invitees occupying a parcel or  
 2445 using the common areas.

2446  
 2447 The prevailing party in any such litigation is entitled to  
 2448 recover reasonable attorney fees and costs ~~as provided in~~  
 2449 ~~paragraph (2)(c)~~. A member prevailing in an action between the  
 2450 association and the member under this section, in addition to



2451 recovering his or her reasonable attorney fees, may recover  
 2452 additional amounts as determined by the court to be necessary to  
 2453 reimburse the member for his or her share of assessments levied  
 2454 by the association to fund its expenses of the litigation. This  
 2455 relief does not exclude other remedies provided by law. This  
 2456 section does not deprive any person of any other available right  
 2457 or remedy.

2458 Reviser's note.—Amended to correct a scrivener's error. Attorney  
 2459 fees and costs are not referenced in paragraph (2) (e).

2460 Section 59. Paragraph (c) of subsection (1) of section  
 2461 744.21031, Florida Statutes, is amended to read:

2462 744.21031 Public records exemption.—

2463 (1) For purposes of this section, the term:

2464 (c) "Telephone numbers" has the same meaning as provided  
 2465 in s. 119.071(4)(d)1.c. ~~119.071(4)(d)1.b.~~

2466 Reviser's note.—Amended to correct a cross-reference. Section  
 2467 119.071(4)(d)1.b. was redesignated as s. 119.071(4)(d)1.c.  
 2468 by s. 1, ch. 2023-131, Laws of Florida.

2469 Section 60. Subsections (7) and (8) of section 766.315,  
 2470 Florida Statutes, are amended to read:

2471 766.315 Florida Birth-Related Neurological Injury  
 2472 Compensation Association; board of directors; notice of  
 2473 meetings; report.—

2474 (7) The association shall publish a report on its website  
 2475 by January 1 of each year, ~~2022,~~ and ~~every January 1 thereafter.~~

2476 The report shall include:

2477 (a) The names and terms of each board member and executive  
2478 staff member.

2479 (b) The amount of compensation paid to each association  
2480 employee.

2481 (c) A summary of reimbursement disputes and resolutions.

2482 (d) A list of expenditures for attorney fees and lobbying  
2483 fees.

2484 (e) Other expenses to oppose each plan claim. Any personal  
2485 identifying information of the parent, legal guardian, or child  
2486 involved in the claim must be removed from this list.

2487 (8) By ~~On or before~~ November 1 ~~of, 2021,~~ and by each year  
2488 ~~November 1 thereafter,~~ the association shall submit a report to  
2489 the Governor, the President of the Senate, the Speaker of the  
2490 House of Representatives, and the Chief Financial Officer. The  
2491 report must include:

2492 (a) The number of petitions filed for compensation with  
2493 the division, the number of claimants awarded compensation, the  
2494 number of claimants denied compensation, and the reasons for the  
2495 denial of compensation.

2496 (b) The number and dollar amount of paid and denied  
2497 compensation for expenses by category and the reasons for any  
2498 denied compensation for expenses by category.

2499 (c) The average turnaround time for paying or denying  
2500 compensation for expenses.

2501 (d) Legislative recommendations to improve the program.

2502 (e) A summary of any pending or resolved litigation during

2503 the year which affects the plan.

2504 (f) The amount of compensation paid to each association

2505 employee or member of the board of directors.

2506 ~~(g) For the initial report due on or before November 1,~~

2507 ~~2021, an actuarial report conducted by an independent actuary~~

2508 ~~which provides an analysis of the estimated costs of~~

2509 ~~implementing the following changes to the plan:~~

2510 ~~1. Reducing the minimum birth weight eligibility for a~~

2511 ~~participant in the plan from 2,500 grams to 2,000 grams.~~

2512 ~~2. Revising the eligibility for participation in the plan~~

2513 ~~by providing that an infant must be permanently and~~

2514 ~~substantially mentally or physically impaired, rather than~~

2515 ~~permanently and substantially mentally and physically impaired.~~

2516 ~~3. Increasing the annual special benefit or quality of~~

2517 ~~life benefit from \$500 to \$2,500 per calendar year.~~

2518 Reviser's note.—Amended to delete obsolete language.

2519 Section 61. Paragraph (e) of subsection (2) of section

2520 768.38, Florida Statutes, is amended to read:

2521 768.38 Liability protections for COVID-19-related claims.—

2522 (2) As used in this section, the term:

2523 (e) "Health care provider" means:

2524 1. A provider as defined in s. 408.803.

2525 2. A clinical laboratory providing services in this state

2526 or services to health care providers in this state, if the  
 2527 clinical laboratory is certified by the Centers for Medicare and  
 2528 Medicaid Services under the federal Clinical Laboratory  
 2529 Improvement Amendments and the federal rules adopted thereunder.

2530 3. A federally qualified health center as defined in 42  
 2531 U.S.C. s. 1396d(1)(2)(B), as that definition exists on the  
 2532 effective date of this act.

2533 4. Any site providing health care services which was  
 2534 established for the purpose of responding to the COVID-19  
 2535 pandemic pursuant to any federal or state order, declaration, or  
 2536 waiver.

2537 5. A health care practitioner as defined in s. 456.001.

2538 6. A health care professional licensed under part IV of  
 2539 chapter 468.

2540 7. A home health aide as defined in s. 400.462(17)  
 2541 ~~400.462(15)~~.

2542 8. A provider licensed under chapter 394 or chapter 397  
 2543 and its clinical and nonclinical staff providing inpatient or  
 2544 outpatient services.

2545 9. A continuing care facility licensed under chapter 651.

2546 10. A pharmacy permitted under chapter 465.

2547 Reviser's note.—Amended to correct a cross-reference to conform  
 2548 to the redesignation of s. 400.462(15) as s. 400.462(14) by  
 2549 s. 25, ch. 2021-51, Laws of Florida, and the further  
 2550 redesignation of s. 400.462(14) as s. 400.462(17) by s. 1,

2551 ch. 2023-183, Laws of Florida.

2552 Section 62. Paragraph (f) of subsection (1) of section

2553 768.381, Florida Statutes, is amended to read:

2554 768.381 COVID-19-related claims against health care

2555 providers.—

2556 (1) DEFINITIONS.—As used in this section, the term:

2557 (f) "Health care provider" means any of the following:

2558 1. A provider as defined in s. 408.803.

2559 2. A clinical laboratory providing services in this state

2560 or services to health care providers in this state, if the

2561 clinical laboratory is certified by the Centers for Medicare and

2562 Medicaid Services under the federal Clinical Laboratory

2563 Improvement Amendments and the federal rules adopted thereunder.

2564 3. A federally qualified health center as defined in 42

2565 U.S.C. s. 1396d(1)(2)(B), as that definition existed on the

2566 effective date of this act.

2567 4. Any site providing health care services which was

2568 established for the purpose of responding to the COVID-19

2569 pandemic pursuant to any federal or state order, declaration, or

2570 waiver.

2571 5. A health care practitioner as defined in s. 456.001.

2572 6. A health care professional licensed under part IV of

2573 chapter 468.

2574 7. A home health aide as defined in s. 400.462(17)

2575 ~~400.462(15)~~.

2576 8. A provider licensed under chapter 394 or chapter 397  
 2577 and its clinical and nonclinical staff providing inpatient or  
 2578 outpatient services.

2579 9. A continuing care facility licensed under chapter 651.

2580 10. A pharmacy permitted under chapter 465.

2581 Reviser's note.—Amended to correct a cross-reference to conform  
 2582 to the redesignation of s. 400.462(15) as s. 400.462(14) by  
 2583 s. 25, ch. 2021-51, Laws of Florida, and the further  
 2584 redesignation of s. 400.462(14) as s. 400.462(17) by s. 1,  
 2585 ch. 2023-183, Laws of Florida.

2586 Section 63. Subsection (1) of section 790.013, Florida  
 2587 Statutes, is amended to read:

2588 790.013 Carrying of concealed weapons or concealed  
 2589 firearms without a license.—A person who carries a concealed  
 2590 weapon or concealed firearm without a license as authorized  
 2591 under s. 790.01(1)(b):

2592 (1)~~(a)~~ Must carry valid identification at all times when  
 2593 he or she is in actual possession of a concealed weapon or  
 2594 concealed firearm and must display such identification upon  
 2595 demand by a law enforcement officer.

2596 ~~(b)~~ A violation of this subsection is a noncriminal  
 2597 violation punishable by a \$25 fine, payable to the clerk of the  
 2598 court.

2599 Reviser's note.—Amended to improve the structure of the section  
 2600 and conform to context.

2601 Section 64. Subsection (2) of section 810.098, Florida  
 2602 Statutes, is amended to read:

2603 810.098 Trespass for the purpose of threatening or  
 2604 intimidating another person.—

2605 (2) As used in this section, the terms "Florida College  
 2606 System institution" and "state university" have the same  
 2607 meanings as in s. 1000.21(5) and (9) ~~1000.21(3) and (6)~~,  
 2608 respectively.

2609 Reviser's note.—Amended to conform to the reordering of  
 2610 definitions in s. 1000.21 by s. 136, ch. 2023-8, Laws of  
 2611 Florida, and the further reordering of definitions in s.  
 2612 1000.21 by this act.

2613 Section 65. Subsection (3) of section 849.38, Florida  
 2614 Statutes, is amended to read:

2615 849.38 Proceedings for forfeiture; notice of seizure and  
 2616 order to show cause.—

2617 (3) The said citation may be in, or substantially in, the  
 2618 following form:

2619  
 2620 IN THE CIRCUIT COURT OF THE .... JUDICIAL CIRCUIT, IN AND FOR  
 2621 .... COUNTY, FLORIDA.

2622 IN RE FORFEITURE OF THE FOLLOWING DESCRIBED PROPERTY:

2623 ... (Here Describe property) ...

2624 THE STATE OF FLORIDA TO:

2625

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2626 ALL PERSONS, FIRMS AND CORPORATIONS OWNING, HAVING OR  
 2627 CLAIMING AN INTEREST IN OR LIEN ON THE ABOVE DESCRIBED PROPERTY.  
 2628

2629 YOU AND EACH OF YOU are hereby notified that the above  
 2630 described property has been seized, under and by virtue of  
 2631 chapter . . . . , Laws of Florida, and is now in the possession of  
 2632 the sheriff of this county, and you, and each of you, are hereby  
 2633 further notified that a petition, under said chapter, has been  
 2634 filed in the Circuit Court of the . . . . Judicial Circuit, in and  
 2635 for . . . . County, Florida, seeking the forfeiture of the said  
 2636 property, and you are hereby directed and required to file your  
 2637 claim, if any you have, and show cause, on or before . . . . ,  
 2638 . . . (year) . . . , if not personally served with process herein, and  
 2639 within 20 days from personal service if personally served with  
 2640 process herein, why the said property should not be forfeited  
 2641 pursuant to said chapter . . . . , Laws of Florida, 1955. Should you  
 2642 fail to file claim as herein directed judgment will be entered  
 2643 herein against you in due course. Persons not personally served  
 2644 with process may obtain a copy of the petition for forfeiture  
 2645 filed herein from the undersigned clerk of court.

2646 WITNESS my hand and the seal of the above mentioned court,  
 2647 at . . . . Florida, this . . . . , . . . (year) . . . .

2648 (COURT SEAL)

2649 . . . (Clerk of the above-mentioned Court.) . . .

2650 By . . . (Deputy Clerk) . . .



2651  
 2652 Reviser's note.—Amended to conform to general style in forms.  
 2653 Section 66. Paragraph (f) of subsection (1) of section  
 2654 893.055, Florida Statutes, is reenacted to read:  
 2655 893.055 Prescription drug monitoring program.—  
 2656 (1) As used in this section, the term:  
 2657 (f) "Electronic health recordkeeping system" means an  
 2658 electronic or computer-based information system used by health  
 2659 care practitioners or providers to create, collect, store,  
 2660 manipulate, exchange, or make available personal health  
 2661 information for the delivery of patient care.  
 2662 Reviser's note.—Paragraph (1)(f) was created by s. 1, ch. 2019-  
 2663 70, Laws of Florida, and s. 1, ch. 2019-127, Laws of  
 2664 Florida. Section 3, ch. 2019-127, as amended by s. 25, ch.  
 2665 2021-131, Laws of Florida, provided for the repeal of  
 2666 paragraph (1)(f) on June 30, 2023. The paragraph is  
 2667 relevant to the material added to s. 893.055 by s. 1, ch.  
 2668 2019-70, concerning reciprocal agreements or contracts with  
 2669 other jurisdictions, which continues in existence, as well  
 2670 as the text added by s. 1, ch. 2019-127, which relates to a  
 2671 unique identifier for each patient in the system and  
 2672 requests for information from the prescription drug  
 2673 monitoring program in litigation. Paragraph (1)(f) is  
 2674 reenacted to confirm the intent to keep the language in s.  
 2675 893.055.

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2676 Section 67. Paragraph (b) of subsection (1) of section  
 2677 933.40, Florida Statutes, is amended to read:  
 2678 933.40 Agriculture warrants.—  
 2679 (1) As used in this section:  
 2680 (b) "Animal pest" means any biological or chemical residue  
 2681 as defined in s. 585.01(4), pathogenic organism or virulent  
 2682 organism as defined in s. 585.01(15), or any transmissible,  
 2683 communicable, contagious, or infectious disease as described in  
 2684 s. 585.01(17) ~~585.01(18)~~.  
 2685 Reviser's note.—Amended to conform to the deletion of s.  
 2686 585.01(17) by this act.  
 2687 Section 68. Paragraph (b) of subsection (1) of section  
 2688 961.06, Florida Statutes, is amended to read:  
 2689 961.06 Compensation for wrongful incarceration.—  
 2690 (1) Except as otherwise provided in this act and subject  
 2691 to the limitations and procedures prescribed in this section, a  
 2692 person who is found to be entitled to compensation under the  
 2693 provisions of this act is entitled to:  
 2694 (b) A waiver of tuition and fees for up to 120 hours of  
 2695 instruction at any career center established under s. 1001.44,  
 2696 any Florida College System institution as defined in s.  
 2697 1000.21(5), or any state university as defined in s. 1000.21(9)  
 2698 ~~1000.21(8)~~, if the wrongfully incarcerated person meets and  
 2699 maintains the regular admission requirements of such career  
 2700 center, Florida College System institution, or state university;

2701 remains registered at such educational institution; and makes  
 2702 satisfactory academic progress as defined by the educational  
 2703 institution in which the claimant is enrolled;

2704  
 2705 The total compensation awarded under paragraphs (a), (c), and  
 2706 (d) may not exceed \$2 million. No further award for attorney's  
 2707 fees, lobbying fees, costs, or other similar expenses shall be  
 2708 made by the state.

2709 Reviser's note.—Amended to conform to the reordering of  
 2710 definitions in s. 1000.21 by this act.

2711 Section 69. Subsections (7), (8), and (9) of section  
 2712 1000.21, Florida Statutes, are reordered and amended to read:

2713 1000.21 Systemwide definitions.—As used in the Florida  
 2714 Early Learning-20 Education Code:

2715 (8)~~(7)~~ "State academic standards" means the state's public  
 2716 K-12 curricular standards adopted under s. 1003.41.

2717 (9)~~(8)~~ "State university," except as otherwise  
 2718 specifically provided, includes the following institutions and  
 2719 any branch campuses, centers, or other affiliates of the  
 2720 institution:

- 2721 (a) The University of Florida.
- 2722 (b) The Florida State University.
- 2723 (c) The Florida Agricultural and Mechanical University.
- 2724 (d) The University of South Florida.
- 2725 (e) The Florida Atlantic University.

2726 (f) The University of West Florida.

2727 (g) The University of Central Florida.

2728 (h) The University of North Florida.

2729 (i) The Florida International University.

2730 (j) The Florida Gulf Coast University.

2731 (k) New College of Florida.

2732 (l) The Florida Polytechnic University.

2733 (7)~~(9)~~ "Sex" means the classification of a person as

2734 either female or male based on the organization of the body of

2735 such person for a specific reproductive role, as indicated by

2736 the person's sex chromosomes, naturally occurring sex hormones,

2737 and internal and external genitalia present at birth.

2738 Reviser's note.—Amended to place the definitions of the section

2739 in alphabetical order.

2740 Section 70. Paragraph (c) of subsection (8) of section

2741 1001.42, Florida Statutes, is amended to read:

2742 1001.42 Powers and duties of district school board.—The

2743 district school board, acting as a board, shall exercise all

2744 powers and perform all duties listed below:

2745 (8) STUDENT WELFARE.—

2746 (c)1. In accordance with the rights of parents enumerated

2747 in ss. 1002.20 and 1014.04, adopt procedures for notifying a

2748 student's parent if there is a change in the student's services

2749 or monitoring related to the student's mental, emotional, or

2750 physical health or well-being and the school's ability to

2751 provide a safe and supportive learning environment for the  
 2752 student. The procedures must reinforce the fundamental right of  
 2753 parents to make decisions regarding the upbringing and control  
 2754 of their children by requiring school district personnel to  
 2755 encourage a student to discuss issues relating to his or her  
 2756 well-being with his or her parent or to facilitate discussion of  
 2757 the issue with the parent. The procedures may not prohibit  
 2758 parents from accessing any of their student's education and  
 2759 health records created, maintained, or used by the school  
 2760 district, as required by s. 1002.22(2).

2761 2. A school district may not adopt procedures or student  
 2762 support forms that prohibit school district personnel from  
 2763 notifying a parent about his or her student's mental, emotional,  
 2764 or physical health or well-being, or a change in related  
 2765 services or monitoring, or that encourage or have the effect of  
 2766 encouraging a student to withhold from a parent such  
 2767 information. School district personnel may not discourage or  
 2768 prohibit parental notification of and involvement in critical  
 2769 decisions affecting a student's mental, emotional, or physical  
 2770 health or well-being. This subparagraph does not prohibit a  
 2771 school district from adopting procedures that permit school  
 2772 personnel to withhold such information from a parent if a  
 2773 reasonably prudent person would believe that disclosure would  
 2774 result in abuse, abandonment, or neglect, as those terms are  
 2775 defined in s. 39.01.

2776 3. Classroom instruction by school personnel or third  
 2777 parties on sexual orientation or gender identity may not occur  
 2778 in prekindergarten through grade 8, except when required by ss.  
 2779 1003.42(2)(o)3. ~~1003.42(2)(n)3.~~ and 1003.46. If such instruction  
 2780 is provided in grades 9 through 12, the instruction must be age-  
 2781 appropriate or developmentally appropriate for students in  
 2782 accordance with state standards. This subparagraph applies to  
 2783 charter schools.

2784 4. Student support services training developed or provided  
 2785 by a school district to school district personnel must adhere to  
 2786 student services guidelines, standards, and frameworks  
 2787 established by the Department of Education.

2788 5. At the beginning of the school year, each school  
 2789 district shall notify parents of each health care service  
 2790 offered at their student's school and the option to withhold  
 2791 consent or decline any specific service in accordance with s.  
 2792 1014.06. Parental consent to a health care service does not  
 2793 waive the parent's right to access his or her student's  
 2794 educational or health records or to be notified about a change  
 2795 in his or her student's services or monitoring as provided by  
 2796 this paragraph.

2797 6. Before administering a student well-being questionnaire  
 2798 or health screening form to a student in kindergarten through  
 2799 grade 3, the school district must provide the questionnaire or  
 2800 health screening form to the parent and obtain the permission of

2801 the parent.

2802 7. Each school district shall adopt procedures for a  
 2803 parent to notify the principal, or his or her designee,  
 2804 regarding concerns under this paragraph at his or her student's  
 2805 school and the process for resolving those concerns within 7  
 2806 calendar days after notification by the parent.

2807 a. At a minimum, the procedures must require that within  
 2808 30 days after notification by the parent that the concern  
 2809 remains unresolved, the school district must either resolve the  
 2810 concern or provide a statement of the reasons for not resolving  
 2811 the concern.

2812 b. If a concern is not resolved by the school district, a  
 2813 parent may:

2814 (I) Request the Commissioner of Education to appoint a  
 2815 special magistrate who is a member of The Florida Bar in good  
 2816 standing and who has at least 5 years' experience in  
 2817 administrative law. The special magistrate shall determine facts  
 2818 relating to the dispute over the school district procedure or  
 2819 practice, consider information provided by the school district,  
 2820 and render a recommended decision for resolution to the State  
 2821 Board of Education within 30 days after receipt of the request  
 2822 by the parent. The State Board of Education must approve or  
 2823 reject the recommended decision at its next regularly scheduled  
 2824 meeting that is more than 7 calendar days and no more than 30  
 2825 days after the date the recommended decision is transmitted. The

2826 costs of the special magistrate shall be borne by the school  
 2827 district. The State Board of Education shall adopt rules,  
 2828 including forms, necessary to implement this subparagraph.

2829 (II) Bring an action against the school district to obtain  
 2830 a declaratory judgment that the school district procedure or  
 2831 practice violates this paragraph and seek injunctive relief. A  
 2832 court may award damages and shall award reasonable attorney fees  
 2833 and court costs to a parent who receives declaratory or  
 2834 injunctive relief.

2835 c. Each school district shall adopt and post on its  
 2836 website policies to notify parents of the procedures required  
 2837 under this subparagraph.

2838 d. Nothing contained in this subparagraph shall be  
 2839 construed to abridge or alter rights of action or remedies in  
 2840 equity already existing under the common law or general law.

2841 Reviser's note.—Amended to conform to the redesignation of  
 2842 paragraphs in s. 1003.42(2) by s. 6, ch. 2023-39, Laws of  
 2843 Florida.

2844 Section 71. Subsection (2) of section 1002.01, Florida  
 2845 Statutes, is amended to read:

2846 1002.01 Definitions.—

2847 (2) A "personalized education program" means the  
 2848 sequentially progressive instruction of a student directed by  
 2849 his or her parent to satisfy the attendance requirements of ss.  
 2850 1003.01(16) ~~1003.01(13)~~ and 1003.21(1) while registered with an



2851 eligible nonprofit scholarship-funding organization pursuant to  
 2852 s. 1002.395. A personalized education student shall be provided  
 2853 the same flexibility and opportunities as provided in s.  
 2854 1002.41(3)-(12).

2855 Reviser's note.—Amended to confirm an editorial substitution to  
 2856 conform to the redesignation of subsections in s. 1003.01  
 2857 by s. 148, ch. 2023-8, Laws of Florida.

2858 Section 72. Paragraph (a) of subsection (6) of section  
 2859 1002.20, Florida Statutes, is amended to read:

2860 1002.20 K-12 student and parent rights.—Parents of public  
 2861 school students must receive accurate and timely information  
 2862 regarding their child's academic progress and must be informed  
 2863 of ways they can help their child to succeed in school. K-12  
 2864 students and their parents are afforded numerous statutory  
 2865 rights including, but not limited to, the following:

2866 (6) EDUCATIONAL CHOICE.—

2867 (a) *Public educational school choices*.—Parents of public  
 2868 school students may seek any public educational school choice  
 2869 options that are applicable and available to students throughout  
 2870 the state. These options may include controlled open enrollment,  
 2871 single-gender programs, lab schools, virtual instruction  
 2872 programs, charter schools, charter technical career centers,  
 2873 magnet schools, alternative schools, special programs, auditory-  
 2874 oral education programs, advanced placement, dual enrollment,  
 2875 International Baccalaureate, International General Certificate

2876 of Secondary Education (pre-AICE), CAPE digital tools, CAPE  
 2877 industry certifications, early college programs, Advanced  
 2878 International Certificate of Education, early admissions, credit  
 2879 by examination or demonstration of competency, the New World  
 2880 School of the Arts, the Florida School for the Deaf and the  
 2881 Blind, and the Florida Virtual School. These options may also  
 2882 include the public educational choice option ~~options~~ of the  
 2883 Opportunity Scholarship Program ~~and the McKay Scholarships for~~  
 2884 ~~Students with Disabilities Program.~~

2885 Reviser's note.—Amended to conform to the repeal of s. 1002.39,  
 2886 which established the John M. McKay Scholarships for  
 2887 Students with Disabilities Program, by s. 9, ch. 2023-9,  
 2888 Laws of Florida.

2889 Section 73. Paragraph (e) of subsection (3) and paragraph  
 2890 (b) of subsection (8) of section 1002.351, Florida Statutes, are  
 2891 amended to read:

2892 1002.351 The Florida School for Competitive Academics.—

2893 (3) BOARD OF TRUSTEES.—

2894 (e) The board of trustees has the full power and authority  
 2895 to:

2896 1. Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
 2897 implement provisions of law relating to operation of the Florida  
 2898 School for Competitive Academics. Such rules must be submitted  
 2899 to the State Board of Education for approval or disapproval.

2900 After a rule is approved by the State Board of Education, the

2901 rule must be filed immediately with the Department of State. The  
 2902 board of trustees shall act at all times in conjunction with the  
 2903 rules of the State Board of Education.

2904 2. Appoint a principal, administrators, teachers, and  
 2905 other employees.

2906 3. Remove principals, administrators, teachers, and other  
 2907 employees at the board's discretion.

2908 4. Determine eligibility of students and procedures for  
 2909 admission.

2910 5. Provide for the proper keeping of accounts and records  
 2911 and for budgeting of funds.

2912 6. Receive gifts, donations, and bequests of money or  
 2913 property, real or personal, tangible or intangible, from any  
 2914 person, firm, corporation, or other legal entity for the use and  
 2915 benefit of the school.

2916 7. Recommend to the Legislature that ~~for~~ the school ~~to~~  
 2917 become a residential public school.

2918 8. Do and perform every other matter or thing requisite to  
 2919 the proper management, maintenance, support, and control of the  
 2920 school at the highest efficiency economically possible.

2921 (8) EXEMPTION FROM STATUTES.—

2922 (b) Additionally, the Florida School for Competitive  
 2923 Academics shall be in compliance with the following statutes:

2924 1. Section 286.011, relating to public meetings and  
 2925 records, public inspection, and criminal and civil penalties.

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- 2926 2. Chapter 119, relating to public records.
- 2927 3. Section 1006.12, relating to safe-school officers.
- 2928 4. Section 1006.07(7), relating to threat management
- 2929 ~~assessment~~ teams.
- 2930 5. Section 1006.07(9), relating to school environmental
- 2931 safety incident reporting.
- 2932 6. Section 1006.07(10), relating to reporting of
- 2933 involuntary examinations.
- 2934 7. Section 1006.1493, relating to the Florida Safe Schools
- 2935 Assessment Tool.
- 2936 8. Section 1006.07(6)(d), relating to adopting active
- 2937 assailant response plans.
- 2938 9. Section 943.082(4)(b), relating to the mobile
- 2939 suspicious activity reporting tool.
- 2940 10. Section 1012.584, relating to youth mental health
- 2941 awareness and assistance training.
- 2942 11. Section 1003.4282, relating to requirements for a
- 2943 standard high school diploma.
- 2944 12. Section 1003.03(1), relating to class size maximums.
- 2945 13.a. Section 1011.61, relating to instructional hours
- 2946 requirements.
- 2947 b. Notwithstanding sub-subparagraph a., the school may
- 2948 provide instruction that exceeds the minimum time requirements
- 2949 for the purposes of offering a summer program.
- 2950 Reviser's note.—Paragraph (3)(e) is amended to improve clarity.

2951 Paragraph (8)(b) is amended to confirm an editorial  
 2952 substitution to conform to s. 23, ch. 2023-18, Laws of  
 2953 Florida, which amended s. 1006.07(7) to change the term  
 2954 "threat assessment team" to the term "threat management  
 2955 team."

2956 Section 74. Paragraph (a) of subsection (4) and paragraph  
 2957 (a) of subsection (12) of section 1002.394, Florida Statutes,  
 2958 are amended to read:

2959 1002.394 The Family Empowerment Scholarship Program.—

2960 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

2961 (a) Program funds awarded to a student determined eligible  
 2962 pursuant to paragraph (3)(a) may be used for:

2963 1. Tuition and fees at an eligible private school.

2964 2. Transportation to a Florida public school in which a  
 2965 student is enrolled and that is different from the school to  
 2966 which the student was assigned or to a lab school as defined in  
 2967 s. 1002.32.

2968 3. Instructional materials, including digital materials  
 2969 and Internet resources.

2970 4. Curriculum as defined in subsection (2).

2971 5. Tuition and fees associated with full-time or part-time  
 2972 enrollment in an eligible postsecondary educational institution  
 2973 or a program offered by the postsecondary educational  
 2974 institution, unless the program is subject to s. 1009.25 or  
 2975 reimbursed pursuant to s. 1009.30; an approved preapprenticeship

2976 program as defined in s. 446.021(5) which is not subject to s.  
 2977 1009.25 and complies with all applicable requirements of the  
 2978 department pursuant to chapter 1005; a private tutoring program  
 2979 authorized under s. 1002.43; a virtual program offered by a  
 2980 department-approved private online provider that meets the  
 2981 provider qualifications specified in s. 1002.45(2)(a); the  
 2982 Florida Virtual School as a private paying student; or an  
 2983 approved online course offered pursuant to s. 1003.499 or s.  
 2984 1004.0961.

2985         6. Fees for nationally standardized, norm-referenced  
 2986 achievement tests, Advanced Placement Examinations, industry  
 2987 certification examinations, assessments related to postsecondary  
 2988 education, or other assessments.

2989         7. Contracted services provided by a public school or  
 2990 school district, including classes. A student who receives  
 2991 contracted services under this subparagraph is not considered  
 2992 enrolled in a public school for eligibility purposes as  
 2993 specified in subsection (6) but rather attending a public school  
 2994 on a part-time basis as authorized under s. 1002.44.

2995         8. Tuition and fees for part-time tutoring services or  
 2996 fees for services provided by a choice navigator. Such services  
 2997 must be provided by a person who holds a valid Florida  
 2998 educator's certificate pursuant to s. 1012.56, a person who  
 2999 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
 3000 person who has a bachelor's degree or a graduate degree in the

3001 subject area in which instruction is given, a person who has  
 3002 demonstrated a mastery of subject area knowledge pursuant to s.  
 3003 1012.56(5), or a person certified by a nationally or  
 3004 internationally recognized research-based training program as  
 3005 approved by the department. As used in this subparagraph, the  
 3006 term "part-time tutoring services" does not qualify as regular  
 3007 school attendance as defined in s. 1003.01(16)(e)  
 3008 ~~1003.01(13)(e)~~.

3009 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

3010 (a)1. Scholarships for students determined eligible  
 3011 pursuant to paragraph (3) (a) may be funded once all scholarships  
 3012 have been funded in accordance with s. 1002.395(6)(1)2. The  
 3013 calculated scholarship amount for a participating student  
 3014 determined eligible pursuant to paragraph (3) (a) shall be based  
 3015 upon the grade level and school district in which the student  
 3016 was assigned as 100 percent of the funds per unweighted full-  
 3017 time equivalent in the Florida Education Finance Program for a  
 3018 student in the basic program established pursuant to s.  
 3019 1011.62(1)(c)1., plus a per-full-time equivalent share of funds  
 3020 for the categorical programs established in s. 1011.62(5),  
 3021 (7)(a), and (16), as funded in the General Appropriations Act.

3022 2. A scholarship of \$750 or an amount equal to the school  
 3023 district expenditure per student riding a school bus, as  
 3024 determined by the department, whichever is greater, may be  
 3025 awarded to an eligible student who is enrolled in a Florida

3026 public school that is different from the school to which the  
 3027 student was assigned or in a lab school as defined in s. 1002.32  
 3028 if the school district does not provide the student with  
 3029 transportation to the school.

3030 3. The organization must provide the department with the  
 3031 documentation necessary to verify the student's participation.  
 3032 Upon receiving the documentation, the department shall transfer,  
 3033 beginning August 1, from state funds only, the amount calculated  
 3034 pursuant to subparagraph 1. ~~subparagraph 2.~~ to the organization  
 3035 for quarterly disbursement to parents of participating students  
 3036 each school year in which the scholarship is in force. For a  
 3037 student exiting a Department of Juvenile Justice commitment  
 3038 program who chooses to participate in the scholarship program,  
 3039 the amount of the Family Empowerment Scholarship calculated  
 3040 pursuant to subparagraph 1. ~~subparagraph 2.~~ must be transferred  
 3041 from the school district in which the student last attended a  
 3042 public school before commitment to the Department of Juvenile  
 3043 Justice. When a student enters the scholarship program, the  
 3044 organization must receive all documentation required for the  
 3045 student's participation, including the private school's and the  
 3046 student's fee schedules, at least 30 days before the first  
 3047 quarterly scholarship payment is made for the student.

3048 4. The initial payment shall be made after the  
 3049 organization's verification of admission acceptance, and  
 3050 subsequent payments shall be made upon verification of continued



3051 enrollment and attendance at the private school. Payment must be  
 3052 by funds transfer or any other means of payment that the  
 3053 department deems to be commercially viable or cost-effective. An  
 3054 organization shall ensure that the parent has approved a funds  
 3055 transfer before any scholarship funds are deposited.

3056 5. An organization may not transfer any funds to an  
 3057 account of a student determined eligible pursuant to paragraph  
 3058 (3)(a) which has a balance in excess of \$24,000.

3059 Reviser's note.—Paragraph (4)(a) is amended to confirm an  
 3060 editorial substitution to conform to the redesignation of  
 3061 subsections in s. 1003.01 by s. 148, ch. 2023-8, Laws of  
 3062 Florida. Paragraph (12)(a) is amended to correct a cross-  
 3063 reference. The amendment by s. 5, ch. 2023-16, Laws of  
 3064 Florida, redesignated subparagraphs within paragraph (a)  
 3065 but did not revise references to subparagraph 2. The  
 3066 material found in subparagraph 2., as that reference  
 3067 existed prior to the amendment by s. 5, ch. 2023-16, is now  
 3068 contained in subparagraph 1.

3069 Section 75. Paragraphs (d) and (e) of subsection (6) of  
 3070 section 1002.395, Florida Statutes, are amended to read:

3071 1002.395 Florida Tax Credit Scholarship Program.—

3072 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING  
 3073 ORGANIZATIONS.—An eligible nonprofit scholarship-funding  
 3074 organization:

3075 (d)1. For the 2023-2024 school year, may fund no more than

3076 20,000 scholarships for students who are enrolled pursuant to  
 3077 paragraph (7)(b). The number of scholarships funded for such  
 3078 students may increase by 40,000 in each subsequent school year.  
 3079 This subparagraph is repealed July 1, 2027.

3080 2. Must establish and maintain separate empowerment  
 3081 accounts from eligible contributions for each eligible student.  
 3082 For each account, the organization must maintain a record of  
 3083 accrued interest retained in the student's account. The  
 3084 organization must verify that scholarship funds are used for:

3085 a. Tuition and fees for full-time or part-time enrollment  
 3086 in an eligible private school.

3087 b. Transportation to a Florida public school in which a  
 3088 student is enrolled and that is different from the school to  
 3089 which the student was assigned or to a lab school as defined in  
 3090 s. 1002.32.

3091 c. Instructional materials, including digital materials  
 3092 and Internet resources.

3093 d. Curriculum as defined in s. 1002.394(2).

3094 e. Tuition and fees associated with full-time or part-time  
 3095 enrollment in a home education instructional program; an  
 3096 eligible postsecondary educational institution or a program  
 3097 offered by the postsecondary educational institution, unless the  
 3098 program is subject to s. 1009.25 or reimbursed pursuant to s.  
 3099 1009.30; an approved preapprenticeship program as defined in s.  
 3100 446.021(5) which is not subject to s. 1009.25 and complies with

3101 all applicable requirements of the Department of Education  
 3102 pursuant to chapter 1005; a private tutoring program authorized  
 3103 under s. 1002.43; a virtual program offered by a department-  
 3104 approved private online provider that meets the provider  
 3105 qualifications specified in s. 1002.45(2)(a); the Florida  
 3106 Virtual School as a private paying student; or an approved  
 3107 online course offered pursuant to s. 1003.499 or s. 1004.0961.

3108 f. Fees for nationally standardized, norm-referenced  
 3109 achievement tests, Advanced Placement Examinations, industry  
 3110 certification examinations, assessments related to postsecondary  
 3111 education, or other assessments.

3112 g. Contracted services provided by a public school or  
 3113 school district, including classes. A student who receives  
 3114 contracted services under this sub-subparagraph is not  
 3115 considered enrolled in a public school for eligibility purposes  
 3116 as specified in subsection (11) but rather attending a public  
 3117 school on a part-time basis as authorized under s. 1002.44.

3118 h. Tuition and fees for part-time tutoring services or  
 3119 fees for services provided by a choice navigator. Such services  
 3120 must be provided by a person who holds a valid Florida  
 3121 educator's certificate pursuant to s. 1012.56, a person who  
 3122 holds an adjunct teaching certificate pursuant to s. 1012.57, a  
 3123 person who has a bachelor's degree or a graduate degree in the  
 3124 subject area in which instruction is given, a person who has  
 3125 demonstrated a mastery of subject area knowledge pursuant to s.

3126 1012.56(5), or a person certified by a nationally or  
 3127 internationally recognized research-based training program as  
 3128 approved by the Department of Education. As used in this  
 3129 paragraph, the term "part-time tutoring services" does not  
 3130 qualify as regular school attendance as defined in s.  
 3131 1003.01(16)(e) ~~1003.01(13)(e)~~.

3132 (e) For students determined eligible pursuant to paragraph  
 3133 (7)(b), must:

3134 1. Maintain a signed agreement from the parent which  
 3135 constitutes compliance with the attendance requirements under  
 3136 ss. 1003.01(16) ~~1003.01(13)~~ and 1003.21(1).

3137 2. Receive eligible student test scores and, beginning  
 3138 with the 2027-2028 school year, by August 15, annually report  
 3139 test scores for students pursuant to paragraph (7)(b) to a state  
 3140 university pursuant to paragraph (9)(f).

3141 3. Provide parents with information, guidance, and support  
 3142 to create and annually update a student learning plan for their  
 3143 student. The organization must maintain the plan and allow  
 3144 parents to electronically submit, access, and revise the plan  
 3145 continuously.

3146 4. Upon submission by the parent of an annual student  
 3147 learning plan, fund a scholarship for a student determined  
 3148 eligible.

3149  
 3150 Information and documentation provided to the Department of

3151 Education and the Auditor General relating to the identity of a  
 3152 taxpayer that provides an eligible contribution under this  
 3153 section shall remain confidential at all times in accordance  
 3154 with s. 213.053.

3155 Reviser's note.—Amended to confirm editorial substitutions to  
 3156 conform to the redesignation of subsections in s. 1003.01  
 3157 by s. 148, ch. 2023-8, Laws of Florida.

3158 Section 76. Subsections (1) and (3) of section 1002.44,  
 3159 Florida Statutes, are amended to read:

3160 1002.44 Part-time public school enrollment.—

3161 (1) Any public school in this state, including a charter  
 3162 school, may enroll a student who meets the regular school  
 3163 attendance criteria in s. 1003.01(16)(b)-(f) ~~1003.01(13)(b)-(f)~~  
 3164 on a part-time basis, subject to space and availability  
 3165 according to the school's capacity determined pursuant to s.  
 3166 1002.31(2)(b).

3167 (3) A student attending a public school on a part-time  
 3168 basis pursuant to this section is not considered to be in  
 3169 regular attendance at a public school as defined in s.  
 3170 1003.01(16)(a) ~~1003.01(13)(a)~~.

3171 Reviser's note.—Amended to confirm editorial substitutions to  
 3172 conform to the redesignation of subsections in s. 1003.01  
 3173 by s. 148, ch. 2023-8, Laws of Florida.

3174 Section 77. Paragraphs (o), (p), and (q) of subsection (2)  
 3175 of section 1002.82, Florida Statutes, are amended to read:

3176 1002.82 Department of Education; powers and duties.—  
 3177 (2) The department shall:  
 3178 (o) ~~No later than July 1, 2019,~~ Develop a differential  
 3179 payment program based on the quality measures adopted by the  
 3180 department under paragraph (n). The differential payment may not  
 3181 exceed a total of 15 percent for each care level and unit of  
 3182 child care for a child care provider. No more than 5 percent of  
 3183 the 15 percent total differential may be provided to providers  
 3184 who submit valid and reliable data to the statewide information  
 3185 system in the domains of language and executive functioning  
 3186 using a child assessment identified pursuant to paragraph (k).  
 3187 Providers below the minimum program assessment score adopted for  
 3188 contracting purposes are ineligible for such payment.  
 3189 (p) ~~No later than July 1, 2022,~~ Develop and adopt  
 3190 requirements for the implementation of a program designed to  
 3191 make available contracted slots to serve children at the  
 3192 greatest risk of school failure as determined by such children  
 3193 being located in an area that has been designated as a poverty  
 3194 area tract according to the latest census data. The contracted  
 3195 slot program may also be used to increase the availability of  
 3196 child care capacity based on the assessment under s.  
 3197 1002.85(2)(i).  
 3198 (q) Establish a single statewide information system that  
 3199 each coalition must use for the purposes of managing the single  
 3200 point of entry, tracking children's progress, coordinating

3201 services among stakeholders, determining eligibility of  
 3202 children, tracking child attendance, and streamlining  
 3203 administrative processes for providers and early learning  
 3204 coalitions. ~~By July 1, 2019,~~ The system, subject to ss. 1002.72  
 3205 and 1002.97, shall:

3206 1. Allow a parent to find early learning programs online,  
 3207 including the performance profile under s. 1002.92(3)(a) which  
 3208 must be integrated into the online portal under s. 1001.10(10).

3209 2. Allow a parent to monitor the development of his or her  
 3210 child as the child moves among programs within the state.

3211 3. Enable analysis at the state, regional, and local level  
 3212 to measure child growth over time, program impact, and quality  
 3213 improvement and investment decisions.

3214 Reviser's note.—Amended to delete obsolete language.

3215 Section 78. Paragraph (i) of subsection (1) of section  
 3216 1003.02, Florida Statutes, is amended to read:

3217 1003.02 District school board operation and control of  
 3218 public K-12 education within the school district.—As provided in  
 3219 part II of chapter 1001, district school boards are  
 3220 constitutionally and statutorily charged with the operation and  
 3221 control of public K-12 education within their school districts.  
 3222 The district school boards must establish, organize, and operate  
 3223 their public K-12 schools and educational programs, employees,  
 3224 and facilities. Their responsibilities include staff  
 3225 development, public K-12 school student education including

3226 education for exceptional students and students in juvenile  
 3227 justice programs, special programs, adult education programs,  
 3228 and career education programs. Additionally, district school  
 3229 boards must:

3230 (1) Provide for the proper accounting for all students of  
 3231 school age, for the attendance and control of students at  
 3232 school, and for proper attention to health, safety, and other  
 3233 matters relating to the welfare of students in the following  
 3234 areas:

3235 (i) *Notification of acceleration, academic, and career*  
 3236 *planning options.*—At the beginning of each school year, notify  
 3237 students in or entering high school and the students' parents,  
 3238 in a language that is understandable to students and parents, of  
 3239 the opportunity and benefits of advanced placement,  
 3240 International Baccalaureate, Advanced International Certificate  
 3241 of Education, and dual enrollment courses; career and  
 3242 professional academies; career-themed courses; the career and  
 3243 technical education pathway to earn a standard high school  
 3244 diploma under s. 1003.4282(10); work-based learning  
 3245 opportunities, including internships and apprenticeship and  
 3246 preapprenticeship programs; foundational and soft-skill  
 3247 credentialing programs under s. 445.06; Florida Virtual School  
 3248 courses; and options for early graduation under s. 1003.4281,  
 3249 and provide those students and parents with guidance on  
 3250 accessing and using Florida's online career planning and work-



3251 based learning coordination system and the contact information  
 3252 of a certified school counselor who can advise students and  
 3253 parents on those options.

3254 Reviser's note.—Amended to confirm an editorial reinsertion to  
 3255 improve clarity and facilitate correct interpretation.

3256 Section 79. Paragraph (a) of subsection (2) of section  
 3257 1003.4201, Florida Statutes, is amended to read:

3258 1003.4201 Comprehensive system of reading instruction.—

3259 Each school district must implement a system of comprehensive  
 3260 reading instruction for students enrolled in prekindergarten  
 3261 through grade 12 and certain students who exhibit a substantial  
 3262 deficiency in early literacy.

3263 (2)(a) Components of the reading instruction plan may  
 3264 include the following:

3265 1. Additional time per day of evidence-based intensive  
 3266 reading instruction for kindergarten through grade 12 students,  
 3267 which may be delivered during or outside of the regular school  
 3268 day.

3269 2. Highly qualified reading coaches, who must be endorsed  
 3270 in reading, to specifically support classroom teachers in making  
 3271 instructional decisions based on progress monitoring data  
 3272 collected pursuant to s. 1008.25(9) ~~1008.25(8)~~ and improve  
 3273 classroom teacher delivery of effective reading instruction,  
 3274 reading intervention, and reading in the content areas based on  
 3275 student need.

3276 3. Professional development to help instructional  
 3277 personnel and certified prekindergarten teachers funded in the  
 3278 Florida Education Finance Program earn a certification, a  
 3279 credential, an endorsement, or an advanced degree in  
 3280 scientifically researched and evidence-based reading  
 3281 instruction.

3282 4. Summer reading camps, using only classroom teachers or  
 3283 other district personnel who possess a micro-credential as  
 3284 specified in s. 1003.485 or are certified or endorsed in reading  
 3285 consistent with s. 1008.25(8)(b)3. ~~1008.25(7)(b)3.~~, for all  
 3286 students in kindergarten through grade 5 exhibiting a reading  
 3287 deficiency as determined by district and state assessments.

3288 5. Incentives for instructional personnel and certified  
 3289 prekindergarten teachers funded in the Florida Education Finance  
 3290 Program who possess a reading certification or endorsement or  
 3291 micro-credential as specified in s. 1003.485 and provide  
 3292 educational support to improve student literacy.

3293 6. Tutoring in reading.  
 3294 Reviser's note.—Amended to correct cross-references to conform  
 3295 to the redesignation of subsections in s. 1008.25 by s. 15,  
 3296 ch. 2023-108, Laws of Florida.

3297 Section 80. Paragraph (a) of subsection (2) of section  
 3298 1003.46, Florida Statutes, is amended to read:

3299 1003.46 Health education; instruction in acquired immune  
 3300 deficiency syndrome.—

3301 (2) Throughout instruction in acquired immune deficiency  
 3302 syndrome, sexually transmitted diseases, or health education,  
 3303 when such instruction and course material contains instruction  
 3304 in human sexuality, a school shall:

3305 (a) Classify males and females as provided in s.  
 3306 1000.21(7) ~~1000.21(9)~~ and teach that biological males impregnate  
 3307 biological females by fertilizing the female egg with male  
 3308 sperm; that the female then gestates the offspring; and that  
 3309 these reproductive roles are binary, stable, and unchangeable.

3310  
 3311 The Department of Education must approve any materials used for  
 3312 instruction under this subsection.

3313 Reviser's note.—Amended to conform to the reordering of  
 3314 definitions in s. 1000.21 by this act.

3315 Section 81. Paragraphs (a) and (b) of subsection (9) and  
 3316 subsection (10) of section 1004.615, Florida Statutes, are  
 3317 amended to read:

3318 1004.615 Florida Institute for Child Welfare.—

3319 (9) By October 1 of each year, the institute shall provide  
 3320 a written report to the Governor, the President of the Senate,  
 3321 and the Speaker of the House of Representatives which outlines  
 3322 its activities in the preceding year, reports significant  
 3323 research findings, as well as results of other programs, and  
 3324 provides specific recommendations for improving child protection  
 3325 and child welfare services.

3326 ~~(a) The institute shall include an evaluation of the~~  
 3327 ~~results of the educational and training requirements for child~~  
 3328 ~~protection and child welfare personnel established under this~~  
 3329 ~~act in its report due October 1, 2017.~~

3330 ~~(b) The institute shall include an evaluation of the~~  
 3331 ~~effects of the other provisions of this act and recommendations~~  
 3332 ~~for improvements in child protection and child welfare services~~  
 3333 ~~in its report due October 1, 2018.~~

3334 (10) The institute shall submit a report with  
 3335 recommendations for improving the state's child welfare system.  
 3336 The report shall address topics including, but not limited to,  
 3337 enhancing working relationships between the entities involved in  
 3338 the child protection and child welfare system, identification of  
 3339 and replication of best practices, reducing paperwork,  
 3340 increasing the retention of child protective investigators and  
 3341 case managers, and caring for medically complex children within  
 3342 the child welfare system, with the goal of allowing the child to  
 3343 remain in the least restrictive and most nurturing environment.  
 3344 ~~The institute shall submit an interim report by February 1,~~  
 3345 ~~2015, and final report by October 1, 2015, to the Governor, the~~  
 3346 ~~President of the Senate, and the Speaker of the House of~~  
 3347 ~~Representatives.~~

3348 Reviser's note.—Amended to delete obsolete language.

3349 Section 82. Subsection (3) of section 1004.648, Florida  
 3350 Statutes, is amended to read:

3351 1004.648 Florida Energy Systems Consortium.—  
 3352 (3) The consortium shall consist of the state universities  
 3353 as identified under s. 1000.21(9) ~~1000.21(8)~~.  
 3354 Reviser's note.—Amended to conform to the reordering of  
 3355 definitions in s. 1000.21 by this act.  
 3356 Section 83. Paragraph (d) of subsection (2), paragraphs  
 3357 (c) and (e) of subsection (4), and paragraph (b) of subsection  
 3358 (7) of section 1006.07, Florida Statutes, are amended to read:  
 3359 1006.07 District school board duties relating to student  
 3360 discipline and school safety.—The district school board shall  
 3361 provide for the proper accounting for all students, for the  
 3362 attendance and control of students at school, and for proper  
 3363 attention to health, safety, and other matters relating to the  
 3364 welfare of students, including:  
 3365 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
 3366 conduct for elementary schools and a code of student conduct for  
 3367 middle and high schools and distribute the appropriate code to  
 3368 all teachers, school personnel, students, and parents, at the  
 3369 beginning of every school year. Each code shall be organized and  
 3370 written in language that is understandable to students and  
 3371 parents and shall be discussed at the beginning of every school  
 3372 year in student classes, school advisory council meetings, and  
 3373 parent and teacher association or organization meetings. Each  
 3374 code shall be based on the rules governing student conduct and  
 3375 discipline adopted by the district school board and shall be

3376 made available in the student handbook or similar publication.  
 3377 Each code shall include, but is not limited to:

3378 (d)1. An explanation of the responsibilities of each  
 3379 student with regard to appropriate dress, respect for self and  
 3380 others, and the role that appropriate dress and respect for self  
 3381 and others has on an orderly learning environment. Each district  
 3382 school board shall adopt a dress code policy that prohibits a  
 3383 student, while on the grounds of a public school during the  
 3384 regular school day, from wearing clothing that exposes underwear  
 3385 or body parts in an indecent or vulgar manner or that disrupts  
 3386 the orderly learning environment.

3387 2. Any student who violates the dress code policy  
 3388 described in subparagraph 1. is subject to the following  
 3389 disciplinary actions:

3390 a. For a first offense, a student shall be given a verbal  
 3391 warning and the school principal shall call the student's parent  
 3392 or guardian.

3393 b. For a second offense, the student is ineligible to  
 3394 participate in any extracurricular activity for a period of time  
 3395 not to exceed 5 days and the school principal shall meet with  
 3396 the student's parent or guardian.

3397 c. For a third or subsequent offense, a student shall  
 3398 receive an in-school suspension pursuant to s. 1003.01(13) for a  
 3399 period not to exceed 3 days, the student is ineligible to  
 3400 participate in any extracurricular activity for a period not to

3401 exceed 30 days, and the school principal shall call the  
 3402 student's parent or guardian and send the parent or guardian a  
 3403 written letter regarding the student's in-school suspension and  
 3404 ineligibility to participate in extracurricular activities.

3405 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

3406 (c) ~~Beginning with the 2021-2022 school year,~~ Each public  
 3407 school, including charter schools, shall implement a mobile  
 3408 panic alert system capable of connecting diverse emergency  
 3409 services technologies to ensure real-time coordination between  
 3410 multiple first responder agencies. Such system, known as  
 3411 "Alyssa's Alert," must integrate with local public safety  
 3412 answering point infrastructure to transmit 911 calls and mobile  
 3413 activations.

3414 ~~(c) For the 2020-2021 fiscal year and subject to the~~  
 3415 ~~appropriation of funds in the General Appropriations Act for~~  
 3416 ~~this purpose, the department shall issue a competitive~~  
 3417 ~~solicitation to contract for a mobile panic alert system that~~  
 3418 ~~may be used by each school district. The department shall~~  
 3419 ~~consult with the Marjory Stoneman Douglas High School Public~~  
 3420 ~~Safety Commission, the Department of Law Enforcement, and the~~  
 3421 ~~Division of Emergency Management in the development of the~~  
 3422 ~~competitive solicitation for the mobile panic alert system.~~

3423 (7) THREAT MANAGEMENT TEAMS.—Each district school board  
 3424 and charter school governing board shall establish a threat  
 3425 management team at each school whose duties include the

3426 coordination of resources and assessment and intervention with  
 3427 students whose behavior may pose a threat to the safety of the  
 3428 school, school staff, or students.

3429 (b) A threat management team shall include persons with  
 3430 expertise in counseling, instruction, school administration, and  
 3431 law enforcement. All members of the threat management team must  
 3432 be involved in the threat assessment and threat management  
 3433 process and final decisionmaking. At least one member of the  
 3434 threat management team must have personal familiarity with the  
 3435 individual who is the subject of the threat assessment. If no  
 3436 member of the threat management team has such familiarity, a  
 3437 member of the ~~an~~ instructional personnel or administrative  
 3438 personnel, as those terms are defined in s. 1012.01(2) and (3),  
 3439 who is personally familiar with the individual who is the  
 3440 subject of the threat assessment must consult with the threat  
 3441 management team for the purpose of assessing the threat. The  
 3442 instructional or administrative personnel who provides such  
 3443 consultation shall not participate in the decisionmaking  
 3444 process.

3445 Reviser's note.—Subparagraph (2) (d)2. is amended to conform to  
 3446 language in subparagraph (2) (d)1. Paragraphs (4) (c) and (e)  
 3447 are amended to delete obsolete language. Paragraph (7) (b)  
 3448 is amended to confirm an editorial substitution to improve  
 3449 clarity.

3450 Section 84. Paragraphs (a) and (d) of subsection (2) of



3451 section 1006.28, Florida Statutes, are amended to read:

3452 1006.28 Duties of district school board, district school  
 3453 superintendent; and school principal regarding K-12  
 3454 instructional materials.—

3455 (2) DISTRICT SCHOOL BOARD.—The district school board has  
 3456 the constitutional duty and responsibility to select and provide  
 3457 adequate instructional materials for all students in accordance  
 3458 with the requirements of this part. The district school board  
 3459 also has the following specific duties and responsibilities:

3460 (a) *Courses of study; adoption.*—Adopt courses of study,  
 3461 including instructional materials, for use in the schools of the  
 3462 district.

3463 1. Each district school board is responsible for the  
 3464 content of all instructional materials and any other materials  
 3465 used in a classroom, made available in a school or classroom  
 3466 library, or included on a reading list, whether adopted and  
 3467 purchased from the state-adopted instructional materials list,  
 3468 adopted and purchased through a district instructional materials  
 3469 program under s. 1006.283, or otherwise purchased or made  
 3470 available.

3471 2. Each district school board must adopt a policy  
 3472 regarding an objection by a parent or a resident of the county  
 3473 to the use of a specific material, which clearly describes a  
 3474 process to handle all objections and provides for resolution.  
 3475 The objection form, as prescribed by State Board of Education

3476 rule, and the district school board's process must be easy to  
 3477 read and understand and be easily accessible on the homepage of  
 3478 the school district's website. The objection form must also  
 3479 identify the school district point of contact and contact  
 3480 information for the submission of an objection. The process must  
 3481 provide the parent or resident the opportunity to proffer  
 3482 evidence to the district school board that:

3483 a. An instructional material does not meet the criteria of  
 3484 s. 1006.31(2) or s. 1006.40(3)(c) ~~1006.40(3)(d)~~ if it was  
 3485 selected for use in a course or otherwise made available to  
 3486 students in the school district but was not subject to the  
 3487 public notice, review, comment, and hearing procedures under s.  
 3488 1006.283(2)(b) 8., 9., and 11.

3489 b. Any material used in a classroom, made available in a  
 3490 school or classroom library, or included on a reading list  
 3491 contains content which:

3492 (I) Is pornographic or prohibited under s. 847.012;

3493 (II) Depicts or describes sexual conduct as defined in s.  
 3494 847.001(19), unless such material is for a course required by s.  
 3495 1003.46 ~~or~~ s. 1003.42(2)(o) 1.g. or 3. ~~1003.42(2)(n) 1.g., or s.~~  
 3496 ~~1003.42(2)(n) 3.~~, or identified by State Board of Education rule;

3497 (III) Is not suited to student needs and their ability to  
 3498 comprehend the material presented; or

3499 (IV) Is inappropriate for the grade level and age group  
 3500 for which the material is used.

3501  
 3502 Any material that is subject to an objection on the basis of  
 3503 sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must  
 3504 be removed within 5 school days of receipt of the objection and  
 3505 remain unavailable to students of that school until the  
 3506 objection is resolved. Parents shall have the right to read  
 3507 passages from any material that is subject to an objection. If  
 3508 the school board denies a parent the right to read passages due  
 3509 to content that meets the requirements under sub-sub-  
 3510 subparagraph b.(I), the school district shall discontinue the  
 3511 use of the material. If the district school board finds that any  
 3512 material meets the requirements under sub-subparagraph a. or  
 3513 that any other material contains prohibited content under sub-  
 3514 sub-subparagraph b.(I), the school district shall discontinue  
 3515 use of the material. If the district school board finds that any  
 3516 other material contains prohibited content under sub-sub-  
 3517 subparagraphs b.(II)-(IV), the school district shall discontinue  
 3518 use of the material for any grade level or age group for which  
 3519 such use is inappropriate or unsuitable.

3520         3. Each district school board must establish a process by  
 3521 which the parent of a public school student or a resident of the  
 3522 county may contest the district school board's adoption of a  
 3523 specific instructional material. The parent or resident must  
 3524 file a petition, on a form provided by the school board, within  
 3525 30 calendar days after the adoption of the instructional

3526 material by the school board. The school board must make the  
 3527 form available to the public and publish the form on the school  
 3528 district's website. The form must be signed by the parent or  
 3529 resident, include the required contact information, and state  
 3530 the objection to the instructional material based on the  
 3531 criteria of s. 1006.31(2) or s. 1006.40(3)(c) ~~1006.40(3)(d)~~.  
 3532 Within 30 days after the 30-day period has expired, the school  
 3533 board must, for all petitions timely received, conduct at least  
 3534 one open public hearing before an unbiased and qualified hearing  
 3535 officer. The hearing officer may not be an employee or agent of  
 3536 the school district. The hearing is not subject to the  
 3537 provisions of chapter 120; however, the hearing must provide  
 3538 sufficient procedural protections to allow each petitioner an  
 3539 adequate and fair opportunity to be heard and present evidence  
 3540 to the hearing officer. The school board's decision after  
 3541 convening a hearing is final and not subject to further petition  
 3542 or review.

3543 4. Meetings of committees convened for the purpose of  
 3544 ranking, eliminating, or selecting instructional materials for  
 3545 recommendation to the district school board must be noticed and  
 3546 open to the public in accordance with s. 286.011. Any committees  
 3547 convened for such purposes must include parents of students who  
 3548 will have access to such materials.

3549 5. Meetings of committees convened for the purpose of  
 3550 resolving an objection by a parent or resident to specific

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3551 materials must be noticed and open to the public in accordance  
3552 with s. 286.011. Any committees convened for such purposes must  
3553 include parents of students who will have access to such  
3554 materials.

3555         6. If a parent disagrees with the determination made by  
3556 the district school board on the objection to the use of a  
3557 specific material, a parent may request the Commissioner of  
3558 Education to appoint a special magistrate who is a member of The  
3559 Florida Bar in good standing and who has at least 5 years'  
3560 experience in administrative law. The special magistrate shall  
3561 determine facts relating to the school district's determination,  
3562 consider information provided by the parent and the school  
3563 district, and render a recommended decision for resolution to  
3564 the State Board of Education within 30 days after receipt of the  
3565 request by the parent. The State Board of Education must approve  
3566 or reject the recommended decision at its next regularly  
3567 scheduled meeting that is more than 7 calendar days and no more  
3568 than 30 days after the date the recommended decision is  
3569 transmitted. The costs of the special magistrate shall be borne  
3570 by the school district. The State Board of Education shall adopt  
3571 rules, including forms, necessary to implement this  
3572 subparagraph.

3573         (d) *School library media services; establishment and*  
3574 *maintenance.*—Establish and maintain a program of school library  
3575 media services for all public schools in the district, including

3576 school library media centers, or school library media centers  
 3577 open to the public, and, in addition such traveling or  
 3578 circulating libraries as may be needed for the proper operation  
 3579 of the district school system. Beginning January 1, 2023, school  
 3580 librarians, media specialists, and other personnel involved in  
 3581 the selection of school district library materials must complete  
 3582 the training program developed pursuant to s. 1006.29(6) before  
 3583 reviewing and selecting age-appropriate materials and library  
 3584 resources. Upon written request, a school district shall provide  
 3585 access to any material or book specified in the request that is  
 3586 maintained in a district school system library and is available  
 3587 for review.

3588 1. Each book made available to students through a school  
 3589 district library media center or included in a recommended or  
 3590 assigned school or grade-level reading list must be selected by  
 3591 a school district employee who holds a valid educational media  
 3592 specialist certificate, regardless of whether the book is  
 3593 purchased, donated, or otherwise made available to students.

3594 2. Each district school board shall adopt procedures for  
 3595 developing library media center collections and post the  
 3596 procedures on the website for each school within the district.  
 3597 The procedures must:

3598 a. Require that book selections meet the criteria in s.  
 3599 1006.40(3)(c) ~~1006.40(3)(d)~~.

3600 b. Require consultation of reputable, professionally

3601 recognized reviewing periodicals and school community  
 3602 stakeholders.

3603 c. Provide for library media center collections, including  
 3604 classroom libraries, based on reader interest, support of state  
 3605 academic standards and aligned curriculum, and the academic  
 3606 needs of students and faculty.

3607 d. Provide for the regular removal or discontinuance of  
 3608 books based on, at a minimum, physical condition, rate of recent  
 3609 circulation, alignment to state academic standards and relevancy  
 3610 to curriculum, out-of-date content, and required removal  
 3611 pursuant to subparagraph (a)2.

3612 3. Each elementary school must publish on its website, in  
 3613 a searchable format prescribed by the department, a list of all  
 3614 materials maintained and accessible in the school library media  
 3615 center or a classroom library or required as part of a school or  
 3616 grade-level reading list.

3617 4. Each district school board shall adopt and publish on  
 3618 its website the process for a parent to limit his or her  
 3619 student's access to materials in the school or classroom  
 3620 library.

3621 Reviser's note.—Amended to correct cross-references to conform  
 3622 to the redesignation of s. 1006.40(3)(d) as s.  
 3623 1006.40(3)(c) by s. 32, ch. 2023-245, Laws of Florida.  
 3624 Paragraph (a) is further amended to correct cross-  
 3625 references to conform to the redesignation of s.

3626 1003.42 (2) (n) as s. 1003.42 (2) (o) by s. 6, ch. 2023-39,  
 3627 Laws of Florida, and to conform to Florida Statutes  
 3628 citation style.

3629 Section 85. Paragraph (d) of subsection (5) and paragraph  
 3630 (c) of subsection (6) of section 1008.25, Florida Statutes, are  
 3631 amended to read:

3632 1008.25 Public school student progression; student  
 3633 support; coordinated screening and progress monitoring;  
 3634 reporting requirements.—

3635 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

3636 (d) The parent of any student who exhibits a substantial  
 3637 deficiency in reading, as described in paragraph (a), must be  
 3638 notified in writing of the following:

3639 1. That his or her child has been identified as having a  
 3640 substantial deficiency in reading, including a description and  
 3641 explanation, in terms understandable to the parent, of the exact  
 3642 nature of the student's difficulty in learning and lack of  
 3643 achievement in reading.

3644 2. A description of the current services that are provided  
 3645 to the child.

3646 3. A description of the proposed intensive interventions  
 3647 and supports that will be provided to the child that are  
 3648 designed to remediate the identified area of reading deficiency.

3649 4. That if the child's reading deficiency is not  
 3650 remediated by the end of grade 3, the child must be retained



3651 unless he or she is exempt from mandatory retention for good  
 3652 cause.

3653 5. Strategies, including multisensory strategies and  
 3654 programming, through a read-at-home plan the parent can use in  
 3655 helping his or her child succeed in reading. The read-at-home  
 3656 plan must provide access to the resources identified in  
 3657 paragraph (e) ~~(f)~~.

3658 6. That the statewide, standardized English Language Arts  
 3659 assessment is not the sole determiner of promotion and that  
 3660 additional evaluations, portfolio reviews, and assessments are  
 3661 available to the child to assist parents and the school district  
 3662 in knowing when a child is reading at or above grade level and  
 3663 ready for grade promotion.

3664 7. The district's specific criteria and policies for a  
 3665 portfolio as provided in subparagraph (7)(b)4. and the evidence  
 3666 required for a student to demonstrate mastery of Florida's  
 3667 academic standards for English Language Arts. A school must  
 3668 immediately begin collecting evidence for a portfolio when a  
 3669 student in grade 3 is identified as being at risk of retention  
 3670 or upon the request of the parent, whichever occurs first.

3671 8. The district's specific criteria and policies for  
 3672 midyear promotion. Midyear promotion means promotion of a  
 3673 retained student at any time during the year of retention once  
 3674 the student has demonstrated ability to read at grade level.

3675 9. Information about the student's eligibility for the New

3676 Worlds Reading Initiative under s. 1003.485 and the New Worlds  
 3677 Scholarship Accounts under s. 1002.411 and information on parent  
 3678 training modules and other reading engagement resources  
 3679 available through the initiative.

3680  
 3681 After initial notification, the school shall apprise the parent  
 3682 at least monthly of the student's progress in response to the  
 3683 intensive interventions and supports. Such communications must  
 3684 be in writing and must explain any additional interventions or  
 3685 supports that will be implemented to accelerate the student's  
 3686 progress if the interventions and supports already being  
 3687 implemented have not resulted in improvement.

3688 (6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

3689 (c) The parent of a student who exhibits a substantial  
 3690 deficiency in mathematics, as described in paragraph (a), must  
 3691 be notified in writing of the following:

3692 1. That his or her child has been identified as having a  
 3693 substantial deficiency in mathematics, including a description  
 3694 and explanation, in terms understandable to the parent, of the  
 3695 exact nature of the student's difficulty in learning and lack of  
 3696 achievement in mathematics.

3697 2. A description of the current services that are provided  
 3698 to the child.

3699 3. A description of the proposed intensive interventions  
 3700 and supports that will be provided to the child that are

3701 | designed to remediate the identified area of mathematics  
 3702 | deficiency.

3703 |         4. Strategies, including multisensory strategies and  
 3704 | programming, through a home-based plan the parent can use in  
 3705 | helping his or her child succeed in mathematics. The home-based  
 3706 | plan must provide access to the resources identified in  
 3707 | paragraph (d) ~~(e)~~.

3708 |  
 3709 | After the initial notification, the school shall apprise the  
 3710 | parent at least monthly of the student's progress in response to  
 3711 | the intensive interventions and supports. Such communications  
 3712 | must be in writing and must explain any additional interventions  
 3713 | or supports that will be implemented to accelerate the student's  
 3714 | progress if the interventions and supports already being  
 3715 | implemented have not resulted in improvement.

3716 | Reviser's note.—Paragraph (5)(d) is amended to correct a cross-  
 3717 | reference to conform to the fact that paragraph (f) does  
 3718 | not exist; paragraph (e) provides a list of resources to be  
 3719 | incorporated into a home-based plan for use by the parent  
 3720 | of a student identified as having a substantial reading  
 3721 | deficiency. Paragraph (6)(c) is amended to correct a cross-  
 3722 | reference to conform to the fact that paragraph (e) does  
 3723 | not exist; paragraph (d) provides a list of resources to be  
 3724 | incorporated into a home-based plan for use by the parent  
 3725 | of a student identified as having a substantial mathematics

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3726 deficiency.

3727 Section 86. Paragraph (c) of subsection (1) of section  
3728 1009.21, Florida Statutes, is amended to read:

3729 1009.21 Determination of resident status for tuition  
3730 purposes.—Students shall be classified as residents or  
3731 nonresidents for the purpose of assessing tuition in  
3732 postsecondary educational programs offered by charter technical  
3733 career centers or career centers operated by school districts,  
3734 in Florida College System institutions, and in state  
3735 universities.

3736 (1) As used in this section, the term:

3737 (c) "Institution of higher education" means any charter  
3738 technical career center as defined in s. 1002.34, career center  
3739 operated by a school district as defined in s. 1001.44, Florida  
3740 College System institution as defined in s. 1000.21(5), or state  
3741 university as defined in s. 1000.21(9) ~~1000.21(8)~~.

3742 Reviser's note.—Amended to conform to the reordering of  
3743 definitions in s. 1000.21 by this act.

3744 Section 87. Subsection (6) of section 1009.286, Florida  
3745 Statutes, is amended to read:

3746 1009.286 Additional student payment for hours exceeding  
3747 baccalaureate degree program completion requirements at state  
3748 universities.—

3749 (6) For purposes of this section, the term "state  
3750 university" includes the institutions identified in s.

3751 1000.21(9) ~~1000.21(8)~~ and the term "Florida College System  
 3752 institution" includes the institutions identified in s.  
 3753 1000.21(5).

3754 Reviser's note.—Amended to conform to the reordering of  
 3755 definitions in s. 1000.21 by this act.

3756 Section 88. Paragraph (b) of subsection (3) of section  
 3757 1009.30, Florida Statutes, is amended to read:

3758 1009.30 Dual Enrollment Scholarship Program.—

3759 (3)

3760 (b) The program shall reimburse institutions for tuition  
 3761 and related instructional materials costs for dual enrollment  
 3762 courses taken by public school, private school, home education  
 3763 program ~~secondary students~~, or personalized education program  
 3764 secondary students during the summer term.

3765 Reviser's note.—Amended to confirm an editorial deletion to  
 3766 improve clarity.

3767 Section 89. Paragraph (c) of subsection (2) and paragraph  
 3768 (b) of subsection (5) of section 1009.895, Florida Statutes, are  
 3769 amended to read:

3770 1009.895 Open Door Grant Program.—

3771 (2) ELIGIBILITY.—In order to be eligible for the program,  
 3772 a student must:

3773 (c) Be enrolled at a school district postsecondary  
 3774 technical career center under s. 1001.44, a Florida College  
 3775 System institution under s. 1000.21(5) ~~1000.21(3)~~, or a charter

3776 technical career center under s. 1002.34.  
 3777  
 3778 An institution may not impose additional criteria to determine a  
 3779 student's eligibility to receive a grant under this section.  
 3780 (5) INSTITUTIONAL REPORTING.—Each institution shall report  
 3781 to the department by the established date:  
 3782 (b) ~~Submit a report with~~ Data from the previous fiscal  
 3783 year on program completion and credential attainment by students  
 3784 participating in the grant program that, at a minimum, includes:  
 3785 1. A list of the programs offered.  
 3786 2. The number of students who enrolled in the programs.  
 3787 3. The number of students who completed the programs.  
 3788 4. The number of students who attained workforce  
 3789 credentials, categorized by credential name and relevant  
 3790 occupation, after completing training programs.  
 3791 Reviser's note.—Paragraph (2)(c) is amended to conform to the  
 3792 reordering of definitions in s. 1000.21 by s. 136, ch.  
 3793 2023-8, Laws of Florida. Paragraph (5)(b) is amended to  
 3794 confirm an editorial deletion to improve clarity.  
 3795 Section 90. Subsection (13) of section 1011.62, Florida  
 3796 Statutes, is amended, and subsection (15) of that section is  
 3797 reenacted, to read:  
 3798 1011.62 Funds for operation of schools.—If the annual  
 3799 allocation from the Florida Education Finance Program to each  
 3800 district for operation of schools is not determined in the

3801 annual appropriations act or the substantive bill implementing  
 3802 the annual appropriations act, it shall be determined as  
 3803 follows:

3804 (13) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental  
 3805 health assistance allocation is created to provide funding to  
 3806 assist school districts in implementing ~~their implementation of~~  
 3807 their school-based mental health assistance program pursuant to  
 3808 s. 1006.041. These funds shall be allocated annually in the  
 3809 General Appropriations Act or other law to each eligible school  
 3810 district. Each school district shall receive a minimum of  
 3811 \$100,000, with the remaining balance allocated based on each  
 3812 school district's proportionate share of the state's total  
 3813 unweighted full-time equivalent student enrollment.

3814 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR  
 3815 CURRENT OPERATION.—The total annual state allocation to each  
 3816 district for current operation for the Florida Education Finance  
 3817 Program shall be distributed periodically in the manner  
 3818 prescribed in the General Appropriations Act.

3819 (a) If the funds appropriated for current operation of the  
 3820 Florida Education Finance Program, including funds appropriated  
 3821 pursuant to subsection (18), are not sufficient to pay the state  
 3822 requirement in full, the department shall prorate the available  
 3823 state funds to each district in the following manner:

3824 1. Determine the percentage of proration by dividing the  
 3825 sum of the total amount for current operation, as provided in

3826 | this paragraph for all districts collectively, and the total  
 3827 | district required local effort into the sum of the state funds  
 3828 | available for current operation and the total district required  
 3829 | local effort.

3830 |         2. Multiply the percentage so determined by the sum of the  
 3831 | total amount for current operation as provided in this paragraph  
 3832 | and the required local effort for each individual district.

3833 |         3. From the product of such multiplication, subtract the  
 3834 | required local effort of each district; and the remainder shall  
 3835 | be the amount of state funds allocated to the district for  
 3836 | current operation. However, no calculation subsequent to the  
 3837 | appropriation shall result in negative state funds for any  
 3838 | district.

3839 |         (b) The amount thus obtained shall be the net annual  
 3840 | allocation to each school district. However, if it is determined  
 3841 | that any school district received an under allocation or over  
 3842 | allocation for any prior year because of an arithmetical error,  
 3843 | assessment roll change required by final judicial decision,  
 3844 | full-time equivalent student membership error, or any allocation  
 3845 | error revealed in an audit report, the allocation to that  
 3846 | district shall be appropriately adjusted. An under allocation in  
 3847 | a prior year caused by a school district's error may not be the  
 3848 | basis for a positive allocation adjustment for the current year.  
 3849 | Beginning with the 2011-2012 fiscal year, if a special program  
 3850 | cost factor is less than the basic program cost factor, an audit



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3851 adjustment may not result in the reclassification of the special  
3852 program FTE to the basic program FTE. If the Department of  
3853 Education audit adjustment recommendation is based upon  
3854 controverted findings of fact, the Commissioner of Education is  
3855 authorized to establish the amount of the adjustment based on  
3856 the best interests of the state.

3857 (c) The amount thus obtained shall represent the net  
3858 annual state allocation to each district; however,  
3859 notwithstanding any of the provisions herein, each district  
3860 shall be guaranteed a minimum level of funding in the amount and  
3861 manner prescribed in the General Appropriations Act.

3862 Reviser's note.—Subsection (13) is amended to confirm an  
3863 editorial substitution to improve clarity. Section 41, ch.  
3864 2023-245, Laws of Florida, purported to amend subsection  
3865 (15), but did not publish paragraphs (b) and (c). Absent  
3866 affirmative evidence of legislative intent to repeal them,  
3867 subsection (15) is reenacted to confirm that the omission  
3868 was not intended.

3869 Section 91. Subsection (2) of section 1012.71, Florida  
3870 Statutes, is amended to read:

3871 1012.71 The Florida Teachers Classroom Supply Assistance  
3872 Program.—

3873 (2) The amount of funds per classroom teacher for the  
3874 Florida Teachers Classroom Supply Assistance Program shall be  
3875 specified in the General Appropriations Act. Classroom teachers

3876 shall use the funds to purchase, on behalf of the school  
 3877 district or charter school, classroom materials and supplies for  
 3878 the public school students assigned to them, and the funds may  
 3879 not be used to purchase equipment. The funds shall be used to  
 3880 supplement the materials and supplies otherwise available to  
 3881 classroom teachers.

3882 Reviser's note.—Amended to confirm editorial insertions to  
 3883 improve clarity and sentence structure.

3884 Section 92. Section 1012.993, Florida Statutes, is amended  
 3885 to read:

3886 1012.993 Interstate Teacher Mobility Compact.—The Governor  
 3887 is authorized and directed to execute the Interstate Teacher  
 3888 Mobility Compact on behalf of this state with any other state or  
 3889 states legally joining therein in the form substantially as  
 3890 follows:

3891  
 3892 ARTICLE I

3893 PURPOSE

3894  
 3895 The purpose of this compact is to facilitate the mobility  
 3896 of teachers across the member states with the goal of supporting  
 3897 teachers through a new pathway to licensure. Through this  
 3898 compact, the member states seek to establish a collective  
 3899 regulatory framework which expedites and enhances the ability of  
 3900 teachers from a variety of backgrounds to move across state

3901 | lines. This compact is intended to achieve the following  
 3902 | objectives and should be interpreted accordingly. The member  
 3903 | states hereby ratify the same intentions by subscribing hereto:  
 3904 |       (1) Create a streamlined pathway to licensure mobility for  
 3905 | teachers;  
 3906 |       (2) Support the relocation of eligible military spouses;  
 3907 |       (3) Facilitate and enhance the exchange of licensure,  
 3908 | investigative, and disciplinary information between the member  
 3909 | states;  
 3910 |       (4) Enhance the power of state and district level  
 3911 | education officials to hire qualified, competent teachers by  
 3912 | removing barriers to the employment of out-of-state teachers;  
 3913 |       (5) Support the retention of teachers in the profession by  
 3914 | removing barriers to relicensure in a new state; and  
 3915 |       (6) Maintain state sovereignty in the regulation of the  
 3916 | teaching profession.

3917 |  
 3918 |                                 ARTICLE II  
 3919 |                                 DEFINITIONS

3920 |  
 3921 |       As used in this compact, and except as otherwise provided,  
 3922 | the following definitions shall govern the terms herein:

3923 |       (1) "Active military member" means any person with a full-  
 3924 | time duty status in the uniformed armed services of the United  
 3925 | States, including members of the National Guard and Reserve.

3926 (2) "Adverse action" means any limitation or restriction  
 3927 imposed by a member state's licensing authority, including the  
 3928 revocation, suspension, reprimand, probation, or limitation on  
 3929 the licensee's ability to work as a teacher.

3930 (3) "Bylaws" means the bylaws established by the  
 3931 commission.

3932 (4) "Career and technical education" means a current,  
 3933 valid authorization issued by a member state's licensing  
 3934 authority allowing an individual to serve as a teacher in K-12  
 3935 public educational settings in a specific career and technical  
 3936 education area.

3937 (5) "Commissioner" means the delegate of a member state.

3938 (6) "Eligible license" means a license to engage in the  
 3939 teaching profession which requires at least a bachelor's degree  
 3940 and the completion of a state-approved program for teacher  
 3941 licensure.

3942 (7) "Eligible military spouse" means the spouse of any  
 3943 individual in full-time duty status in the active uniformed  
 3944 service of the United States, including members of the National  
 3945 Guard and Reserve on active duty moving as a result of military  
 3946 mission or military career progression requirements, or are on  
 3947 their terminal move as a result of separation or retirement,  
 3948 including surviving spouses of deceased military members.

3949 (8) "Executive committee" means a group of commissioners  
 3950 elected or appointed to act on behalf of, and within the powers

3951 granted to them by, the commission as provided herein.

3952 (9) "Licensing authority" means an official, agency,  
 3953 board, or other entity of a state that is responsible for the  
 3954 licensing and regulation of teachers authorized to teach in K-12  
 3955 public educational settings.

3956 (10) "Member state" means any state that has adopted this  
 3957 compact, including all agencies and officials of such a state.

3958 (11) "Receiving state" means any state where a teacher has  
 3959 applied for licensure under this compact.

3960 (12) "Rule" means any regulation adopted by the commission  
 3961 under this compact which shall have the force of law in each  
 3962 member state.

3963 (13) "State" means a state, territory, or possession of  
 3964 the United States and the District of Columbia.

3965 (14) "State practice laws" means a member state's laws,  
 3966 rules, and regulations that govern the teaching profession,  
 3967 define the scope of such profession, and create the method and  
 3968 grounds for imposing discipline.

3969 (15) "Teacher" means an individual who currently holds an  
 3970 authorization from a member state which forms the basis for  
 3971 employment in the K-12 public schools of the state to provide  
 3972 instruction in a specific subject area, grade level, or student  
 3973 population.

3974 (16) "Unencumbered license" means a current, valid  
 3975 authorization issued by a member state's licensing authority

3976 | allowing an individual to serve as a teacher in K-12 public  
 3977 | education settings. An unencumbered license is not a restricted,  
 3978 | probationary, provisional, substitute, or temporary credential.

3979 |

3980 | ARTICLE III

3981 | LICENSURE UNDER THE COMPACT

3982 |

3983 | (1) Licensure under this compact pertains only to the  
 3984 | initial grant of a license by the receiving state. Nothing  
 3985 | herein applies to any subsequent or ongoing compliance  
 3986 | requirements that a receiving state might require for teachers.

3987 | (2) Each member state shall, in accordance with rules of  
 3988 | the commission, define, compile, and update, as necessary, a  
 3989 | list of eligible licenses and career and technical education  
 3990 | licenses that the member state is willing to consider for  
 3991 | equivalency under this compact and provide the list to the  
 3992 | commission. The list shall include those licenses that a  
 3993 | receiving state is willing to grant teachers from other member  
 3994 | states, pending a determination of equivalency by the receiving  
 3995 | state's licensing authority.

3996 | (3) Upon the receipt of an application for licensure by a  
 3997 | teacher holding an unencumbered license, the receiving state  
 3998 | shall determine which of the receiving state's eligible licenses  
 3999 | the teacher is qualified to hold and shall grant such a license  
 4000 | or licenses to the applicant. Such a determination shall be made

4001 in the sole discretion of the receiving state's licensing  
4002 authority and may include a determination that the applicant is  
4003 not eligible for any of the receiving state's licenses. For all  
4004 teachers who hold an unencumbered license, the receiving state  
4005 shall grant one or more unencumbered licenses that, in the  
4006 receiving state's sole discretion, are equivalent to the license  
4007 held by the teacher in any other member state.

4008 (4) For active duty military members and eligible military  
4009 spouses who hold a license that is not unencumbered, the  
4010 receiving state shall grant an equivalent license or licenses  
4011 that, in the receiving state's sole discretion, is equivalent to  
4012 the license or licenses held by the teacher in any other member  
4013 state, except where the receiving state does not have an  
4014 equivalent license.

4015 (5) For a teacher holding an unencumbered career and  
4016 technical education license, the receiving state shall grant an  
4017 unencumbered license equivalent to the career and technical  
4018 education license held by the applying teacher and issued by  
4019 another member state, as determined by the receiving state in  
4020 its sole discretion, except where a career and technical  
4021 education teacher does not hold a bachelor's degree and the  
4022 receiving state requires a bachelor's degree for licenses to  
4023 teach career and technical education. A receiving state may  
4024 require career and technical education teachers to meet state  
4025 industry recognized requirements, if required by law in the

4026 receiving state.

4027

4028

ARTICLE IV

4029

LICENSURE NOT UNDER THE COMPACT

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(1) Except as provided in Article III, nothing in this compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the member state's licensing authority.

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(2) When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state-specific requirements as a condition of licensure renewal or advancement in that state.

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(3) For purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

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(4) Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers or limit the application of a member state's laws or regulations governing the ownership, use, or dissemination of information pertaining ~~pertain~~ to teachers.

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(5) Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to or

4049

4050



4051 limit the ability of a member state to participate in any future  
 4052 agreement or other cooperative arrangement to:

4053 (a) Award teaching licenses or other benefits based on  
 4054 additional professional credentials, including, but not limited  
 4055 to, the National Board Certification;

4056 (b) Participate in the exchange of names of teachers whose  
 4057 license has been subject to an adverse action by a member state;  
 4058 or

4059 (c) Participate in any agreement or cooperative  
 4060 arrangement with a nonmember state.

4061

4062 ARTICLE V

4063 TEACHER QUALIFICATIONS AND REQUIREMENTS

4064 FOR LICENSURE UNDER THE COMPACT

4065

4066 (1) Except as provided for active military members or  
 4067 eligible military spouses under subsection (4) of Article III, a  
 4068 teacher may only be eligible to receive a license under this  
 4069 compact where that teacher holds an unencumbered license in a  
 4070 member state.

4071 (2) A teacher eligible to receive a license under this  
 4072 compact shall, unless otherwise provided herein:

4073 (a) Upon their application to receive a license under this  
 4074 compact, undergo a criminal background check in the receiving  
 4075 state in accordance with the laws and regulations of the

4076 receiving state; and

4077 (b) Provide the receiving state with information in  
 4078 addition to the information required for licensure for the  
 4079 purposes of determining compensation, if applicable.

4080

4081 ARTICLE VI

4082 DISCIPLINE AND ADVERSE ACTIONS

4083

4084 Nothing in this compact shall be deemed or construed to  
 4085 limit the authority of a member state to investigate or impose  
 4086 disciplinary measures on teachers according to the state  
 4087 practice laws thereof.

4088

4089 ARTICLE VII

4090 ESTABLISHMENT OF THE INTERSTATE

4091 TEACHER MOBILITY COMPACT COMMISSION

4092

4093 (1) The interstate compact member states hereby create and  
 4094 establish a joint public agency known as the Interstate Teacher  
 4095 Mobility Compact Commission:

4096 (a) The commission is a joint interstate governmental  
 4097 agency comprised of states that have enacted the Interstate  
 4098 Teacher Mobility Compact.

4099 (b) Nothing in this compact shall be construed to be a  
 4100 waiver of sovereign immunity.

4101 (2) (a) Each member state shall have and be limited to one  
 4102 delegate to the commission, who shall be given the title of  
 4103 commissioner.

4104 (b) The commissioner shall be the primary administrative  
 4105 officer of the state licensing authority or their designee.

4106 (c) Any commissioner may be removed or suspended from  
 4107 office as provided by the law of the state from which the  
 4108 commissioner is appointed.

4109 (d) The member state shall fill any vacancy occurring in  
 4110 the commission within 90 days.

4111 (e) Each commissioner shall be entitled ~~entitled~~ to one  
 4112 vote about the adoption of rules and creation of bylaws and  
 4113 shall otherwise have an opportunity to participate in the  
 4114 business and affairs of the commission. A commissioner shall  
 4115 vote in person or by such other means as provided in the bylaws.  
 4116 The bylaws may provide for commissioners' participation in  
 4117 meetings by telephone or other means of communication.

4118 (f) The commission shall meet at least once during each  
 4119 calendar year. Additional meetings shall be held as set forth in  
 4120 the bylaws.

4121 (g) The commission shall establish by rule a term of  
 4122 office for commissioners.

4123 (3) The commission shall have the following powers and  
 4124 duties:

4125 (a) Establish a code of ethics for the commission.

- 4126 (b) Establish a fiscal year of the commission.
- 4127 (c) Establish bylaws for the commission.
- 4128 (d) Maintain its financial records in accordance with the  
4129 bylaws of the commission.
- 4130 (e) Meet and take such actions as are consistent with the  
4131 provisions of this compact, the bylaws, and rules of the  
4132 commission.
- 4133 (f) Adopt uniform rules to implement and administer this  
4134 compact. The rules shall have the force and effect of law and  
4135 shall be binding in all member states. In the event the  
4136 commission exercises its rulemaking authority in a manner that  
4137 is beyond the scope of the purposes of this compact, or the  
4138 powers granted hereunder, then such an action by the commission  
4139 shall be invalid and have no force and effect of law.
- 4140 (g) Bring and prosecute legal proceedings or actions in  
4141 the name of the commission, provided that the standing of any  
4142 member state licensing authority to sue or be sued under  
4143 applicable law shall not be affected.
- 4144 (h) Purchase and maintain insurance and bonds.
- 4145 (i) Borrow, accept, or contract for services of personnel,  
4146 including, but not limited to, employees of a member state or an  
4147 associated nongovernmental organization that is open to  
4148 membership by all states.
- 4149 (j) Hire employees, elect or appoint officers, fix  
4150 compensation, define duties, grant such individuals appropriate

4151 authority to carry out the purposes of this compact, and  
 4152 establish the commission's personnel policies and programs  
 4153 relating to conflicts of interest, qualifications of personnel,  
 4154 and other related personnel matters.

4155 (k) Lease, purchase, accept appropriate gifts or donations  
 4156 of, or otherwise own, hold, improve, or use, any property, real,  
 4157 personal or mixed, provided that at all times the commission  
 4158 shall avoid any appearance of impropriety.

4159 (l) Sell, convey, mortgage, pledge, lease, exchange,  
 4160 abandon, or otherwise dispose of any property real, personal or  
 4161 mixed.

4162 (m) Establish a budget and make expenditures.

4163 (n) Borrow money.

4164 (o) Appoint committees, including standing committees  
 4165 composed of members and such other interested persons as may be  
 4166 designated in this interstate compact, rules, or bylaws.

4167 (p) Provide and receive information from, and cooperate  
 4168 with, law enforcement agencies.

4169 (q) Establish and elect an executive committee.

4170 (r) Establish and develop a charter for an executive  
 4171 information governance committee to advise on facilitating the  
 4172 exchange of information, the use of information, data privacy,  
 4173 and technical support needs, and provide reports as needed.

4174 (s) Perform such other functions as may be necessary or  
 4175 appropriate to achieve the purposes of this compact consistent

4176 with the state regulation of teacher licensure.

4177 (t) Determine whether a state's adopted language is  
 4178 materially different from the model compact language such that  
 4179 the state would not qualify for participation in the compact.

4180 (4) (a) The executive committee shall have the power to act  
 4181 on behalf of the commission according to the terms of this  
 4182 compact.

4183 (b) The executive committee shall be composed of eight  
 4184 voting members as follows:

4185 1. The chair of the commission.

4186 2. The vice chair ~~vicechair~~ of the commission.

4187 3. The treasurer of the commission.

4188 4. Five members who are elected by the commission from the  
 4189 current membership as follows:

4190 a. Four voting members representing geographic regions in  
 4191 accordance with commission rules.

4192 b. One at-large voting member in accordance with  
 4193 commission rules.

4194 (c) The commission may add or remove members of the  
 4195 executive committee as provided in commission rules.

4196 (d) The executive committee shall meet at least once  
 4197 annually.

4198 (e) The executive committee shall have the following  
 4199 duties and responsibilities:

4200 1. Recommend to the entire commission changes to the rules

4201 or bylaws, changes to the compact legislation, fees paid by  
 4202 interstate compact member states such as annual dues, and any  
 4203 compact fee charged by the member states on behalf of the  
 4204 commission.

4205 2. Ensure commission administration services are  
 4206 appropriately provided, contractual or otherwise.

4207 3. Prepare and recommend the budget.

4208 4. Maintain financial records on behalf of the commission.

4209 5. Monitor compliance of member states and provide reports  
 4210 to the commission.

4211 6. Perform other duties as provided in the rules or  
 4212 bylaws.

4213 (5)(a) All meetings of the commission shall be open to the  
 4214 public, and public notice of meetings shall be given in  
 4215 accordance with commission bylaws.

4216 (b) The commission shall keep minutes of commission  
 4217 meetings and shall provide a full and accurate summary of  
 4218 actions taken ~~take~~, and the reasons thereof, including a  
 4219 description of the views expressed. All documents considered in  
 4220 connection with an action shall be identified in such minutes.

4221 (6)(a) The commission shall pay, or provide for the  
 4222 payment of, the reasonable expenses of its establishment,  
 4223 organization, and ongoing activities.

4224 (b) The commission may accept all appropriate donations  
 4225 and grants of money, equipment, supplies, materials, and

4226 services, and receive, utilize, and dispose of the same,  
 4227 provided that at all times the commission shall avoid any  
 4228 appearance of impropriety or conflicts of interest.

4229 (c) The commission may levy on and collect an annual  
 4230 assessment from each member state or impose fees on other  
 4231 parties to cover the cost of the operations and activities of  
 4232 the commission, in accordance with the rules of the commission.

4233 (d) The commission shall not incur obligations of any kind  
 4234 prior to securing the funds adequate to meet the same; nor shall  
 4235 the commission pledge the credit of any of the member states,  
 4236 except by and with the authority of the member state.

4237 (e) The commission shall keep accurate accounts of all  
 4238 receipts and disbursements. The receipts and disbursements of  
 4239 the commission shall be subject to all accounting procedures  
 4240 established under the commission bylaws. All receipts and  
 4241 disbursements of funds of the commission shall be reviewed  
 4242 annually in accordance with commission bylaws, and a report of  
 4243 the review shall be included in and become part of the annual  
 4244 report of the commission.

4245 (7)(a) The members, officers, executive director,  
 4246 employees, and representatives of the commission shall be immune  
 4247 from suit and liability, either personally or in their official  
 4248 capacity, for any claim for damage to or loss of property or  
 4249 personal injury or other civil liability caused by or arising  
 4250 out of any actual or alleged act, error, or omission that



4251 occurred or that the person against whom the claim is made had a  
4252 reasonable basis for believing occurred within the scope of  
4253 commission employment, duties, or responsibilities. Nothing in  
4254 this paragraph shall be construed to protect any such person  
4255 from suit or liability for any damage, loss, injury, or  
4256 liability caused by the intentional, willful, or wanton  
4257 misconduct of that person.

4258 (b) The commission shall defend any member, officer,  
4259 executive director, employee, or representative of the  
4260 commission in any civil action seeking to impose liability  
4261 arising out of any actual or alleged act, error, or omission  
4262 that occurred within the scope of commission employment, duties,  
4263 or responsibilities, or that the person against whom the claim  
4264 is made had a reasonable basis for believing occurred within the  
4265 scope of commission employment, duties, or responsibilities.  
4266 Nothing in this paragraph shall be construed to prohibit that  
4267 person from retaining his or her own counsel and provided  
4268 ~~provide~~ further that the actual or alleged act, error, or  
4269 omission did not result from the person's intentional, willful,  
4270 or wanton misconduct.

4271 (c) The commission shall indemnify and hold harmless any  
4272 member, officer, executive director, employee, or representative  
4273 of the commission for the amount of any settlement or judgment  
4274 obtained against that person arising out of any actual or  
4275 alleged act, error, or omission that occurred within the scope

4276 of commission employment, duties, or responsibilities, or that  
 4277 such person had a reasonable basis for believing occurred within  
 4278 the scope of commission employment, duties, or responsibilities,  
 4279 provided the actual or alleged act, error, or omission did not  
 4280 result from the intentional, willful, or wanton misconduct of  
 4281 that person.

4282  
 4283 ARTICLE VIII

4284 RULEMAKING

4285  
 4286 (1) The commission shall exercise its rulemaking powers  
 4287 pursuant to the criteria set forth in this compact and the rules  
 4288 adopted thereunder. Rules and amendments shall become binding as  
 4289 of the date specified in each rule or amendment.

4290 (2) The commission shall adopt reasonable rules to achieve  
 4291 the intent and purpose of this compact. In the event the  
 4292 commission exercises its rulemaking authority in a manner that  
 4293 is beyond the purpose and intent of this compact, or the powers  
 4294 granted hereunder, then such action by the commission shall be  
 4295 invalid and have no force and effect of law in the member  
 4296 states.

4297 (3) If a majority of the legislatures of the member states  
 4298 rejects a rule, by enactment of a statute or resolution in the  
 4299 same manner used to adopt this compact within 4 years of the  
 4300 date of the adoption of the rule, then such rule shall have no

4301 further force and effect in any member state.

4302 (4) Rules or amendments to the rules shall be adopted or  
 4303 ratified at a regular or special meeting of the commission in  
 4304 accordance with the commission's rules and bylaws.

4305 (5) Upon a determination that an emergency exists, the  
 4306 commission may consider and adopt an emergency rule with 48  
 4307 hours' notice, with opportunity for comment, provided the usual  
 4308 rulemaking procedures shall be retroactively applied to the rule  
 4309 as soon as reasonably possible, in no event ~~even~~ later than 90  
 4310 days after the effective date of the rule. For the purposes of  
 4311 this subsection, an emergency rule is one that must be adopted  
 4312 immediately to:

4313 (a) Meet an imminent threat to the public health, safety,  
 4314 or welfare;

4315 (b) Prevent a loss of commission or member state funds;

4316 (c) Meet a deadline for the adoption of an administrative  
 4317 rule that is established by federal law or rule; or

4318 (d) Protect the public health or safety.

4319

4320 ARTICLE IX

4321 FACILITATING THE EXCHANGE

4322 OF INFORMATION

4323

4324 (1) The commission shall provide for facilitating the  
 4325 exchange of information to administer and implement the

4326 provisions of this compact in accordance with the rules of the  
 4327 commission, consistent with generally accepted data protection  
 4328 principles.

4329 (2) Nothing in this compact shall be deemed or construed  
 4330 to alter, limit, or inhibit the power of a member state to  
 4331 control and maintain ownership of its licensee information or  
 4332 alter, limit, or inhibit the laws or regulations governing  
 4333 licensee information in member states.

4334  
 4335 ARTICLE X  
 4336 OVERSIGHT, DISPUTE RESOLUTION,  
 4337 AND ENFORCEMENT  
 4338

4339 (1) (a) The executive and judicial branches of state  
 4340 government in each member state shall enforce this compact and  
 4341 take all actions necessary and appropriate to effectuate this  
 4342 compact's purpose and intent. The provisions of this compact  
 4343 shall have standing as statutory law.

4344 (b) Venue is proper and judicial proceedings by or against  
 4345 the commission shall be brought solely and exclusively in a  
 4346 court of competent jurisdiction where the principal office of  
 4347 the commission is located. The commission may waive venue and  
 4348 jurisdictional defenses to the extent it adopts or consents to  
 4349 participate in alternative dispute resolution proceedings.  
 4350 Nothing herein shall affect or limit the selection or propriety

4351 of venue in any action against a licensee for professional  
 4352 malpractice, misconduct, or any such similar matter.

4353 (c) All courts and all administrative agencies shall take  
 4354 judicial notice of this compact, the rules of the commission,  
 4355 and any information provided to a member state pursuant thereto  
 4356 in any judicial or quasi-judicial proceeding in a member state  
 4357 pertaining to the subject matter of this compact, or which may  
 4358 affect the powers, responsibilities, or actions of the  
 4359 commission.

4360 (d) The commission shall be entitled to receive service of  
 4361 process in any proceeding regarding the enforcement or  
 4362 interpretation of this compact and shall have standing to  
 4363 intervene in such a proceeding for all purposes. Failure to  
 4364 provide the commission service of process shall render a  
 4365 judgment or an order void as to the commission, this compact, or  
 4366 adopted rules.

4367 (2)(a) If the commission determines that a member state  
 4368 has defaulted in the performance of its obligations or  
 4369 responsibilities under this compact or the adopted rules, the  
 4370 commission shall:

4371 1. Provide written notice to the defaulting state and  
 4372 other member states of the nature of the default, the proposed  
 4373 means of curing the default, and any other action to be taken by  
 4374 the commission; and

4375 2. Provide remedial training and specific technical

4376 assistance regarding the default.

4377 (b) If a state in default fails to cure the default, the  
 4378 defaulting state may be terminated from this compact upon an  
 4379 affirmative vote of a majority of the commissioners of the  
 4380 member states, and all rights, privileges, and benefits  
 4381 conferred on that state by this compact may be terminated on the  
 4382 effective date of termination. A cure of the default does not  
 4383 relieve the offending state of obligations or liabilities  
 4384 incurred during the period of default.

4385 (c) Termination of membership in the compact shall be  
 4386 imposed only after all other means of securing compliance have  
 4387 been exhausted. Notice of intent to suspend or terminate shall  
 4388 be given by the commission to the Governor, the Majority and  
 4389 Minority Leaders of the State Legislature, and the state  
 4390 licensing authority of the ~~of the~~ defaulting state and to each  
 4391 of the member states.

4392 (d) A state that has been terminated is responsible for  
 4393 all assessments, obligations, and liabilities incurred through  
 4394 the effective date of termination, including obligations that  
 4395 extend beyond the effective date of termination.

4396 (e) The commission shall not bear any costs related to a  
 4397 state that is found to be in default or that has been terminated  
 4398 from this compact unless agreed upon in writing between the  
 4399 commission and the defaulting state.

4400 (f) Nothing in this compact shall be construed to be a

4401 waiver of sovereign immunity.

4402 (g) The defaulting state may appeal the action of the  
 4403 commission by petitioning the United States District Court for  
 4404 the District of Columbia or the federal district where the  
 4405 commission has its principal offices. The prevailing party shall  
 4406 be awarded all costs of such litigation, including reasonable  
 4407 attorney fees.

4408 (h)1. Upon the request of a member state, the commission  
 4409 shall attempt to resolve disputes related to this compact that  
 4410 arise among member states and between member and nonmember  
 4411 states.

4412 2. The commission shall adopt a rule providing for both  
 4413 binding and nonbinding alternative dispute resolution for  
 4414 disputes as appropriate.

4415 (i)1. The commission, in the reasonable exercise of its  
 4416 discretion, shall enforce the provisions and rules of this  
 4417 compact.

4418 2. By a majority vote, the commission may initiate legal  
 4419 action in the United States District Court for the District of  
 4420 Columbia or the federal district where the commission has its  
 4421 principal offices against a member state in default to enforce  
 4422 compliance with the provisions of this compact and its adopted  
 4423 rules and bylaws. The relief sought may include both injunctive  
 4424 relief and damages. In the event judicial enforcement is  
 4425 necessary, the prevailing party shall be awarded all costs of

4426 such litigation, including reasonable attorney fees. The  
 4427 remedies herein shall not be the exclusive remedies of the  
 4428 commission. The commission may pursue any other remedies  
 4429 available under federal or state law.

4430

4431 ARTICLE XI

4432 EFFECTUATION, WITHDRAWAL, AND AMENDMENT

4433

4434 (1) This compact shall come into effect on the date on  
 4435 which the compact statute is enacted into law in the tenth  
 4436 member state.

4437 (a) On or after the effective date of this compact, the  
 4438 commission shall convene and review the enactment of each of the  
 4439 charter member states to determine if the statute enacted by  
 4440 such charter member state is materially different from the model  
 4441 compact statute.

4442 (b) A charter member state whose enactment is found to be  
 4443 materially different from the model compact statute shall be  
 4444 entitled ~~entitled~~ to the default process set forth in Article X.

4445 (c) Member states enacting the compact subsequent to the  
 4446 charter member states shall be subject to the process set forth  
 4447 in Article VII(3)(t) ~~Article VII(X)(a)~~ to determine if their  
 4448 enactments are materially different from the model compact  
 4449 statute and whether they qualify for participation in the  
 4450 compact.



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ORIGINAL

2024

4451 (2) If any member state is later found to be in default,  
4452 or is terminated or withdraws from the compact, the commission  
4453 ~~commissioner~~ shall remain in existence and the compact shall  
4454 remain in effect even if the number of member states should be  
4455 less than 10.

4456 (3) Any state that joins this compact after the  
4457 commission's initial adoption of the rules and bylaws shall be  
4458 subject to the rules and bylaws as they exist on the date on  
4459 which this compact becomes law in that state. Any rule that has  
4460 been previously adopted by the commission shall have the full  
4461 force and effect of law on the day this compact becomes law in  
4462 that state, as the rules and bylaws may be amended as provided  
4463 in this compact.

4464 (4) Any member state may withdraw from this compact by  
4465 enacting a statute repealing the same.

4466 (a) A member state's withdrawal shall not take effect  
4467 until 6 months after the enactment of the repealing statute.

4468 (b) Withdrawal shall not affect the continuing requirement  
4469 of the withdrawing state's licensing authority to comply with  
4470 the investigative and adverse action reporting requirements of  
4471 this act prior to the effective date of the withdrawal.

4472 (5) This compact may be amended by member states. No  
4473 amendment to this compact shall become effective and binding  
4474 upon any member state until it is enacted into the laws of all  
4475 member states.

4476  
 4477 ARTICLE XII  
 4478 CONSTRUCTION AND SEVERABILITY  
 4479

4480 This compact shall be liberally construed to effectuate the  
 4481 purpose thereof. The provisions of this compact shall be  
 4482 severable, and if any phrase, clause, sentence, or provision of  
 4483 this compact is declared to be contrary to the constitution of  
 4484 any member state or a state seeking membership in this compact  
 4485 or the United States Constitution or the applicability thereof  
 4486 to any other government, agency, person, or circumstance is held  
 4487 invalid, the validity of the remainder of this compact and the  
 4488 applicability thereof to any government, agency, person, or  
 4489 circumstance shall not be affected ~~effected~~. If this compact  
 4490 shall be held contrary to the constitution of any member state,  
 4491 this compact shall remain in full force and effect as to the  
 4492 remaining member states and in full force and effect as to the  
 4493 member state affected as to all severable matters.  
 4494

4495 ARTICLE XIII  
 4496 CONSISTENT EFFECT AND  
 4497 CONFLICT WITH OTHER STATE LAWS  
 4498

4499 (1) Nothing herein shall prevent or inhibit the  
 4500 enforcement of any other law of a member state that is not

4501 inconsistent with this compact.

4502 (2) Any laws, statutes, regulations, or other legal  
 4503 requirements in a member state in conflict with this compact are  
 4504 superseded to the extent of the conflict.

4505 (3) All permissible agreements between the commission and  
 4506 the member states are binding in accordance with their terms.  
 4507 Reviser's note.—Amended to conform to context, to confirm  
 4508 editorial substitutions to improve clarity and facilitate  
 4509 correct interpretation, to confirm an editorial deletion to  
 4510 eliminate a repetition of words, and to correct a cross-  
 4511 reference to conform to the fact that the provision for the  
 4512 duty of the commission to determine whether a state's  
 4513 adopted language is materially different from the model  
 4514 compact such that the state would not qualify for  
 4515 participation in the compact, is found in Article VII(3)(t)  
 4516 of the compact as passed by the Florida Legislature,  
 4517 codified as s. 1012.993.

4518 Section 93. Paragraph (a) of subsection (2) of section  
 4519 1013.64, Florida Statutes, is amended to read:

4520 1013.64 Funds for comprehensive educational plant needs;  
 4521 construction cost maximums for school district capital  
 4522 projects.—Allocations from the Public Education Capital Outlay  
 4523 and Debt Service Trust Fund to the various boards for capital  
 4524 outlay projects shall be determined as follows:

4525 (2)(a) The department shall establish, as a part of the

4526 Public Education Capital Outlay and Debt Service Trust Fund, a  
 4527 separate account, in an amount determined by the Legislature, to  
 4528 be known as the "Special Facility Construction Account." The  
 4529 Special Facility Construction Account shall be used to provide  
 4530 necessary construction funds to school districts which have  
 4531 urgent construction needs but which lack sufficient resources at  
 4532 present, and cannot reasonably anticipate sufficient resources  
 4533 within the period of the next 3 years, for these purposes from  
 4534 currently authorized sources of capital outlay revenue. A school  
 4535 district requesting funding from the Special Facility  
 4536 Construction Account shall submit one specific construction  
 4537 project, not to exceed one complete educational plant, to the  
 4538 Special Facility Construction Committee. A district may not  
 4539 receive funding for more than one approved project in any 3-year  
 4540 period or while any portion of the district's participation  
 4541 requirement is outstanding. The first year of the 3-year period  
 4542 shall be the first year a district receives an appropriation.  
 4543 ~~During the 2019-2020 school year, a school district that~~  
 4544 ~~sustained hurricane damage in the 2018-2019 school year may~~  
 4545 ~~request funding from the Special Facility Construction Account~~  
 4546 ~~for a new project before the completion of the district's~~  
 4547 ~~participation requirement for an outstanding project.~~ The  
 4548 department shall encourage a construction program that reduces  
 4549 the average size of schools in the district. The request must  
 4550 meet the following criteria to be considered by the committee:

4551           1. The project must be deemed a critical need and must be  
 4552 recommended for funding by the Special Facility Construction  
 4553 Committee. Before developing construction plans for the proposed  
 4554 facility, the district school board must request a  
 4555 preapplication review by the Special Facility Construction  
 4556 Committee or a project review subcommittee convened by the chair  
 4557 of the committee to include two representatives of the  
 4558 department and two staff members from school districts not  
 4559 eligible to participate in the program. A school district may  
 4560 request a preapplication review at any time; however, if the  
 4561 district school board seeks inclusion in the department's next  
 4562 annual capital outlay legislative budget request, the  
 4563 preapplication review request must be made before February 1.  
 4564 Within 90 days after receiving the preapplication review  
 4565 request, the committee or subcommittee must meet in the school  
 4566 district to review the project proposal and existing facilities.  
 4567 To determine whether the proposed project is a critical need,  
 4568 the committee or subcommittee shall consider, at a minimum, the  
 4569 capacity of all existing facilities within the district as  
 4570 determined by the Florida Inventory of School Houses; the  
 4571 district's pattern of student growth; the district's existing  
 4572 and projected capital outlay full-time equivalent student  
 4573 enrollment as determined by the demographic, revenue, and  
 4574 education estimating conferences established in s. 216.136; the  
 4575 district's existing satisfactory student stations; the use of

4576 all existing district property and facilities; grade level  
 4577 configurations; and any other information that may affect the  
 4578 need for the proposed project.

4579 2. The construction project must be recommended in the  
 4580 most recent survey or survey amendment cooperatively prepared by  
 4581 the district and the department, and approved by the department  
 4582 under the rules of the State Board of Education. If a district  
 4583 employs a consultant in the preparation of a survey or survey  
 4584 amendment, the consultant may not be employed by or receive  
 4585 compensation from a third party that designs or constructs a  
 4586 project recommended by the survey.

4587 3. The construction project must appear on the district's  
 4588 approved project priority list under the rules of the State  
 4589 Board of Education.

4590 4. The district must have selected and had approved a site  
 4591 for the construction project in compliance with s. 1013.36 and  
 4592 the rules of the State Board of Education.

4593 5. The district shall have developed a district school  
 4594 board adopted list of facilities that do not exceed the norm for  
 4595 net square feet occupancy requirements under the State  
 4596 Requirements for Educational Facilities, using all possible  
 4597 programmatic combinations for multiple use of space to obtain  
 4598 maximum daily use of all spaces within the facility under  
 4599 consideration.

4600 6. Upon construction, the total cost per student station,

4601 including change orders, must not exceed the cost per student  
 4602 station as provided in subsection (6) unless approved by the  
 4603 Special Facility Construction Committee. At the discretion of  
 4604 the committee, costs that exceed the cost per student station  
 4605 for special facilities may include legal and administrative  
 4606 fees, the cost of site improvements or related offsite  
 4607 improvements, the cost of complying with public shelter and  
 4608 hurricane hardening requirements, cost overruns created by a  
 4609 disaster as defined in s. 252.34(2), costs of security  
 4610 enhancements approved by the school safety specialist, and  
 4611 unforeseeable circumstances beyond the district's control.

4612 7. There shall be an agreement signed by the district  
 4613 school board stating that it will advertise for bids within 30  
 4614 days of receipt of its encumbrance authorization from the  
 4615 department.

4616 8. For construction projects for which Special Facilities  
 4617 Construction Account funding is sought before the 2019-2020  
 4618 fiscal year, the district shall, at the time of the request and  
 4619 for a continuing period necessary to meet the district's  
 4620 participation requirement, levy the maximum millage against its  
 4621 nonexempt assessed property value as allowed in s. 1011.71(2) or  
 4622 shall raise an equivalent amount of revenue from the school  
 4623 capital outlay surtax authorized under s. 212.055(6). Beginning  
 4624 with construction projects for which Special Facilities  
 4625 Construction Account funding is sought in the 2019-2020 fiscal

4626 | year, the district shall, for a minimum of 3 years before  
 4627 | submitting the request and for a continuing period necessary to  
 4628 | meet its participation requirement, levy the maximum millage  
 4629 | against the district's nonexempt assessed property value as  
 4630 | authorized under s. 1011.71(2) or shall raise an equivalent  
 4631 | amount of revenue from the school capital outlay surtax  
 4632 | authorized under s. 212.055(6). Any district with a new or  
 4633 | active project, funded under the provisions of this subsection,  
 4634 | shall be required to budget no more than the value of 1 mill per  
 4635 | year to the project until the district's participation  
 4636 | requirement relating to the local discretionary capital  
 4637 | improvement millage or the equivalent amount of revenue from the  
 4638 | school capital outlay surtax is satisfied.

4639 |         9. If a contract has not been signed 90 days after the  
 4640 | advertising of bids, the funding for the specific project shall  
 4641 | revert to the Special Facility New Construction Account to be  
 4642 | reallocated to other projects on the list. However, an  
 4643 | additional 90 days may be granted by the commissioner.

4644 |         10. The department shall certify the inability of the  
 4645 | district to fund the survey-recommended project over a  
 4646 | continuous 3-year period using projected capital outlay revenue  
 4647 | derived from s. 9(d), Art. XII of the State Constitution, as  
 4648 | amended, paragraph (3)(a) of this section, and s. 1011.71(2).

4649 |         11. The district shall have on file with the department an  
 4650 | adopted resolution acknowledging its commitment to satisfy its



4651 participation requirement, which is equivalent to all  
 4652 unencumbered and future revenue acquired from s. 9(d), Art. XII  
 4653 of the State Constitution, as amended, paragraph (3)(a) of this  
 4654 section, and s. 1011.71(2), in the year of the initial  
 4655 appropriation and for the 2 years immediately following the  
 4656 initial appropriation.

4657 12. Phase I plans must be approved by the district school  
 4658 board as being in compliance with the building and life safety  
 4659 codes before June 1 of the year the application is made.

4660 Reviser's note.—Amended to delete obsolete language.

4661 Section 94. This act shall take effect on the 60th day  
 4662 after adjournment sine die of the session of the Legislature in  
 4663 which enacted.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB RUC 24-03 Florida Statutes

**SPONSOR(S):** Rules Committee

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 76

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Rules Committee		Cornell	Brink

**SUMMARY ANALYSIS**

Florida law requires the Division of Law Revision of the Office of Legislative Services to conduct a systematic and continuing study of the state's statutes and laws. The purpose of this study is to recommend to the Legislature changes that would:

- remove inconsistencies, redundancies, and unnecessary repetition;
- improve clarity; and
- facilitate correct and proper interpretation.

Such changes include:

- Corrections to grammatical and typographical errors.
- Removal of expired or obsolete statutes and laws.
- Transfer, consolidation, and renumbering of sections, subsections, chapter, and titles.

These recommendations are submitted to the Legislature as technical, non-substantive reviser's bills.

The bill is a general reviser's bill that deletes statutory provisions that have been repealed by a non-current (past-year) session of the Legislature where that repeal or expiration date has now occurred, rendering the provision of no effect. Such provisions may be omitted from publication in the 2024 Florida Statutes only through a reviser's bill duly enacted by the Legislature.

Pursuant to House Rule 12.3(e), a reviser's bill cannot be amended except to delete a bill section.

The bill has no fiscal impact.

The effective date of the bill is the 60th day after adjournment sine die.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

The effect of the general reviser's bill is of a technical, non-substantive nature. This reviser's bill repeals provisions that have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from publication in the 2024 Florida Statutes only through a reviser's bill duly enacted by the Legislature.

#### B. SECTION DIRECTORY:

**Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, and 20** delete provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

**Sections 14, 21, 22, 23, 24, 25, 26, 27, and 28** are amended to conform to the repeal of a provision that has expired.

**Section 29** provides for an effective date.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

#### D. FISCAL COMMENTS:

The reviser's bill deletes inoperative provisions of the statutes. There is no fiscal impact on state or local governments or on the private sector.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The reviser's bill does not implicate authority for any agency to adopt rules.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; repealing ss.  
 3           14.2019(5), 112.0441, 119.071(1)(g), 193.1557,  
 4           197.3181, 197.3182, 197.3195, 216.181(11)(e), 220.27,  
 5           288.860(5), 327.4109(6), 338.165(3)(b), 381.00317,  
 6           420.0005(2), 627.749(3), 766.105, 796.07(5)(e),  
 7           943.0433, and 1001.212(11), F.S., and amending s.  
 8           409.908(2)(b), F.S., to delete provisions which have  
 9           become inoperative by noncurrent repeal or expiration  
 10          and, pursuant to s. 11.242(5)(b) and (i), F.S., may be  
 11          omitted from the 2023 Florida Statutes only through a  
 12          reviser's bill duly enacted by the Legislature;  
 13          amending ss. 194.032, 381.00318, 1001.10, 1002.351,  
 14          1002.82, 1003.25, 1006.07, and 1006.1493, F.S., to  
 15          conform to changes made by this act; providing an  
 16          effective date.

17  
 18   Be It Enacted by the Legislature of the State of Florida:

19  
 20           Section 1. Subsection (5) of section 14.2019, Florida  
 21 Statutes, is repealed.

22   Reviser's note.—The cited subsection, which relates to the First  
 23   Responders Suicide Deterrence Task Force, was repealed  
 24   pursuant to its own terms, effective July 1, 2023.

25           Section 2. Section 112.0441, Florida Statutes, is

26 repealed.

27 Reviser's note.—The cited section, which relates to prohibition  
 28 on public employee COVID-19 vaccination mandates, expired  
 29 pursuant to its own terms, effective June 1, 2023.

30 Section 3. Paragraph (g) of subsection (1) of section  
 31 119.071, Florida Statutes, is repealed.

32 Reviser's note.—The cited paragraph, which relates to  
 33 confidentiality and exemption from public records  
 34 requirements of United States Census Bureau address  
 35 information, agency records that verify addresses, and  
 36 agency records identifying address errors or information,  
 37 held by an agency pursuant to the Local Update of Census  
 38 Addresses Program authorized under 13 U.S.C. s. 16, was  
 39 repealed pursuant to its own terms, effective October 2,  
 40 2023.

41 Section 4. Section 193.1557, Florida Statutes, is  
 42 repealed.

43 Reviser's note.—The cited section, which relates to assessment  
 44 of certain property damaged or destroyed by Hurricane  
 45 Michael, was repealed pursuant to its own terms, effective  
 46 December 31, 2023.

47 Section 5. Section 197.3181, Florida Statutes, is  
 48 repealed.

49 Reviser's note.—The cited section, which relates to refund of  
 50 taxes for residential improvements rendered uninhabitable

51 by Hurricane Ian or Hurricane Nicole, expired pursuant to  
 52 its own terms, effective January 1, 2024.

53 Section 6. Section 197.3182, Florida Statutes, is  
 54 repealed.

55 Reviser's note.—The cited section, which relates to tax  
 56 deadlines for real property destroyed or rendered  
 57 uninhabitable by Hurricane Ian or Hurricane Nicole, expired  
 58 pursuant to its own terms, effective January 1, 2024.

59 Section 7. Section 197.3195, Florida Statutes, is  
 60 repealed.

61 Reviser's note.—The cited section, which relates to abatement of  
 62 ad valorem taxes and non-ad valorem assessments following  
 63 destruction caused by a sudden and unforeseen collapse, was  
 64 repealed pursuant to its own terms, effective December 31,  
 65 2023.

66 Section 8. Paragraph (e) of subsection (11) of section  
 67 216.181, Florida Statutes, is repealed.

68 Reviser's note.—The cited paragraph, which relates to approval  
 69 of budget amendments to increase the approved operating  
 70 budgets for nonrecurring operational and fixed capital  
 71 outlay expenditures of a state agency or an entity of the  
 72 judicial branch when it is deemed necessary to offset cost  
 73 increases driven by inflation, for the 2022-2023 fiscal  
 74 year only, expired pursuant to its own terms, effective  
 75 July 1, 2023.



76 Section 9. Section 220.27, Florida Statutes, is repealed.  
 77 Reviser's note.—The cited section, which relates to additional  
 78 required taxpayer information, was repealed pursuant to its  
 79 own terms, effective January 1, 2023.

80 Section 10. Subsection (5) of section 288.860, Florida  
 81 Statutes, is repealed.  
 82 Reviser's note.—The cited subsection, which prohibits agreements  
 83 with or acceptance of a grant from the Russian Federation  
 84 by state agencies, political subdivisions, public schools,  
 85 state colleges, or state universities, for the 2022-2023  
 86 fiscal year only, expired pursuant to its own terms,  
 87 effective July 1, 2023.

88 Section 11. Subsection (6) of section 327.4109, Florida  
 89 Statutes, is repealed.  
 90 Reviser's note.—The cited subsection, which relates to a study  
 91 of the impacts of long-term stored vessels on local  
 92 communities and this state, expired pursuant to its own  
 93 terms, effective January 1, 2024.

94 Section 12. Paragraph (b) of subsection (3) of section  
 95 338.165, Florida Statutes, is repealed.  
 96 Reviser's note.—The cited paragraph, which prohibits toll rate  
 97 adjustments for inflation for the 2022-2023 fiscal year,  
 98 expired pursuant to its own terms, effective July 1, 2023.

99 Section 13. Section 381.00317, Florida Statutes, is  
 100 repealed.

101 Reviser's note.—The cited section, which relates to prohibition  
 102 of private employer COVID-19 vaccination mandates, expired  
 103 pursuant to its own terms, effective June 1, 2023.

104 Section 14. Paragraph (b) of subsection (2) of section  
 105 409.908, Florida Statutes, is amended to read:

106 409.908 Reimbursement of Medicaid providers.—Subject to  
 107 specific appropriations, the agency shall reimburse Medicaid  
 108 providers, in accordance with state and federal law, according  
 109 to methodologies set forth in the rules of the agency and in  
 110 policy manuals and handbooks incorporated by reference therein.  
 111 These methodologies may include fee schedules, reimbursement  
 112 methods based on cost reporting, negotiated fees, competitive  
 113 bidding pursuant to s. 287.057, and other mechanisms the agency  
 114 considers efficient and effective for purchasing services or  
 115 goods on behalf of recipients. If a provider is reimbursed based  
 116 on cost reporting and submits a cost report late and that cost  
 117 report would have been used to set a lower reimbursement rate  
 118 for a rate semester, then the provider's rate for that semester  
 119 shall be retroactively calculated using the new cost report, and  
 120 full payment at the recalculated rate shall be effected  
 121 retroactively. Medicare-granted extensions for filing cost  
 122 reports, if applicable, shall also apply to Medicaid cost  
 123 reports. Payment for Medicaid compensable services made on  
 124 behalf of Medicaid-eligible persons is subject to the  
 125 availability of moneys and any limitations or directions

126 provided for in the General Appropriations Act or chapter 216.  
 127 Further, nothing in this section shall be construed to prevent  
 128 or limit the agency from adjusting fees, reimbursement rates,  
 129 lengths of stay, number of visits, or number of services, or  
 130 making any other adjustments necessary to comply with the  
 131 availability of moneys and any limitations or directions  
 132 provided for in the General Appropriations Act, provided the  
 133 adjustment is consistent with legislative intent.

134 (2)

135 (b) Subject to any limitations or directions in the  
 136 General Appropriations Act, the agency shall establish and  
 137 implement a state Title XIX Long-Term Care Reimbursement Plan  
 138 for nursing home care in order to provide care and services in  
 139 conformance with the applicable state and federal laws, rules,  
 140 regulations, and quality and safety standards and to ensure that  
 141 individuals eligible for medical assistance have reasonable  
 142 geographic access to such care.

143 1. The agency shall amend the long-term care reimbursement  
 144 plan and cost reporting system to create direct care and  
 145 indirect care subcomponents of the patient care component of the  
 146 per diem rate. These two subcomponents together shall equal the  
 147 patient care component of the per diem rate. Separate prices  
 148 shall be calculated for each patient care subcomponent,  
 149 initially based on the September 2016 rate setting cost reports  
 150 and subsequently based on the most recently audited cost report

151 used during a rebasing year. The direct care subcomponent of the  
 152 per diem rate for any providers still being reimbursed on a cost  
 153 basis shall be limited by the cost-based class ceiling, and the  
 154 indirect care subcomponent may be limited by the lower of the  
 155 cost-based class ceiling, the target rate class ceiling, or the  
 156 individual provider target. The ceilings and targets apply only  
 157 to providers being reimbursed on a cost-based system. Effective  
 158 October 1, 2018, a prospective payment methodology shall be  
 159 implemented for rate setting purposes with the following  
 160 parameters:

- 161 a. Peer Groups, including:
  - 162 (I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee
  - 163 Counties; and
  - 164 (II) South-SMMC Regions 10-11, plus Palm Beach and
  - 165 Okeechobee Counties.
- 166 b. Percentage of Median Costs based on the cost reports  
 167 used for September 2016 rate setting:
  - 168 (I) Direct Care Costs ..... 100 percent.
  - 169 (II) Indirect Care Costs ..... 92 percent.
  - 170 (III) Operating Costs ..... 86 percent.
- 171 c. Floors:
  - 172 (I) Direct Care Component ..... 95 percent.
  - 173 (II) Indirect Care Component ..... 92.5 percent.
  - 174 (III) Operating Component ..... None.
- 175 d. Pass-through Payments ..... Real Estate and

176 Personal Property  
 177 Taxes and Property Insurance.  
 178 e. Quality Incentive Program Payment  
 179 Pool 10 percent of September  
 180 2016 non-property related  
 181 payments of included facilities.  
 182 f. Quality Score Threshold to Quality for Quality  
 183 Incentive Payment..... 20th  
 184 percentile of included facilities.  
 185 g. Fair Rental Value System Payment Parameters:  
 186 (I) Building Value per Square Foot based on 2018 RS Means.  
 187 (II) Land Valuation 10 percent of Gross Building value.  
 188 (III) Facility Square Footage ..Actual Square Footage.  
 189 (IV) Movable Equipment Allowance ..... \$8,000 per bed.  
 190 (V) Obsolescence Factor ..... 1.5 percent.  
 191 (VI) Fair Rental Rate of Return ..... 8 percent.  
 192 (VII) Minimum Occupancy ..... 90 percent.  
 193 (VIII) Maximum Facility Age ..... 40 years.  
 194 (IX) Minimum Square Footage per Bed..... 350.  
 195 (X) Maximum Square Footage for Bed..... 500.  
 196 (XI) Minimum Cost of a renovation/replacements \$500 per  
 197 bed.  
 198 h. Ventilator Supplemental payment of \$200 per Medicaid  
 199 day of 40,000 ventilator Medicaid days per fiscal year.  
 200 2. The direct care subcomponent shall include salaries and

201 benefits of direct care staff providing nursing services  
 202 including registered nurses, licensed practical nurses, and  
 203 certified nursing assistants who deliver care directly to  
 204 residents in the nursing home facility, allowable therapy costs,  
 205 and dietary costs. This excludes nursing administration, staff  
 206 development, the staffing coordinator, and the administrative  
 207 portion of the minimum data set and care plan coordinators. The  
 208 direct care subcomponent also includes medically necessary  
 209 dental care, vision care, hearing care, and podiatric care.

210 3. All other patient care costs shall be included in the  
 211 indirect care cost subcomponent of the patient care per diem  
 212 rate, including complex medical equipment, medical supplies, and  
 213 other allowable ancillary costs. Costs may not be allocated  
 214 directly or indirectly to the direct care subcomponent from a  
 215 home office or management company.

216 4. On July 1 of each year, the agency shall report to the  
 217 Legislature direct and indirect care costs, including average  
 218 direct and indirect care costs per resident per facility and  
 219 direct care and indirect care salaries and benefits per category  
 220 of staff member per facility.

221 5. Every fourth year, the agency shall rebase nursing home  
 222 prospective payment rates to reflect changes in cost based on  
 223 the most recently audited cost report for each participating  
 224 provider.

225 6. A direct care supplemental payment may be made to

226 providers whose direct care hours per patient day are above the  
 227 80th percentile and who provide Medicaid services to a larger  
 228 percentage of Medicaid patients than the state average.

229 ~~7. For the period beginning on October 1, 2018, and ending~~  
 230 ~~on September 30, 2021, the agency shall reimburse providers the~~  
 231 ~~greater of their September 2016 cost-based rate or their~~  
 232 ~~prospective payment rate. Effective October 1, 2021, the agency~~  
 233 ~~shall reimburse providers the greater of 95 percent of their~~  
 234 ~~cost-based rate or their rebased prospective payment rate, using~~  
 235 ~~the most recently audited cost report for each facility. This~~  
 236 ~~subparagraph shall expire September 30, 2023.~~

237 7.8. Pediatric, Florida Department of Veterans Affairs,  
 238 and government-owned facilities are exempt from the pricing  
 239 model established in this subsection and shall remain on a cost-  
 240 based prospective payment system. Effective October 1, 2018, the  
 241 agency shall set rates for all facilities remaining on a cost-  
 242 based prospective payment system using each facility's most  
 243 recently audited cost report, eliminating retroactive  
 244 settlements.

245  
 246 It is the intent of the Legislature that the reimbursement plan  
 247 achieve the goal of providing access to health care for nursing  
 248 home residents who require large amounts of care while  
 249 encouraging diversion services as an alternative to nursing home  
 250 care for residents who can be served within the community. The

251 agency shall base the establishment of any maximum rate of  
 252 payment, whether overall or component, on the available moneys  
 253 as provided for in the General Appropriations Act. The agency  
 254 may base the maximum rate of payment on the results of  
 255 scientifically valid analysis and conclusions derived from  
 256 objective statistical data pertinent to the particular maximum  
 257 rate of payment. The agency shall base the rates of payments in  
 258 accordance with the minimum wage requirements as provided in the  
 259 General Appropriations Act.

260 Reviser's note.—Amended to conform to the expiration of  
 261 subparagraph 7. pursuant to its own terms, effective  
 262 September 30, 2023.

263 Section 15. Subsection (2) of section 420.0005, Florida  
 264 Statutes, is repealed.

265 Reviser's note.—The cited subsection, which relates to use of  
 266 funds relating to the State Housing Trust Fund and the  
 267 State Housing Fund for the 2022-2023 fiscal year, expired  
 268 pursuant to its own terms, effective July 1, 2023.

269 Section 16. Subsection (3) of section 627.749, Florida  
 270 Statutes, is repealed.

271 Reviser's note.—The cited subsection, which relates to  
 272 additional insurance coverage requirements for autonomous  
 273 vehicles, was repealed pursuant to its own terms, effective  
 274 January 1, 2024.

275 Section 17. Section 766.105, Florida Statutes, is



276 | repealed.

277 | Reviser's note.—The cited section, which relates to the Florida

278 |       Patient's Compensation fund, was repealed pursuant to its

279 |       own terms, effective January 1, 2024.

280 |       Section 18. Paragraph (e) of subsection (5) of section

281 | 796.07, Florida Statutes, is repealed.

282 | Reviser's note.—The cited paragraph, which relates to the

283 |       Soliciting for Prostitution Public Database, was repealed

284 |       pursuant to its own terms, effective January 1, 2024.

285 |       Section 19. Section 943.0433, Florida Statutes, is

286 | repealed.

287 | Reviser's note.—The cited section, which creates the Soliciting

288 |       for Prostitution Public Database, was repealed pursuant to

289 |       its own terms, effective January 1, 2024.

290 |       Section 20. Subsection (11) of section 1001.212, Florida

291 | Statutes, is repealed.

292 | Reviser's note.—The cited subsection, which relates to a School

293 |       Hardening and Harm Mitigation Workgroup, was repealed

294 |       pursuant to its own terms, effective June 30, 2023.

295 |       Section 21. Paragraph (b) of subsection (1) of section

296 | 194.032, Florida Statutes, is amended to read:

297 |       194.032 Hearing purposes; timetable.—

298 |       (1)

299 |       (b) Notwithstanding the provisions of paragraph (a), the

300 | value adjustment board may meet prior to the approval of the

301 assessment rolls by the Department of Revenue, but not earlier  
 302 than July 1, to hear appeals pertaining to the denial by the  
 303 property appraiser of exemptions, ~~tax abatements under s.~~  
 304 ~~197.3195,~~ tax refunds under s. ss. 197.3181 and 197.319,  
 305 agricultural and high-water recharge classifications,  
 306 classifications as historic property used for commercial or  
 307 certain nonprofit purposes, and deferrals under subparagraphs  
 308 (a)2., 3., and 4. In such event, however, the board may not  
 309 certify any assessments under s. 193.122 until the Department of  
 310 Revenue has approved the assessments in accordance with s.  
 311 193.1142 and all hearings have been held with respect to the  
 312 particular parcel under appeal.

313 Reviser's note.—Amended to conform to the repeal of ss. 197.3181  
 314 and 197.3195 by this act.

315 Section 22. Subsection (1) of section 381.00318, Florida  
 316 Statutes, is amended to read:

317 381.00318 Complaints and investigations regarding mandate  
 318 prohibitions; public records exemption.—

319 (1) A complaint alleging a business entity's, a  
 320 governmental entity's, or an educational institution's violation  
 321 of s. 381.00316, ~~s. 381.00317,~~ or s. 381.00319, and all  
 322 information relating to an investigation of such complaint, held  
 323 by the Department of Legal Affairs or the Department of Health  
 324 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
 325 I of the State Constitution until the investigation is completed

326 or ceases to be active. For purposes of this section, an  
 327 investigation is considered "active" while such investigation is  
 328 being conducted by the Department of Legal Affairs or the  
 329 Department of Health with a reasonable good faith belief that it  
 330 may lead to a determination of whether there was a violation of  
 331 s. 381.00316, ~~s. 381.00317~~, or s. 381.00319. An investigation  
 332 does not cease to be active if the Department of Legal Affairs  
 333 or the Department of Health is proceeding with reasonable  
 334 dispatch and there is a good faith belief that action may be  
 335 initiated by the Department of Legal Affairs or the Department  
 336 of Health.

337 Reviser's note.—Amended to conform to the repeal of s. 381.00317  
 338 by this act.

339 Section 23. Subsection (9) of section 1001.10, Florida  
 340 Statutes, is amended to read:

341 1001.10 Commissioner of Education; general powers and  
 342 duties.—

343 ~~(9) The commissioner shall review the report of the School~~  
 344 ~~Hardening and Harm Mitigation Workgroup regarding hardening and~~  
 345 ~~harm mitigation strategies and recommendations submitted by the~~  
 346 ~~Office of Safe Schools, pursuant to s. 1001.212(11). By~~  
 347 ~~September 1, 2020, the commissioner shall submit a summary of~~  
 348 ~~such recommendations to the Governor, the President of the~~  
 349 ~~Senate, and the Speaker of the House of Representatives.~~

350 Reviser's note.—Amended to conform to the repeal of s.

351 1001.212(11) by this act and to delete obsolete material.  
 352 Section 24. Paragraph (b) of subsection (2) of section  
 353 1002.351, Florida Statutes, is amended to read:

354 1002.351 The Florida School for Competitive Academics.—  
 355 (2) MISSION.—

356 (b) To assist in the recruitment of students, the Florida  
 357 School for Competitive Academics must be included in the school  
 358 choice online portal established under s. 1001.10(9)  
 359 ~~1001.10(10)~~. The portal must include information about the  
 360 opportunity for parents to submit their child's educational  
 361 records to the Florida School for Competitive Academics for  
 362 consideration for admission.

363 Reviser's note.—Amended to conform to the repeal of s.  
 364 1001.10(9) by this act.

365 Section 25. Paragraph (q) of subsection (2) of section  
 366 1002.82, Florida Statutes, is amended to read:

367 1002.82 Department of Education; powers and duties.—  
 368 (2) The department shall:

369 (q) Establish a single statewide information system that  
 370 each coalition must use for the purposes of managing the single  
 371 point of entry, tracking children's progress, coordinating  
 372 services among stakeholders, determining eligibility of  
 373 children, tracking child attendance, and streamlining  
 374 administrative processes for providers and early learning  
 375 coalitions. By July 1, 2019, the system, subject to ss. 1002.72

376 and 1002.97, shall:

377 1. Allow a parent to find early learning programs online,  
 378 including the performance profile under s. 1002.92(3)(a) which  
 379 must be integrated into the online portal under s. 1001.10(9)  
 380 ~~1001.10(10)~~.

381 2. Allow a parent to monitor the development of his or her  
 382 child as the child moves among programs within the state.

383 3. Enable analysis at the state, regional, and local level  
 384 to measure child growth over time, program impact, and quality  
 385 improvement and investment decisions.

386 Reviser's note.—Amended to conform to the repeal of s.

387 1001.10(9) by this act.

388 Section 26. Paragraph (a) of subsection (2) of section  
 389 1003.25, Florida Statutes, is amended to read:

390 1003.25 Procedures for maintenance and transfer of student  
 391 records.—

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

397 (a) Verified reports of serious or recurrent behavior  
 398 patterns, including any threat assessment report, all  
 399 corresponding documentation, and any other information required  
 400 by the Florida-specific behavioral threat assessment instrument

401 pursuant to s. 1001.212(11) ~~1001.212(12)~~ which contains the  
 402 evaluation, intervention, and management of the threat  
 403 assessment evaluations and intervention services.

404 Reviser's note.—Amended to conform to the repeal of s.  
 405 1001.212(11) by this act.

406 Section 27. Paragraphs (a), (d), and (i) of subsection (7)  
 407 of section 1006.07, Florida Statutes, are amended to read:

408 1006.07 District school board duties relating to student  
 409 discipline and school safety.—The district school board shall  
 410 provide for the proper accounting for all students, for the  
 411 attendance and control of students at school, and for proper  
 412 attention to health, safety, and other matters relating to the  
 413 welfare of students, including:

414 (7) THREAT MANAGEMENT TEAMS.—Each district school board  
 415 and charter school governing board shall establish a threat  
 416 management team at each school whose duties include the  
 417 coordination of resources and assessment and intervention with  
 418 students whose behavior may pose a threat to the safety of the  
 419 school, school staff, or students.

420 (a) Upon the availability of a statewide behavioral threat  
 421 management operational process developed pursuant to s.  
 422 1001.212(11) ~~1001.212(12)~~, all threat management teams shall use  
 423 the operational process.

424 (d) Upon the availability of the Florida-specific  
 425 behavioral threat assessment instrument developed pursuant to s.

426 1001.212(11) ~~1001.212(12)~~, all threat management teams shall use  
 427 that instrument when evaluating the behavior of students who may  
 428 pose a threat to the school, school staff, or students and to  
 429 coordinate intervention and services for such students.

430 (i) The threat management team shall prepare a threat  
 431 assessment report required by the Florida-specific behavioral  
 432 threat assessment instrument developed pursuant to s.

433 1001.212(11) ~~1001.212(12)~~. A threat assessment report, all  
 434 corresponding documentation, and any other information required  
 435 by the Florida-specific behavioral threat assessment instrument  
 436 in the threat management portal is an education record.

437 Reviser's note.—Amended to conform to the repeal of s.

438 1001.212(11) by this act.

439 Section 28. Paragraph (b) of subsection (2) of section  
 440 1006.1493, Florida Statutes, is amended to read:

441 1006.1493 Florida Safe Schools Assessment Tool.—

442 (2) The FSSAT must help school officials identify threats,  
 443 vulnerabilities, and appropriate safety controls for the schools  
 444 that they supervise, pursuant to the security risk assessment  
 445 requirements of s. 1006.07(6).

446 (b) The department shall require by contract that the  
 447 security consulting firm:

448 1. Generate written automated reports on assessment  
 449 findings for review by the department and school and district  
 450 officials;

451           2. Provide training to the department and school officials  
 452 in the use of the FSSAT and other areas of importance identified  
 453 by the department; and

454           3. Advise in the development and implementation of  
 455 templates, formats, guidance, and other resources necessary to  
 456 facilitate the implementation of this section at state,  
 457 district, school, and local levels. . ~~and~~

458           ~~4. Review recommendations of the School Hardening and Harm~~  
 459 ~~Mitigation Workgroup established under s. 1001.212(11) to~~  
 460 ~~address physical security measures identified by the FSSAT.~~  
 461 Reviser's note.—Amended to conform to the repeal of s.

462           1001.212(11) by this act.

463           Section 29. This act shall take effect on the 60th day  
 464 after adjournment sine die of the session of the Legislature in  
 465 which enacted.





**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB RUC 24-04 Florida Statutes

**SPONSOR(S):** Rules Committee

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 78

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Rules Committee		Cornell	Brink

**SUMMARY ANALYSIS**

Florida law directs the Office of Legislative Services to include duplicative, redundant, or unused statutory rulemaking authority among its proposed reviser’s bill repeals. The purpose of this directive is to remove unnecessary text from the statutes without diminishing the authority of executive branch agencies to adopt administrative rules necessary to implement their statutory responsibilities.

The reviser’s bill removes such rule authorizing provisions through revision of existing statutes or repeal of unnecessary provisions.

Pursuant to House Rule 12.3(e), a reviser’s bill cannot be amended except to delete bill sections.

The effective date of the bill is the 60th day after adjournment sine die.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Statutory Delegation of Authority to Make Rules**

A rule is an agency statement of general applicability which interprets, implements, or prescribes law or policy, including the procedure and practice requirements of an agency, as well as certain types of forms.<sup>1</sup> Rulemaking authority is delegated by the Legislature<sup>2</sup> by law authorizing an agency to “adopt, develop, establish, or otherwise create” a rule.<sup>3</sup> Agencies do not have discretion whether to engage in rulemaking.<sup>4</sup> To adopt a rule, an agency must have an express grant of authority to implement a specific law by rulemaking.<sup>5</sup> The grant of rulemaking authority itself need not be detailed.<sup>6</sup> The particular statute being interpreted or implemented through rulemaking must provide specific standards and guidelines to preclude the administrative agency from exercising unbridled discretion in creating policy or applying the law.<sup>7</sup> A delegation of authority to an administrative agency by a law that is vague, uncertain, or so broad as to give no notice of what actions would violate the law, could be ruled unconstitutional because it allows the agency to state what the law is.<sup>8</sup> The Legislature must provide minimal standards and guidelines in the law creating a program to provide for its proper administration by the assigned executive agency. The Legislature may delegate rulemaking authority to agencies but not the authority to determine what the law should be.<sup>9</sup>

Legislation creating new programs or modifying existing ones may include an additional grant of authority for the responsible agency to create rules for administering the statute. Such language can be redundant of a broader grant of authority for the agency to adopt rules implementing the full statutory chapter or part and often is never used to support subsequent rulemaking because the existing authority is legally sufficient.

Other grants of rulemaking authority are superfluous because the substantive legislation provides sufficient guidance and detail for the agency to implement the program requirements without any additional rulemaking. Such grants of rulemaking authority remain in statutes unused because they serve no practical purpose.

#### **Annual Review of Rulemaking Authority**

In 2012, the Legislature directed the Office of Legislative Services (OLS), through the process of proposed reviser’s bills, to omit duplicative, redundant, or unused grants of rulemaking authority from inclusion in the statutes. Rulemaking authority is deemed unused if the provision has been in effect for more than five years without being relied upon to adopt rules.<sup>10</sup>

The bill implements that oversight of rulemaking authority. In preparing the bill, OLS, together with staff of the Joint Administrative Procedures Committee (JAPC), developed a list of statutory grants of rulemaking authority that initially appeared to meet the requirements for repeal. This summary was submitted for review and comment by staff of the substantive House committees, which in turn consulted with the various administrative agencies affected by the proposed revisions. Adhering to the

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<sup>1</sup> Section 120.52(16), F.S.; *Fla. Dep’t of Fin. Services v. Capital Collateral Reg’l Counsel-Middle Region*, 969 So.2d 527, 530 (Fla. 1st DCA 2007).

<sup>2</sup> *Sw. Fla. Water Mgmt. Dist. v. Save the Manatee Club, Inc.*, 773 So.2d 594 (Fla. 1st DCA 2000).

<sup>3</sup> Section 120.52(17), F.S.

<sup>4</sup> Section 120.54(1)(a), F.S.

<sup>5</sup> Section 120.52(8) & s. 120.536(1), F.S.

<sup>6</sup> *Save the Manatee Club, Inc.*, supra at 599.

<sup>7</sup> *Sloban v. Fla. Bd. of Pharmacy*, 982 So.2d 26, 29-30 (Fla. 1st DCA 2008); *Bd. of Trustees of the Internal Improvement Trust Fund v. Day Cruise Ass’n, Inc.*, 794 So.2d 696, 704 (Fla. 1st DCA 2001).

<sup>8</sup> *Conner v. Joe Hatton, Inc.*, 216 So.2d 209 (Fla. 1968).

<sup>9</sup> *Sarasota Cnty. v. Barg*, 302 So.2d 737 (Fla. 1974).

<sup>10</sup> Section 11.242(5)(j), F.S.

recommendations received from the staff of the substantive committees, the final list of sections was included in the bill.

The bill is non-substantive and amends or deletes a statutory provision or language to omit a duplicative, redundant, or unused and unnecessary grant of rulemaking authority. For the section included in this bill, the statutory rulemaking authority being amended or repealed has not been used to adopt rules in more than five years and thus is unnecessary for the particular agency to implement its statutory responsibilities.

**B. SECTION DIRECTORY:**

**Section 1** amends s. 322.0515, F.S., to remove duplicate, redundant, or unused rulemaking authority from the Department of Highway Safety and Motor Vehicles.

**Section 2** provides an effective date.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

This reviser's bill is a technical, non-substantive bill. The bill has no fiscal impact on state or local governments or on the private sector.

## **III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

This bill removes unnecessary grants of rulemaking authority from the statutes but does not substantively affect the necessary rulemaking of any agency.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; amending s.  
 3           322.0515, F.S., to conform to the directive of the  
 4           Legislature in section 9 of chapter 2012-116, Laws of  
 5           Florida, codified as section 11.242(5)(j), Florida  
 6           Statutes, to prepare a reviser's bill to omit all  
 7           statutes and laws, or parts thereof, which grant  
 8           duplicative, redundant, or unused rulemaking  
 9           authority; providing an effective date.

10

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

12

13           Section 1. Subsection (2) of section 322.0515, Florida  
 14           Statutes, is amended to read:

15           322.0515 Department to forward certain information to  
 16           federal Selective Service System; notification to applicant for  
 17           certain license; application statement required.—

18           (2) The department shall provide, ~~by rule,~~ for the  
 19           following statement to be included on an application for a  
 20           license or card as described in paragraph (1)(a): "By submitting  
 21           this application, I am consenting to registration with the  
 22           federal Selective Service System, if so required. If under 18  
 23           years of age, I understand that I will be registered when I  
 24           attain 18 years of age as required by federal law."

25           Reviser's note.—This act amends a provision of the Florida

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26 Statutes pursuant to the directive of the Legislature in s.  
27 9, ch. 2012-116, Laws of Florida, codified as s.  
28 11.242(5)(j), Florida Statutes, to prepare a reviser's bill  
29 to omit all statutes and laws, or parts thereof, which  
30 grant duplicative, redundant, or unused rulemaking  
31 authority.

32 Section 2. This act shall take effect on the 60th day  
33 after adjournment sine die of the session of the Legislature in  
34 which enacted.





**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB RUC 24-05 Florida Statutes

**SPONSOR(S):** Rules Committee

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 80

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Rules Committee		Cornell	Brink

**SUMMARY ANALYSIS**

During the 2023 Regular Legislative Session, the Legislature passed HB 1537 (ch. 2023-39, L.O.F.), which, among other things, directed the Division of Law Revision to prepare a reviser’s bill to change the term “professional development” with the term “professional learning.”

The bill makes conforming changes directed by HB 1537.

The bill has no fiscal impact.

The bill takes effect on the 60th day after adjournment sine die.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

Section 39, ch. 2023-39, L.O.F., directed the Division of Law Revision to prepare a reviser's bill to replace references to "professional development," within chapters 1000 through 1013 of the Florida Statutes, with the term "professional learning." The bill makes conforming changes pursuant to the directive and includes an additional conforming change to s. 1015.04, F.S.

#### B. SECTION DIRECTORY:

**Sections 1-42** replace references to "professional development" with the term "professional learning."

**Section 43** provides an effective date.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

#### D. FISCAL COMMENTS:

None.

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

None.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; amending ss.  
 3           1001.11, 1001.20, 1001.212, 1001.215, 1002.311,  
 4           1002.333, 1002.334, 1002.451, 1002.59, 1002.73,  
 5           1002.82, 1002.84, 1002.89, 1002.995, 1003.051,  
 6           1003.32, 1003.4201, 1003.485, 1003.491, 1003.4996,  
 7           1004.071, 1004.344, 1004.42, 1004.615, 1004.645,  
 8           1004.6497, 1006.1493, 1006.73, 1007.2616, 1007.35,  
 9           1008.33, 1008.365, 1011.62, 1011.6202, 1012.22,  
 10          1012.34, 1012.35, 1012.42, 1012.562, 1012.585, and  
 11          1012.985, F.S., to conform to section 39 of chapter  
 12          2023-39, Laws of Florida, which directs the Division  
 13          of Law Revision to prepare a reviser's bill for the  
 14          2024 Regular Session of the Legislature to replace the  
 15          term "professional development," where it occurs  
 16          within chapters 1000 through 1013 of the Florida  
 17          Statutes, with the term "professional learning";  
 18          amending s. 1015.04, F.S., to conform to the changes  
 19          in chapter 2023-39, Laws of Florida; providing an  
 20          effective date.

21  
 22   Be It Enacted by the Legislature of the State of Florida:

23  
 24           Section 1. Subsection (7) of section 1001.11, Florida  
 25   Statutes, is amended to read:

26           1001.11 Commissioner of Education; other duties.—  
 27           (7) The commissioner shall make prominently available on  
 28 the department's website the following: links to the Internet-  
 29 based clearinghouse for professional learning development  
 30 regarding physical education; the school wellness and physical  
 31 education policies and other resources required under s.  
 32 1003.453; and other Internet sites that provide professional  
 33 learning development for elementary teachers of physical  
 34 education as defined in s. 1003.01(15). These links must provide  
 35 elementary teachers with information concerning current physical  
 36 education and nutrition philosophy and best practices that  
 37 result in student participation in physical activities that  
 38 promote lifelong physical and mental well-being.

39           Section 2. Paragraph (a) of subsection (4) of section  
 40 1001.20, Florida Statutes, is amended to read:

41           1001.20 Department under direction of state board.—

42           (4) The Department of Education shall establish the  
 43 following offices within the Office of the Commissioner of  
 44 Education which shall coordinate their activities with all other  
 45 divisions and offices:

46           (a) *Office of Technology and Information Services.—*

47           1. Responsible for developing a 5-year strategic plan for  
 48 establishing Florida digital classrooms by October 1, 2014, and  
 49 annually updating the plan by January 1 each year thereafter.  
 50 The Florida digital classrooms plan shall be provided to each

51 school district and published on the department's website. The  
 52 plan must:

53 a. Describe how technology will be integrated into  
 54 classroom teaching and learning to assist the state in improving  
 55 student performance outcomes and enable all students in Florida  
 56 to be digital learners with access to digital tools and  
 57 resources.

58 b. Identify minimum technology requirements that include  
 59 specifications for hardware, software, devices, networking,  
 60 security, and bandwidth capacity and guidelines for the ratio of  
 61 students per device.

62 c. Establish minimum requirements for professional  
 63 learning development ~~development~~ opportunities and training to assist  
 64 district instructional personnel and staff with the integration  
 65 of technology into classroom teaching.

66 d. Identify the types of digital tools and resources that  
 67 can assist district instructional personnel and staff in the  
 68 management, assessment, and monitoring of student learning and  
 69 performance.

70 2. Responsible for making budget recommendations to the  
 71 commissioner, providing data collection and management for the  
 72 system, assisting school districts in securing Internet access  
 73 and telecommunications services, including those eligible for  
 74 funding under the Schools and Libraries Program of the federal  
 75 Universal Service Fund, and coordinating services with other

76 | state, local, and private agencies.

77 | Section 3. Subsection (2) of section 1001.212, Florida  
78 | Statutes, is amended to read:

79 | 1001.212 Office of Safe Schools.—There is created in the  
80 | Department of Education the Office of Safe Schools. The office  
81 | is fully accountable to the Commissioner of Education. The  
82 | office shall serve as a central repository for best practices,  
83 | training standards, and compliance oversight in all matters  
84 | regarding school safety and security, including prevention  
85 | efforts, intervention efforts, and emergency preparedness  
86 | planning. The office shall:

87 | (2) Provide ongoing professional learning development  
88 | opportunities to school district and charter school personnel.

89 | Section 4. Subsection (4) of section 1001.215, Florida  
90 | Statutes, is amended to read:

91 | 1001.215 Just Read, Florida! Office.—There is created in  
92 | the Department of Education the Just Read, Florida! Office. The  
93 | office is fully accountable to the Commissioner of Education and  
94 | shall:

95 | (4) Develop and provide access to an online repository of  
96 | digital science of reading and science of reading instructional  
97 | resources, sequenced, content-rich curriculum programming,  
98 | instructional practices, and other resources that help  
99 | elementary schools use state-adopted instructional materials to  
100 | increase students' background knowledge and literacy skills,

101 including student attainment of the state standards for social  
 102 studies, science, and the arts. The office shall, as part of the  
 103 adoption cycle for English Language Arts instructional  
 104 materials, assist in evaluating elementary grades instructional  
 105 materials submitted for adoption consideration in order to  
 106 identify those materials that are closely aligned to the content  
 107 and evidence-based strategies identified pursuant to subsection  
 108 (7) and incorporate professional learning development to  
 109 implement such strategies.

110 Section 5. Paragraph (c) of subsection (2) of section  
 111 1002.311, Florida Statutes, is amended to read:

112 1002.311 Single-gender programs authorized.—

113 (2) A district school board that establishes a single-  
 114 gender class, extracurricular activity, or school:

115 (c) Must comply with the following requirements when  
 116 establishing a gender-specific elementary, middle, or high  
 117 school:

118 1. Separate into grade-level boys-only classes and girls-  
 119 only classes during instruction in core courses.

120 2. Open enrollment to all students within the school  
 121 district.

122 3. Require the school's administrative and instructional  
 123 personnel to participate in professional learning development  
 124 that includes scheduling and instructional strategies.

125 4. Provide to the department a comparison of the academic



126 performance of students in the gender-specific elementary,  
 127 middle, or high school with the academic performance of students  
 128 in other public elementary, middle, or high schools, as  
 129 appropriate, in the school district.

130 Section 6. Paragraph (a) of subsection (10) of section  
 131 1002.333, Florida Statutes, is amended to read:

132 1002.333 Persistently low-performing schools.—

133 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program  
 134 is created within the Department of Education.

135 (a) A school of hope is eligible to receive funds from the  
 136 Schools of Hope Program for the following expenditures:

137 1. Preparing teachers, school leaders, and specialized  
 138 instructional support personnel, including costs associated  
 139 with:

140 a. Providing professional learning development.

141 b. Hiring and compensating teachers, school leaders, and  
 142 specialized instructional support personnel for services until  
 143 the school reaches full enrollment in accordance with the  
 144 performance-based agreement pursuant to subsection (5).

145 2. Acquiring supplies, training, equipment, and  
 146 educational materials, including developing and acquiring  
 147 instructional materials.

148 3. Providing one-time startup costs associated with  
 149 providing transportation to students to and from the charter  
 150 school.

151 4. Carrying out community engagement activities, which may  
 152 include paying the cost of student and staff recruitment.

153 5. Providing funds to cover the nonvoted ad valorem  
 154 millage that would otherwise be required for schools and the  
 155 required local effort funds calculated pursuant to s. 1011.62  
 156 when the state board enters into an agreement with a hope  
 157 operator pursuant to subsection (5).

158 6. Providing funds for the initial leasing costs of a  
 159 school facility in the event the department determines that a  
 160 suitable district-owned facility is unavailable or not leased in  
 161 a timely manner pursuant to paragraph (7)(d).

162  
 163 In the event a school of hope is dissolved or is otherwise  
 164 terminated, all property, furnishings, and equipment purchased  
 165 with public funds shall automatically revert to full ownership  
 166 by the district school board, subject to complete satisfaction  
 167 of any lawful liens or encumbrances. Any unencumbered public  
 168 funds from the school of hope, district school board property  
 169 and improvements, furnishings, and equipment purchased with  
 170 public funds, or financial or other records pertaining to the  
 171 school of hope, in the possession of any person, entity, or  
 172 holding company, other than the charter school, shall be held in  
 173 trust upon the district school board's request, until any appeal  
 174 status is resolved.

175 Section 7. Paragraph (a) of subsection (4) of section

176 | 1002.334, Florida Statutes, is amended to read:

177 |       1002.334 Innovative Blended Learning and Real-Time Student  
178 | Assessment Pilot Program.—

179 |       (4) A program applicant must submit an application to the  
180 | department in a format prescribed by the department. The  
181 | application must include all of the following:

182 |       (a) A plan for the synchronous technological and resource  
183 | design, curriculum, classroom operation, school or district  
184 | management, privacy protection and teacher professional learning  
185 | ~~development~~, and at least weekly progress monitoring of real-  
186 | time student performance in innovative blended learning  
187 | programs.

188 |       Section 8. Paragraph (e) of subsection (6) of section  
189 | 1002.451, Florida Statutes, is amended to read:

190 |       1002.451 District innovation school of technology  
191 | program.—

192 |       (6) APPLICATION PROCESS AND PERFORMANCE CONTRACT.—

193 |       (e) The performance contract must address the terms under  
194 | which the State Board of Education may cancel the contract and,  
195 | at a minimum, the methods by which:

196 |       1. Upon execution of the performance contract, the school  
197 | district will plan the program during the first year, begin at  
198 | least partial implementation of the program during the second  
199 | year, and fully implement the program by the third year. A  
200 | district may implement the program sooner than specified in this

201 subparagraph if authorized in the performance contract.

202         2. The school will integrate industry-leading technology  
 203 into instruction, assessment, and professional learning  
 204 ~~development~~. The school may also restructure the school day or  
 205 school year in a way that allows it to best accomplish its  
 206 goals.

207         3. The school and district will monitor performance  
 208 progress based on skills that help students succeed in college  
 209 and careers, including problem solving, research,  
 210 interpretation, and communication.

211         4. The school will incorporate industry certifications and  
 212 similar recognitions into performance expectations.

213         5. The school and district will comply with this section  
 214 and the performance contract.

215         Section 9. Subsection (3) of section 1002.59, Florida  
 216 Statutes, is amended to read:

217         1002.59 Emergent literacy and performance standards  
 218 training courses.—

219         (3) The department shall make available online  
 220 professional learning ~~development~~ and training courses comprised  
 221 of at least 8 clock hours that support prekindergarten  
 222 instructors in increasing the competency of teacher-child  
 223 interactions.

224         Section 10. Paragraph (c) of subsection (2) of section  
 225 1002.73, Florida Statutes, is amended to read:

226 1002.73 Department of Education; powers and duties;  
 227 accountability requirements.—

228 (2) The department shall adopt procedures for:

229 (c) Annually notifying private prekindergarten providers  
 230 and public schools placed on probation for not meeting the  
 231 minimum performance metric or designation as required by s.  
 232 1002.68 of the high-quality professional learning ~~development~~  
 233 opportunities developed or supported by the department.

234 Section 11. Paragraph (w) of subsection (2) and paragraph  
 235 (b) of subsection (3) of section 1002.82, Florida Statutes, are  
 236 amended to read:

237 1002.82 Department of Education; powers and duties.—

238 (2) The department shall:

239 (w) Establish preservice and inservice training  
 240 requirements that address, at a minimum, school readiness child  
 241 development standards, health and safety requirements, and  
 242 social-emotional behavior intervention models, which may include  
 243 positive behavior intervention and support models, including the  
 244 integration of early learning professional learning ~~development~~  
 245 pathways established in s. 1002.995.

246 (3)

247 (b) Results of the survey shall be based on a  
 248 statistically significant sample size of completed surveys and  
 249 calculated annually for each early learning coalition and  
 250 included in the department's annual report under subsection (7).

251 If an early learning coalition's customer satisfaction survey  
 252 results are below 60 percent, the coalition shall be placed on a  
 253 1-year corrective action plan that outlines the specific steps  
 254 the coalition shall take to improve the results of the customer  
 255 service surveys, including, but not limited to, technical  
 256 assistance, staff professional learning ~~development~~, or  
 257 coaching. If, after being placed on corrective action, an early  
 258 learning coalition's customer satisfaction survey results do not  
 259 improve above the 60 percent threshold, the department may  
 260 contract out or merge the coalition.

261 Section 12. Subsection (7) of section 1002.84, Florida  
 262 Statutes, is amended to read:

263 1002.84 Early learning coalitions; school readiness powers  
 264 and duties.—Each early learning coalition shall:

265 (7) Use a coordinated professional learning ~~development~~  
 266 system that supports the achievement and maintenance of core  
 267 competencies by school readiness program teachers in helping  
 268 children attain the performance standards adopted by the  
 269 department.

270 Section 13. Paragraph (b) of subsection (4) of section  
 271 1002.89, Florida Statutes, is amended to read:

272 1002.89 School readiness program; funding.—

273 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum  
 274 necessary for the efficient and effective administration of the  
 275 school readiness program with the highest priority of

276 expenditure being direct services for eligible children.  
 277 However, no more than 5 percent of the funds allocated in  
 278 paragraph (1)(a) may be used for administrative costs and no  
 279 more than 22 percent of the funds allocated in paragraph (1)(a)  
 280 may be used in any fiscal year for any combination of  
 281 administrative costs, quality activities, and nondirect services  
 282 as follows:

283 (b) Activities to improve the quality of child care as  
 284 described in 45 C.F.R. s. 98.53, which shall be limited to the  
 285 following:

286 1. Developing, establishing, expanding, operating, and  
 287 coordinating resource and referral programs specifically related  
 288 to the provision of comprehensive consumer education to parents  
 289 and the public to promote informed child care choices specified  
 290 in 45 C.F.R. s. 98.33.

291 2. Awarding grants and providing financial support to  
 292 school readiness program providers and their staff to assist  
 293 them in meeting applicable state requirements for the program  
 294 assessment required under s. 1002.82(2)(n), child care  
 295 performance standards, implementing developmentally appropriate  
 296 curricula and related classroom resources that support  
 297 curricula, providing literacy supports, and providing continued  
 298 professional learning development and training. Any grants  
 299 awarded pursuant to this subparagraph shall comply with ss.  
 300 215.971 and 287.058.

301           3. Providing training, technical assistance, and financial  
 302 support to school readiness program providers, staff, and  
 303 parents on standards, child screenings, child assessments, child  
 304 development research and best practices, developmentally  
 305 appropriate curricula, character development, teacher-child  
 306 interactions, age-appropriate discipline practices, health and  
 307 safety, nutrition, first aid, cardiopulmonary resuscitation, the  
 308 recognition of communicable diseases, and child abuse detection,  
 309 prevention, and reporting.

310           4. Providing, from among the funds provided for the  
 311 activities described in subparagraphs 1.-3., adequate funding  
 312 for infants and toddlers as necessary to meet federal  
 313 requirements related to expenditures for quality activities for  
 314 infant and toddler care.

315           5. Improving the monitoring of compliance with, and  
 316 enforcement of, applicable state and local requirements as  
 317 described in and limited by 45 C.F.R. s. 98.40.

318           6. Responding to Warm-Line requests by providers and  
 319 parents, including providing developmental and health screenings  
 320 to school readiness program children.

321           Section 14. Section 1002.995, Florida Statutes, is amended  
 322 to read:

323           1002.995 Early learning professional learning ~~development~~  
 324 standards and career pathways.—

325           (1) The department shall:



326 (a) Develop early learning professional learning  
 327 ~~development~~ training and course standards to be utilized for  
 328 school readiness program providers.

329 (b) Identify both formal and informal early learning  
 330 career pathways with stackable credentials and certifications  
 331 that allow early childhood teachers to access specialized  
 332 professional learning ~~development~~ that:

- 333 1. Strengthens knowledge and teaching practices.
- 334 2. Aligns to established professional standards and core  
 335 competencies.
- 336 3. Provides a progression of attainable, competency-based  
 337 stackable credentials and certifications.
- 338 4. Improves outcomes for children to increase kindergarten  
 339 readiness and early grade success.

340 (c) Subject to the appropriation of funds by the  
 341 Legislature, provide incentives to school readiness personnel  
 342 who meet the requirements of s. 1002.88(1)(e) and  
 343 prekindergarten instructors who meet the requirements specified  
 344 in s. 1002.55, s. 1002.61, or s. 1002.63 and who possess a  
 345 reading certification or endorsement or a literacy micro-  
 346 credential as specified in s. 1003.485 and teach students in the  
 347 school readiness program or the voluntary prekindergarten  
 348 education program or work in a child care or early learning  
 349 setting.

350 (2) To the greatest extent possible, the credentials and

351 certifications established pursuant to this section shall align  
 352 with the training for K-12 teachers, reading coaches, and school  
 353 administrators in s. 1001.215(3).

354 (3) The State Board of Education shall adopt rules to  
 355 administer this section.

356 Section 15. Paragraph (a) of subsection (2) and subsection  
 357 (3) of section 1003.051, Florida Statutes, are amended to read:

358 1003.051 Purple Star Campuses.—

359 (2)(a) The Department of Education shall establish the  
 360 Purple Star Campus program. At a minimum, the program must  
 361 require a participating school to:

- 362 1. Designate a staff member as a military liaison.
- 363 2. Maintain a web page on the school's website which  
 364 includes resources for military students and their families.
- 365 3. Maintain a student-led transition program that assists  
 366 military students in transitioning into the school.
- 367 4. Offer professional learning development ~~development~~ training  
 368 opportunities for staff members on issues relating to military  
 369 students.
- 370 5. Reserve at least 5 percent of controlled open  
 371 enrollment seats for military students.

372 (3) A school may partner with a school district to procure  
 373 digital, professional learning development ~~development~~, or other assistance  
 374 necessary for the school to meet the criteria specified in  
 375 subsection (2).

376 Section 16. Paragraph (b) of subsection (2) and subsection  
 377 (7) of section 1003.32, Florida Statutes, are amended to read:

378 1003.32 Authority of teacher; responsibility for control  
 379 of students; district school board and principal duties.—Subject  
 380 to law and to the rules of the district school board, each  
 381 teacher or other member of the staff of any school shall have  
 382 such authority for the control and discipline of students as may  
 383 be assigned to him or her by the principal or the principal's  
 384 designated representative and shall keep good order in the  
 385 classroom and in other places in which he or she is assigned to  
 386 be in charge of students.

387 (2) Teachers and other instructional personnel shall:

388 (b) Seek professional learning development ~~development~~ to improve  
 389 classroom management skills when data show that they are not  
 390 effective in handling minor classroom disruptions.

391 (7) Any teacher who removes 25 percent of his or her total  
 392 class enrollment shall be required to complete professional  
 393 learning development ~~development~~ to improve classroom management skills.

394 Section 17. Paragraph (a) of subsection (2) of section  
 395 1003.4201, Florida Statutes, is amended to read:

396 1003.4201 Comprehensive system of reading instruction.—  
 397 Each school district must implement a system of comprehensive  
 398 reading instruction for students enrolled in prekindergarten  
 399 through grade 12 and certain students who exhibit a substantial  
 400 deficiency in early literacy.

401 (2) (a) Components of the reading instruction plan may  
402 include the following:

403 1. Additional time per day of evidence-based intensive  
404 reading instruction for kindergarten through grade 12 students,  
405 which may be delivered during or outside of the regular school  
406 day.

407 2. Highly qualified reading coaches, who must be endorsed  
408 in reading, to specifically support classroom teachers in making  
409 instructional decisions based on progress monitoring data  
410 collected pursuant to s. 1008.25(8) and improve classroom  
411 teacher delivery of effective reading instruction, reading  
412 intervention, and reading in the content areas based on student  
413 need.

414 3. Professional learning development ~~development~~ to help instructional  
415 personnel and certified prekindergarten teachers funded in the  
416 Florida Education Finance Program earn a certification, a  
417 credential, an endorsement, or an advanced degree in  
418 scientifically researched and evidence-based reading  
419 instruction.

420 4. Summer reading camps, using only classroom teachers or  
421 other district personnel who possess a micro-credential as  
422 specified in s. 1003.485 or are certified or endorsed in reading  
423 consistent with s. 1008.25(7)(b)3., for all students in  
424 kindergarten through grade 5 exhibiting a reading deficiency as  
425 determined by district and state assessments.

426           5. Incentives for instructional personnel and certified  
 427 prekindergarten teachers funded in the Florida Education Finance  
 428 Program who possess a reading certification or endorsement or  
 429 micro-credential as specified in s. 1003.485 and provide  
 430 educational support to improve student literacy.

431           6. Tutoring in reading.

432           Section 18. Paragraph (g) of subsection (1) and paragraphs  
 433 (f) and (i) of subsection (4) of section 1003.485, Florida  
 434 Statutes, are amended to read:

435           1003.485 The New Worlds Reading Initiative.—

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

437           (g) "Micro-credential" means evidence-based professional  
 438 learning development ~~development~~ activities grounded in the science of  
 439 reading which are competency-based, personalized, and on-demand.  
 440 Educators must demonstrate their competence via evidence  
 441 submitted and reviewed by trained evaluators.

442           (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator  
 443 shall:

444           (f) Provide professional learning development ~~development~~ and  
 445 resources to teachers that correlate with the books provided  
 446 through the initiative.

447           (i) Administer the early literacy micro-credential program  
 448 established under this section, which must include components on  
 449 content, student learning, pedagogy, and professional learning  
 450 ~~development~~ and must build on a strong foundation of

451 scientifically researched and evidence-based reading  
452 instructional and intervention programs that incorporate  
453 explicit, systematic, and sequential approaches to teaching  
454 phonemic awareness, phonics, vocabulary, fluency, and text  
455 comprehension and incorporate decodable or phonetic text  
456 instructional strategies, as identified by the Just Read,  
457 Florida! Office, pursuant to s. 1001.215(7).

458 1. At a minimum, the micro-credential curriculum must be  
459 designed specifically for instructional personnel in  
460 prekindergarten through grade 3 based upon the strategies and  
461 techniques identified in s. 1002.59 and address foundational  
462 literacy skills of students in grades 4 through 12.

463 2. The micro-credential must be competency based and  
464 designed for eligible instructional personnel to complete the  
465 credentialing process in no more than 60 hours, in an online  
466 format. The micro-credential may be delivered in an in-person  
467 format. Eligible instructional personnel may receive the micro-  
468 credential once competency is demonstrated even if it is prior  
469 to the completion of 60 hours.

470 3. The micro-credential must be available by December 31,  
471 2022, at no cost, to instructional personnel as defined in s.  
472 1012.01(2); prekindergarten instructors as specified in ss.  
473 1002.55, 1002.61, and 1002.63; and child care personnel as  
474 defined in ss. 402.302(3) and 1002.88(1)(e).

475 Section 19. Paragraph (p) of subsection (3) of section

476 | 1003.491, Florida Statutes, is amended to read:

477 |       1003.491 Florida Career and Professional Education Act.—  
 478 | The Florida Career and Professional Education Act is created to  
 479 | provide a statewide planning partnership between the business  
 480 | and education communities in order to attract, expand, and  
 481 | retain targeted, high-value industry and to sustain a strong,  
 482 | knowledge-based economy.

483 |       (3) The strategic 3-year plan developed jointly by the  
 484 | local school district, local workforce development boards,  
 485 | economic development agencies, and state-approved postsecondary  
 486 | institutions must be constructed and based on:

487 |       (p) Strategies to provide professional learning  
 488 | ~~development~~ for secondary certified school counselors on the  
 489 | benefits of career and professional academies and career-themed  
 490 | courses that lead to industry certification; and

491 |       Section 20. Paragraph (d) of subsection (2) of section  
 492 | 1003.4996, Florida Statutes, is amended to read:

493 |       1003.4996 Competency-Based Education Pilot Program.—  
 494 | Beginning with the 2016-2017 school year, the Competency-Based  
 495 | Education Pilot Program is created within the Department of  
 496 | Education to be administered for a period of 7 years. The  
 497 | purpose of the pilot program is to provide an educational  
 498 | environment that allows students to advance to higher levels of  
 499 | learning upon the mastery of concepts and skills through  
 500 | statutory exemptions relating to student progression and the

501 | awarding of credits.

502 |       (2) APPLICATION.—The application to participate in the  
503 | pilot program must, at a minimum, include:

504 |       (d) The scope of and timelines for professional learning  
505 | ~~development~~ for school instructional and administrative  
506 | personnel.

507 |       Section 21. Paragraph (a) of subsection (2) of section  
508 | 1004.071, Florida Statutes, is amended to read:

509 |       1004.071 Collegiate Purple Star Campuses.—

510 |       (2)(a) The State Board of Education shall adopt rules, and  
511 | the Board of Governors shall adopt regulations, to establish the  
512 | Collegiate Purple Star Campuses program. At a minimum, the  
513 | program must require a participating Florida College System  
514 | institution, state university, or career center to:

- 515 |           1. Designate a staff member as a military liaison.
- 516 |           2. Maintain a web page on the institution's website which  
517 | includes resources for military students and their families.
- 518 |           3. Maintain a student-led transition program that assists  
519 | military students in transitioning to the institution.
- 520 |           4. Offer professional learning ~~development~~ training  
521 | opportunities for staff members on issues relating to military  
522 | students.
- 523 |           5. Provide priority course registration for military  
524 | students.

525 |       Section 22. Paragraphs (c) and (e) of subsection (2) of



526 | section 1004.344, Florida Statutes, are amended to read:

527 |       1004.344 The Florida Center for the Partnerships for Arts  
528 | Integrated Teaching.—

529 |       (2) The goals of the center are to:

530 |       (c) Seek out agreements to provide technical assistance  
531 | and support, upon request, to the Florida Department of  
532 | Education, Florida school districts, private schools, charter  
533 | schools, and educator preparation programs in the implementation  
534 | of evidence-based arts integrated instruction, assessments,  
535 | programs, and professional learning development.

536 |       (e) Collaborate with interested arts organizations and  
537 | Florida school districts in the development of frameworks for  
538 | professional learning development activities, using multiple  
539 | delivery methods for arts integrated teaching in different  
540 | content areas.

541 |       Section 23. Subsection (11) of section 1004.42, Florida  
542 | Statutes, is amended to read:

543 |       1004.42 Florida State University College of Medicine.—

544 |       (11) TECHNOLOGY.—To create technology-rich learning  
545 | environments, the College of Medicine shall build on the  
546 | considerable infrastructure that already supports the many  
547 | technology resources of the Florida State University and shall  
548 | expand the infrastructure to conduct an effective medical  
549 | education program, including connectivity between the main  
550 | campus, community-based training locations, and rural clinic

551 | locations. Additional technology programs shall include  
 552 | extensive professional learning ~~development~~ opportunities for  
 553 | faculty; an online library of academic and medical resources for  
 554 | students, faculty, and community preceptors; and technology-  
 555 | sharing agreements with other medical schools to allow for the  
 556 | exchange of technology applications among medical school faculty  
 557 | for the purpose of enhancing medical education. The College of  
 558 | Medicine shall explore the opportunities afforded by Mayo Clinic  
 559 | in Jacksonville through clerkships, visiting professors or  
 560 | lectures through the existing telecommunications systems, and  
 561 | collaboration in research activities at the Mayo Clinic's  
 562 | Jacksonville campus.

563 |       Section 24. Subsection (7) of section 1004.615, Florida  
 564 | Statutes, is amended to read:

565 |           1004.615 Florida Institute for Child Welfare.—

566 |       (7) The institute, in collaboration with the department,  
 567 | community-based care lead agencies, providers of case management  
 568 | services, and other child welfare stakeholders, shall design and  
 569 | implement a career-long professional learning ~~development~~  
 570 | curriculum for child welfare professionals at all levels and  
 571 | from all disciplines. The professional learning ~~development~~  
 572 | curriculum must enhance the performance of the current child  
 573 | welfare workforce, address issues related to retention,  
 574 | complement the social work curriculum, and be developed using  
 575 | social work principles. The professional learning ~~development~~

576 curriculum shall provide career-long coaching, training,  
 577 certification, and mentorship. The institute must provide the  
 578 professional support on a continuous basis through online and  
 579 in-person services. The professional learning ~~development~~  
 580 curriculum must be available by July 1, 2021. This subsection is  
 581 subject to an appropriation.

582 Section 25. Subsections (1) and (5) of section 1004.645,  
 583 Florida Statutes, are amended to read:

584 1004.645 Florida Center for Reading Research.—There is  
 585 created at the Florida State University, the Florida Center for  
 586 Reading Research (FCRR). The center shall include two outreach  
 587 centers, one at a Florida College System institution in central  
 588 Florida and one at a south Florida state university. The center  
 589 and the outreach centers, under the center's leadership, shall:

590 (1) Provide technical assistance and support to all school  
 591 districts and schools in this state in the implementation of  
 592 evidence-based literacy instruction, assessments, programs, and  
 593 professional learning ~~development~~.

594 (5) Collaborate with the Just Read! Florida Office and  
 595 school districts in the development of frameworks for  
 596 professional learning ~~development~~ activities, using multiple  
 597 delivery methods for teaching reading in the content area.

598 Section 26. Subsection (2) of section 1004.6497, Florida  
 599 Statutes, is amended to read:

600 1004.6497 World Class Faculty and Scholar Program.—

601 (2) INVESTMENTS.—Retention, recruitment, and recognition  
 602 efforts, activities, and investments may include, but are not  
 603 limited to, investments in research-centric cluster hires,  
 604 faculty research and research commercialization efforts,  
 605 instructional and research infrastructure, undergraduate student  
 606 participation in research, professional learning development,  
 607 awards for outstanding performance, and postdoctoral  
 608 fellowships.

609 Section 27. Paragraph (a) of subsection (2) of section  
 610 1006.1493, Florida Statutes, is amended to read:

611 1006.1493 Florida Safe Schools Assessment Tool.—

612 (2) The FSSAT must help school officials identify threats,  
 613 vulnerabilities, and appropriate safety controls for the schools  
 614 that they supervise, pursuant to the security risk assessment  
 615 requirements of s. 1006.07(6).

616 (a) At a minimum, the FSSAT must address all of the  
 617 following components:

- 618 1. School emergency and crisis preparedness planning;
- 619 2. Security, crime, and violence prevention policies and  
 620 procedures;
- 621 3. Physical security measures;
- 622 4. Professional learning development training needs;
- 623 5. An examination of support service roles in school  
 624 safety, security, and emergency planning;
- 625 6. School security and school police staffing, operational

626 | practices, and related services;

627 |       7. School and community collaboration on school safety;

628 |       8. Policies and procedures for school officials to prepare

629 | for and respond to natural and manmade disasters, including

630 | family reunification plans to reunite students and employees

631 | with their families after a school is closed or unexpectedly

632 | evacuated due to such disasters; and

633 |       9. A return on investment analysis of the recommended

634 | physical security controls.

635 |       Section 28. Paragraph (b) of subsection (4) of section

636 | 1006.73, Florida Statutes, is amended to read:

637 |       1006.73 Florida Postsecondary Academic Library Network.—

638 |       (4) FLORIDA STUDENT OPEN ACCESS RESOURCES.—There is

639 | established a statewide initiative to increase the amount of

640 | open access resources available to postsecondary students in the

641 | state through the development of the Student Open Access

642 | Resources Repository, a statewide, Internet-based, searchable

643 | database of open education resources curated by the faculty of

644 | Florida College System institutions and state universities, and

645 | the establishment of the Student Open Access Resource Grant

646 | Program.

647 |       (b) The chancellors of the State University System and the

648 | Florida College System shall collaborate and take the lead in

649 | identifying and developing processes to coordinate and support

650 | the adaptation or development of open educational resources by

651 teams of faculty, librarians, and instructional designers within  
 652 a Florida College System institution or state university, or  
 653 across multiple institutions and universities. Such processes  
 654 shall include, but not be limited to, ensuring quality and  
 655 accuracy of content, suitability for publication, and compliance  
 656 with federal and state copyright laws and regulations. Pursuant  
 657 to the processes developed by the chancellors, the Florida  
 658 Postsecondary Academic Library Network shall:

- 659 1. Serve as the lead agency.
- 660 2. Facilitate interinstitutional collaborations.
- 661 3. Host approved digital assets and on-demand printing  
 662 capabilities.
- 663 4. Ensure compliance with federal and state laws and  
 664 regulations relating to accessibility, copyright, student data  
 665 privacy and security, and quality assurance.
- 666 5. Provide training for resource and professional learning  
 667 development.
- 668 6. Administer the grant program under paragraph (d).

669 Section 29. Paragraph (a) of subsection (4) of section  
 670 1007.2616, Florida Statutes, is amended to read:

671 1007.2616 Computer science and technology instruction.—

672 (4)(a) Subject to legislative appropriation, a school  
 673 district or a consortium of school districts may apply to the  
 674 department, in a format prescribed by the department, for  
 675 funding to deliver or facilitate training for classroom teachers

676 to earn an educator certificate in computer science pursuant to  
 677 s. 1012.56, or training that leads to an industry certification  
 678 associated with a course identified in the Course Code Directory  
 679 pursuant to paragraph (2) (b), or for professional learning  
 680 ~~development~~ for classroom teachers to provide instruction in  
 681 computer science courses and content. Such funding shall only be  
 682 used to provide training for classroom teachers, or to pay fees  
 683 for examinations that lead to a credential, or to provide  
 684 professional learning ~~development~~, pursuant to this paragraph.

685 Section 30. Paragraphs (a) and (b) of subsection (6) and  
 686 paragraph (b) of subsection (8) of section 1007.35, Florida  
 687 Statutes, are amended to read:

688 1007.35 Florida Partnership for Minority and  
 689 Underrepresented Student Achievement.—

690 (6) The partnership shall:

691 (a) Provide teacher training and professional learning  
 692 ~~development~~ to enable teachers of advanced courses to have the  
 693 necessary content knowledge and instructional skills to prepare  
 694 students for success on assessments developed pursuant to s.  
 695 1007.27(2) and mastery of postsecondary general education core  
 696 courses.

697 (b) Provide to middle school teachers and administrators  
 698 professional learning ~~development~~ that will enable them to  
 699 educate middle school students at the level necessary to prepare  
 700 the students to enter high school ready to participate in

701 advanced courses.

702 (8)

703 (b) The department shall contribute to the evaluation  
 704 process by providing access, consistent with s. 119.071(5)(a),  
 705 to student and teacher information necessary to match against  
 706 databases containing teacher professional learning development  
 707 data and databases containing assessment data for the  
 708 PSAT/NMSQT, SAT, ACT, PreACT, AP, and other appropriate  
 709 measures. The department shall also provide student-level data  
 710 on student progress from middle school through high school and  
 711 into college and the workforce, if available, in order to  
 712 support longitudinal studies. The partnership shall analyze and  
 713 report student performance data in a manner that protects the  
 714 rights of students and parents as required in 20 U.S.C. s. 1232g  
 715 and s. 1002.22.

716 Section 31. Paragraph (c) of subsection (3) and paragraph  
 717 (b) of subsection (4) of section 1008.33, Florida Statutes, are  
 718 amended to read:

719 1008.33 Authority to enforce public school improvement.—

720 (3)

721 (c) The state board shall adopt by rule a differentiated  
 722 matrix of intervention and support strategies for assisting  
 723 traditional public schools identified under this section and  
 724 rules for implementing s. 1002.33(9)(n), relating to charter  
 725 schools. The intervention and support strategies must address



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726 student performance and may include improvement planning;  
727 leadership quality improvement; educator quality improvement;  
728 professional learning development; curriculum review, pacing,  
729 and alignment across grade levels to improve background  
730 knowledge in social studies, science, and the arts; and the use  
731 of continuous improvement and monitoring plans and processes. In  
732 addition, the state board may prescribe reporting requirements  
733 to review and monitor the progress of the schools. The rule must  
734 define the intervention and support strategies for school  
735 improvement for schools earning a grade of "D" or "F" and the  
736 roles for the district and department.

737 (4)

738 (b) Unless an additional year of implementation is  
739 provided pursuant to paragraph (a), a school that completes a  
740 plan cycle under paragraph (a) and does not improve to a grade  
741 of "C" or higher must implement one of the following:

742 1. Reassign students to another school and monitor the  
743 progress of each reassigned student;

744 2. Close the school and reopen the school as one or more  
745 charter schools, each with a governing board that has a  
746 demonstrated record of effectiveness; or

747 3. Contract with an outside entity that has a demonstrated  
748 record of effectiveness to provide turnaround services  
749 identified in state board rule, which may include school  
750 leadership, educational modalities, teacher and leadership

751 professional learning development, curriculum, operation and  
 752 management services, school-based administrative staffing,  
 753 budgeting, scheduling, other educational service provider  
 754 functions, or any combination thereof. Selection of an outside  
 755 entity may include one or a combination of the following:

756 a. An external operator, which may be a district-managed  
 757 charter school or a high-performing charter school network in  
 758 which all instructional personnel are not employees of the  
 759 school district, but are employees of an independent governing  
 760 board composed of members who did not participate in the review  
 761 or approval of the charter.

762 b. A contractual agreement that allows for a charter  
 763 school network or any of its affiliated subsidiaries to provide  
 764 individualized consultancy services tailored to address the  
 765 identified needs of one or more schools under this section.

766  
 767 A school district and outside entity under this subparagraph  
 768 must enter, at minimum, a 2-year, performance-based contract.  
 769 The contract must include school performance and growth metrics  
 770 the outside entity must meet on an annual basis. The state board  
 771 may require the school district to modify or cancel the  
 772 contract.

773 Section 32. Subsection (3) and paragraph (a) of subsection  
 774 (5) of section 1008.365, Florida Statutes, are amended to read:  
 775 1008.365 Reading Achievement Initiative for Scholastic

776 Excellence Act.—

777 (3) The department shall establish at least 20 literacy  
 778 support regions and regional support teams, at the direction of  
 779 a regional literacy support director appointed by the  
 780 Commissioner of Education, to assist schools with improving low  
 781 reading scores as provided in this section.

782 (a) A regional literacy support director must successfully  
 783 demonstrate competence on the evidence-based strategies  
 784 identified pursuant to s. 1001.215(7) and have the experience  
 785 and credentials necessary, as determined by the department, to:

786 1. Effectively monitor student reading growth and  
 787 achievement data;

788 2. Oversee districtwide and schoolwide professional  
 789 learning development and planning to establish evidence-based  
 790 practices grounded in the science of reading among school  
 791 administrators and instructional personnel;

792 3. Evaluate implementation of evidence-based practices  
 793 grounded in the science of reading; and

794 4. Manage a regional support team.

795 (b) A regional support team shall report to its regional  
 796 literacy support director and must consist of individuals who:

797 1. Successfully demonstrate competence on the evidence-  
 798 based strategies identified pursuant to s. 1001.215(7);

799 2. Have substantial experience in literacy coaching and  
 800 monitoring student progress data in reading; and

801           3. Have received training necessary to assist with the  
 802 delivery of professional learning development and site-based  
 803 supports, including modeling evidence-based practices grounded  
 804 in the science of reading and providing feedback to  
 805 instructional personnel.

806           (5) The department shall provide progress monitoring data  
 807 to regional support teams regarding the implementation of  
 808 supports. Such supports must include:

809           (a) Professional learning development, aligned to  
 810 evidence-based strategies identified pursuant to s. 1001.215(7),  
 811 for appropriate instructional personnel and school  
 812 administrators identified by the regional support team.

813           Section 33. Paragraphs (l) and (m) of subsection (1) of  
 814 section 1011.62, Florida Statutes, are amended to read:

815           1011.62 Funds for operation of schools.—If the annual  
 816 allocation from the Florida Education Finance Program to each  
 817 district for operation of schools is not determined in the  
 818 annual appropriations act or the substantive bill implementing  
 819 the annual appropriations act, it shall be determined as  
 820 follows:

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

825           (1) *Calculation of additional full-time equivalent*

826 *membership based on International Baccalaureate examination*  
 827 *scores of students.*—A value of 0.16 full-time equivalent student  
 828 membership shall be calculated for each student enrolled in an  
 829 International Baccalaureate course who receives a score of 4 or  
 830 higher on a subject examination. A value of 0.3 full-time  
 831 equivalent student membership shall be calculated for each  
 832 student who receives an International Baccalaureate diploma.  
 833 Such value shall be added to the total full-time equivalent  
 834 student membership in basic programs for grades 9 through 12 in  
 835 the subsequent fiscal year. Each school district shall allocate  
 836 80 percent of the funds received from International  
 837 Baccalaureate bonus FTE funding to the school program whose  
 838 students generate the funds and to school programs that prepare  
 839 prospective students to enroll in International Baccalaureate  
 840 courses. Funds shall be expended solely for the payment of  
 841 allowable costs associated with the International Baccalaureate  
 842 program. Allowable costs include International Baccalaureate  
 843 annual school fees; International Baccalaureate examination  
 844 fees; salary, benefits, and bonuses for teachers and program  
 845 coordinators for the International Baccalaureate program and  
 846 teachers and coordinators who prepare prospective students for  
 847 the International Baccalaureate program; supplemental books;  
 848 instructional supplies; instructional equipment or instructional  
 849 materials for International Baccalaureate courses; other  
 850 activities that identify prospective International Baccalaureate

851 students or prepare prospective students to enroll in  
852 International Baccalaureate courses; and training or  
853 professional learning ~~development~~ for International  
854 Baccalaureate teachers. School districts shall allocate the  
855 remaining 20 percent of the funds received from International  
856 Baccalaureate bonus FTE funding for programs that assist  
857 academically disadvantaged students to prepare for more rigorous  
858 courses. The school district shall distribute to each classroom  
859 teacher who provided International Baccalaureate instruction:

860 1. A bonus in the amount of \$50 for each student taught by  
861 the International Baccalaureate teacher in each International  
862 Baccalaureate course who receives a score of 4 or higher on the  
863 International Baccalaureate examination.

864 2. An additional bonus of \$500 to each International  
865 Baccalaureate teacher in a school designated with a grade of "D"  
866 or "F" who has at least one student scoring 4 or higher on the  
867 International Baccalaureate examination, regardless of the  
868 number of classes taught or of the number of students scoring a  
869 4 or higher on the International Baccalaureate examination.

870  
871 Bonuses awarded under this paragraph shall be in addition to any  
872 regular wage or other bonus the teacher received or is scheduled  
873 to receive. For such courses, the teacher shall earn an  
874 additional bonus of \$50 for each student who has a qualifying  
875 score.

876 (m) *Calculation of additional full-time equivalent*  
 877 *membership based on Advanced International Certificate of*  
 878 *Education examination scores of students.*—A value of 0.16 full-  
 879 time equivalent student membership shall be calculated for each  
 880 student enrolled in a full-credit Advanced International  
 881 Certificate of Education course who receives a score of E or  
 882 higher on a subject examination. A value of 0.08 full-time  
 883 equivalent student membership shall be calculated for each  
 884 student enrolled in a half-credit Advanced International  
 885 Certificate of Education course who receives a score of E or  
 886 higher on a subject examination. A value of 0.3 full-time  
 887 equivalent student membership shall be calculated for each  
 888 student who receives an Advanced International Certificate of  
 889 Education diploma. Such value shall be added to the total full-  
 890 time equivalent student membership in basic programs for grades  
 891 9 through 12 in the subsequent fiscal year. Each school district  
 892 shall allocate at least 80 percent of the funds received from  
 893 the Advanced International Certificate of Education bonus FTE  
 894 funding, in accordance with this paragraph, to the school  
 895 program that generated the funds and to school programs  
 896 administered by the University of Cambridge Local Examinations  
 897 Syndicate that prepare prospective students to enroll in  
 898 Advanced International Certificate of Education courses. These  
 899 funds shall be expended solely for the payment of costs  
 900 associated with the application and registration process;

901 program fees and site licenses; training, professional learning  
 902 ~~development~~, salaries, benefits, and bonuses for instructional  
 903 personnel and program coordinators; examination and diploma  
 904 fees; membership fees; supplemental books; instructional  
 905 supplies, materials, and equipment; and other activities that  
 906 identify prospective Advanced International Certificate of  
 907 Education students or prepare prospective students to enroll in  
 908 Advanced International Certificate of Education courses. The  
 909 school district shall distribute to each classroom teacher who  
 910 provided Advanced International Certificate of Education or  
 911 International General Certificate of Secondary Education (pre-  
 912 AICE) instruction:

913 1. A bonus in the amount of \$50 for each student taught by  
 914 the Advanced International Certificate of Education teacher in  
 915 each Advanced International Certificate of Education course who  
 916 receives a score of E or higher on the Advanced International  
 917 Certificate of Education examination. A bonus in the amount of  
 918 \$25 for each student taught by the pre-AICE teacher in each pre-  
 919 AICE course who receives a score of E or higher on the pre-AICE  
 920 examination.

921 2. An additional bonus of \$500 to each Advanced  
 922 International Certificate of Education teacher in a school  
 923 designated with a grade of "D" or "F" who has at least one  
 924 student scoring E or higher on the Advanced International  
 925 Certificate of Education examination, regardless of the number



926 of classes taught or of the number of students scoring an E or  
 927 higher on the Advanced International Certificate of Education  
 928 examination.

929 3. Additional bonuses of \$250 each to teachers of pre-AICE  
 930 classes in a school designated with a grade of "D" or "F" which  
 931 has at least one student scoring an E or higher on the pre-AICE  
 932 examination in that class. Teachers receiving an award under  
 933 subparagraph 2. are not eligible for a bonus under this  
 934 subparagraph.

935  
 936 Bonuses awarded to a teacher according to this paragraph shall  
 937 be in addition to any regular wage or other bonus the teacher  
 938 received or is scheduled to receive.

939 Section 34. Subsection (4) of section 1011.6202, Florida  
 940 Statutes, is amended to read:

941 1011.6202 Principal Autonomy Program Initiative.—The  
 942 Principal Autonomy Program Initiative is created within the  
 943 Department of Education. The purpose of the program is to  
 944 provide a highly effective principal of a participating school  
 945 with increased autonomy and authority to operate his or her  
 946 school, as well as other schools, in a way that produces  
 947 significant improvements in student achievement and school  
 948 management while complying with constitutional requirements. The  
 949 State Board of Education may, upon approval of a principal  
 950 autonomy proposal, enter into a performance contract with the

951 district school board for participation in the program.

952 (4) PROFESSIONAL LEARNING ~~DEVELOPMENT~~.—Each participating  
 953 school district shall require that the principal of each  
 954 participating school and a designated leadership team selected  
 955 by the principal of the participating school complete a  
 956 nationally recognized school turnaround program which focuses on  
 957 improving leadership, instructional infrastructure, talent  
 958 management, and differentiated support and accountability. The  
 959 required personnel must enroll in the nationally recognized  
 960 school turnaround program upon acceptance into the program.

961 Section 35. Paragraph (h) of subsection (1) of section  
 962 1012.22, Florida Statutes, is amended to read:

963 1012.22 Public school personnel; powers and duties of the  
 964 district school board.—The district school board shall:

965 (1) Designate positions to be filled, prescribe  
 966 qualifications for those positions, and provide for the  
 967 appointment, compensation, promotion, suspension, and dismissal  
 968 of employees as follows, subject to the requirements of this  
 969 chapter:

970 (h) *Planning and training time for teachers.*—The district  
 971 school board shall adopt rules to make provisions for teachers  
 972 to have time for lunch, professional planning, and professional  
 973 learning ~~development~~ time when they will not be directly  
 974 responsible for the children if some adult supervision is  
 975 furnished for the students during such periods.

976 Section 36. Paragraph (b) of subsection (2) and paragraph  
 977 (a) of subsection (7) of section 1012.34, Florida Statutes, are  
 978 amended to read:

979 1012.34 Personnel evaluation procedures and criteria.—

980 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems  
 981 for instructional personnel and school administrators must:

982 (b) Provide appropriate instruments, procedures, timely  
 983 feedback, and criteria for continuous quality improvement of the  
 984 professional skills of instructional personnel and school  
 985 administrators, and performance evaluation results must be used  
 986 when identifying professional learning development.  
 987

988 In addition, each district school board may establish a peer  
 989 assistance process. This process may be a part of the regular  
 990 evaluation system or used to assist employees placed on  
 991 performance probation, newly hired classroom teachers, or  
 992 employees who request assistance.

993 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

994 (a) The Commissioner of Education shall approve a formula  
 995 to measure individual student learning growth on the statewide,  
 996 standardized assessments in English Language Arts and  
 997 mathematics administered under s. 1008.22. A third party,  
 998 independent of the assessment developer, must analyze student  
 999 learning growth data calculated using the formula and provide  
 1000 access to a data visualization tool that enables teachers to

1001 understand and evaluate the data and school administrators to  
 1002 improve instruction, evaluate programs, allocate resources, plan  
 1003 professional learning development, and communicate with  
 1004 stakeholders. The formula must take into consideration each  
 1005 student's prior academic performance. The formula must not set  
 1006 different expectations for student learning growth based upon a  
 1007 student's gender, race, ethnicity, or socioeconomic status. In  
 1008 the development of the formula, the commissioner shall consider  
 1009 other factors such as a student's attendance record, disability  
 1010 status, or status as an English language learner. The  
 1011 commissioner may select additional formulas to measure student  
 1012 performance as appropriate for the remainder of the statewide,  
 1013 standardized assessments included under s. 1008.22 and continue  
 1014 to select formulas as new assessments are implemented in the  
 1015 state system. By July 31 of each year, the commissioner shall  
 1016 provide to each school district the student learning growth data  
 1017 calculated using the formula.

1018 Section 37. Paragraph (d) of subsection (1) of section  
 1019 1012.35, Florida Statutes, is amended to read:

1020 1012.35 Substitute teachers.—

1021 (1) Each district school board shall adopt rules  
 1022 prescribing the compensation of, and the procedure for  
 1023 employment of, substitute teachers.

1024 (d) It is recommended that ongoing training and access to  
 1025 professional learning development offerings be made available to

1026 substitute teachers by the employing district.

1027 Section 38. Subsection (1) of section 1012.42, Florida  
 1028 Statutes, is amended to read:

1029 1012.42 Teacher teaching out-of-field.—

1030 (1) ASSISTANCE.—Each district school board shall adopt and  
 1031 implement a plan to assist any teacher teaching out-of-field,  
 1032 and priority consideration in professional learning ~~development~~  
 1033 activities shall be given to a teacher who is teaching out-of-  
 1034 field. The district school board shall require that the teacher  
 1035 participate in a certification or staff development program  
 1036 designed to provide the teacher with the competencies required  
 1037 for the assigned duties. The board-approved assistance plan must  
 1038 include duties of administrative personnel and other  
 1039 instructional personnel to provide students with instructional  
 1040 services.

1041 Section 39. Paragraph (b) of subsection (3) of section  
 1042 1012.562, Florida Statutes, is amended to read:

1043 1012.562 Public accountability and state approval of  
 1044 school leader preparation programs.—The Department of Education  
 1045 shall establish a process for the approval of Level I and Level  
 1046 II school leader preparation programs that will enable aspiring  
 1047 school leaders to obtain their certificate in educational  
 1048 leadership under s. 1012.56. School leader preparation programs  
 1049 must be competency-based, aligned to the principal leadership  
 1050 standards adopted by the state board, and open to individuals

1051 employed by public schools, including charter schools and  
 1052 virtual schools. Level I programs lead to initial certification  
 1053 in educational leadership for the purpose of preparing  
 1054 individuals to serve as school administrators. Level II programs  
 1055 build upon Level I training and lead to renewal certification as  
 1056 a school principal.

1057 (3) LEVEL II PROGRAMS.—Initial approval and subsequent  
 1058 renewal of a Level II program shall be for a period of 5 years.  
 1059 A school district, charter school, or charter management  
 1060 organization may submit to the department in a format prescribed  
 1061 by the department an application to establish a Level II school  
 1062 leader preparation program or for program renewal. To be  
 1063 approved or renewed, a Level II program must:

1064 (b) Demonstrate that the Level II program:

1065 1. Provides competency-based training aligned to the  
 1066 principal leadership standards adopted by the State Board of  
 1067 Education.

1068 2. Provides training aligned to the personnel evaluation  
 1069 criteria under s. 1012.34 and professional learning ~~development~~  
 1070 program in s. 1012.986.

1071 3. Provides individualized instruction using a customized  
 1072 learning plan for each person enrolled in the program that is  
 1073 based on data from self-assessment, selection, and appraisal  
 1074 instruments.

1075 4. Conducts program evaluations and implements program

1076 improvements using input from personnel who completed the  
 1077 program and employers and data gathered pursuant to paragraph  
 1078 (2) (b).

1079 Section 40. Paragraph (f) of subsection (3) of section  
 1080 1012.585, Florida Statutes, is amended to read:

1081 1012.585 Process for renewal of professional  
 1082 certificates.—

1083 (3) For the renewal of a professional certificate, the  
 1084 following requirements must be met:

1085 (f) An applicant for renewal of a professional certificate  
 1086 in any area of certification identified by State Board of  
 1087 Education rule that includes reading instruction or intervention  
 1088 for any students in kindergarten through grade 6, with a  
 1089 beginning validity date of July 1, 2020, or thereafter, must  
 1090 earn a minimum of 2 college credits or the equivalent inservice  
 1091 points in evidence-based instruction and interventions grounded  
 1092 in the science of reading specifically designed for students  
 1093 with characteristics of dyslexia, including the use of explicit,  
 1094 systematic, and sequential approaches to reading instruction,  
 1095 developing phonological and phonemic awareness, decoding, and  
 1096 implementing multisensory intervention strategies. Such training  
 1097 must be provided by teacher preparation programs under s.  
 1098 1004.04 or s. 1004.85 or approved school district professional  
 1099 learning development systems under s. 1012.98. The requirements  
 1100 in this paragraph may not add to the total hours required by the

1101 department for continuing education or inservice training.

1102 Section 41. Section 1012.985, Florida Statutes, is amended  
 1103 to read:

1104 1012.985 Regional professional learning ~~development~~  
 1105 academies.—

1106 (1) The intent of this section is to facilitate a system  
 1107 of professional learning ~~development~~ that provides a wide range  
 1108 of inservice training to teachers, managers, and administrative  
 1109 personnel which is designed to upgrade skills and knowledge  
 1110 needed to attain world class standards in education. The system  
 1111 shall consist of a network of professional learning ~~development~~  
 1112 academies that are operated in partnership with area business  
 1113 partners to develop and deliver high-quality training programs  
 1114 for school districts. Each regional professional learning  
 1115 ~~development~~ academy must meet the human resource development  
 1116 needs of professional educators, schools, and school districts  
 1117 and shall:

1118 (a) Support the collaborative efforts of one or more  
 1119 district school boards, members of the business community, and  
 1120 the postsecondary educational institutions which may award  
 1121 college credits for courses taught at the academy.

1122 (b) Provide high-quality trainers and training and  
 1123 appropriate followup and coaching for all participants and  
 1124 support school personnel in increasing student achievement.

1125 (c) Be operated under contract with its public partners.



1126 Contracts between district school boards and each regional  
 1127 professional learning ~~development~~ academy must require:

1128 1. The academy's independent board of directors to be  
 1129 responsible for the prudent use of all public and private funds  
 1130 and to ensure that those funds are used in accordance with  
 1131 applicable laws, bylaws, and contractual agreements.

1132 2. The academy to retain proper documentation evidencing  
 1133 that district school board funds provided to the academy are  
 1134 expended for authorized purposes as prescribed in the contract  
 1135 and that services to district school boards are commensurate  
 1136 with the funds paid to the academy for those services. The  
 1137 academy's records must be available for inspection by the  
 1138 district school board's internal auditor and the Auditor  
 1139 General.

1140 3. Each district school board to approve any participation  
 1141 by the academy in the district's programs or services, including  
 1142 use of the district's facilities, furnishings, equipment, other  
 1143 chattels, personnel, or services.

1144 4. The academy to provide an annual report of its  
 1145 activities and expenditures to its independent board of  
 1146 directors and each party to the contract.

1147 5. The academy to be annually audited by an independent  
 1148 certified public accountant retained and paid for by the academy  
 1149 and to provide a copy of the audit report to each party to the  
 1150 contract.

1151 (d) Be governed by an independent board of directors,  
 1152 which should include at least one district school superintendent  
 1153 and one district school board chair from the participating  
 1154 school districts, the president of the collective bargaining  
 1155 unit that represents the majority of the region's teachers, and  
 1156 at least three individuals who are not employees or elected or  
 1157 appointed officials of the participating school districts.  
 1158 Regional educational consortia as defined in s. 1001.451 satisfy  
 1159 the requirements of this paragraph.

1160 (e) Provide professional learning development services for  
 1161 the participating school districts as specified in the contract  
 1162 and may provide professional learning development services to  
 1163 other school districts, private schools, and individuals on a  
 1164 fee-for-services basis.

1165 (2) A regional professional learning development academy  
 1166 may:

1167 (a) Receive funds from the Department of Education or as  
 1168 provided in the General Appropriations Act for the purpose of  
 1169 developing programs, expanding services, assessing inservice  
 1170 training and professional learning development, or other  
 1171 programs that are consistent with the mission of the academy and  
 1172 the needs of the state and region; and

1173 (b) Receive, hold, invest, and administer property and any  
 1174 moneys acquired from private, local, state, and federal sources,  
 1175 as well as technical and professional income generated or

1176 derived from activities of the academy, for the benefit of the  
 1177 academy and the fulfillment of its mission. Income generated by  
 1178 school district personnel at the academy from trademarks,  
 1179 copyrights, and patents shall be shared between the academy and  
 1180 the district school board as outlined in the contract.

1181 Section 42. Subsection (1) of section 1015.04, Florida  
 1182 Statutes, is amended to read:

1183 1015.04 Right to continuing education.—

1184 (1) Teachers are guaranteed a coordinated system of  
 1185 professional learning development ~~development~~ with the goals of increasing  
 1186 student achievement, enhancing classroom instruction, and  
 1187 preparing students for continuing their education or joining the  
 1188 workforce. Pursuant to s. 1012.98, the Department of Education,  
 1189 public postsecondary educational institutions, public school  
 1190 districts, public schools, state education foundations,  
 1191 consortia, and professional organizations must work  
 1192 collaboratively to provide a coordinated system of professional  
 1193 learning development ~~development~~.

1194 Reviser's note.—Amended pursuant to the directive of the  
 1195 Legislature in s. 39, ch. 2023-39, Laws of Florida, to the  
 1196 Division of Law Revision to prepare a reviser's bill for  
 1197 the 2024 Regular Session of the Legislature to replace  
 1198 references to the term "professional development," where it  
 1199 occurs within chapters 1000 through 1013 of the Florida  
 1200 Statutes, with the term "professional learning," and to

PCB RUC 24-05

ORIGINAL

2024

1201 | update a specific reference to teacher professional  
1202 | development in s. 1015.04 to conform to the changes in ch.  
1203 | 2023-39.

1204 | Section 43. This act shall take effect on the 60th day  
1205 | after adjournment sine die of the session of the Legislature in  
1206 | which enacted.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB RUC 24-06 Florida Statutes

**SPONSOR(S):** Rules Committee

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 82

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Rules Committee		Cornell	Brink

**SUMMARY ANALYSIS**

During the 2023 Regular Legislative Session, the Legislature passed HB 5 (ch. 2023-173, L.O.F.), which, among other things, directed the Division of Law Revision to prepare a reviser’s bill to replace references to the terms “Department of Economic Opportunity” and “Secretary of Economic Opportunity” with the terms “Department of Commerce” and “Secretary of Commerce,” respectively.

The bill makes conforming changes directed by HB 5.

The bill has no fiscal impact.

Except as otherwise provided, the bill takes effect on the 60th day after adjournment sine die.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

Section 147, ch. 2023-173, L.O.F., directed the Division of Law Revision to prepare a reviser's bill to replace references to the terms "Department of Economic Opportunity" and "Secretary of Economic Opportunity," wherever they occur in the Florida Statutes, with the terms "Department of Commerce" and "Secretary of Commerce," respectively. The bill makes conforming changes pursuant to the directive.

#### B. SECTION DIRECTORY:

**Sections 1-257** replace references to the terms "Department of Economic Opportunity" and "Secretary of Economic Opportunity" with the terms "Department of Commerce" and "Secretary of Commerce."

**Section 258** provides for multiple effective dates.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

#### D. FISCAL COMMENTS:

None.

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

None.

##### 2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.



1                   A reviser's bill to be entitled  
2           An act relating to the Florida Statutes; amending ss.  
3           11.40, 11.45, 14.20195, 14.36, 16.615, 17.61, 20.04,  
4           20.166, 20.181, 20.605, 45.031, 69.041, 110.112,  
5           112.63, 112.665, 119.071, 120.80, 125.045, 155.40,  
6           159.8081, 159.8083, 159.809, 159.81, 161.142, 161.54,  
7           163.3164, 163.3221, 163.3251, 163.3756, 163.503,  
8           163.5055, 163.506, 163.508, 163.511, 163.512, 166.021,  
9           171.204, 186.504, 189.012, 190.009, 190.047, 191.009,  
10          191.015, 201.15, 212.08, 212.096, 212.097, 212.098,  
11          213.053, 215.5588, 216.292, 218.32, 218.37, 218.411,  
12          220.03, 220.153, 220.183, 220.1895, 220.191, 222.15,  
13          252.85, 253.025, 255.099, 258.501, 259.042, 267.0625,  
14          288.005, 288.061, 288.075, 288.1201, 288.1226,  
15          288.8012, 288.8014, 288.9604, 288.9610, 288.987,  
16          288.9961, 290.004, 290.0065, 290.00729, 290.042,  
17          290.0455, 290.0491, 290.06561, 311.07, 311.09, 311.10,  
18          311.101, 311.105, 311.11, 311.22, 320.08058, 322.142,  
19          327.803, 331.3051, 331.3081, 331.324, 332.115,  
20          334.065, 334.066, 339.135, 339.175, 339.2821, 342.201,  
21          369.303, 369.318, 369.321, 369.322, 369.323, 369.324,  
22          373.199, 373.4149, 373.453, 373.461, 375.021, 377.809,  
23          378.411, 379.2291, 380.031, 380.093, 381.0086,  
24          397.754, 403.0752, 403.0891, 403.507, 403.508,  
25          403.524, 403.526, 403.527, 403.757, 403.941, 403.9411,

26 | 403.973, 404.0617, 409.1451, 409.2576, 409.25996,  
 27 | 409.508, 409.509, 410.502, 413.80, 413.801, 414.24,  
 28 | 414.40, 420.0004, 420.0005, 420.0006, 420.101,  
 29 | 420.111, 420.36, 420.424, 420.503, 420.504, 420.506,  
 30 | 420.507, 420.511, 420.602, 420.606, 420.609, 420.622,  
 31 | 420.631, 420.635, 421.001, 422.001, 423.001, 427.012,  
 32 | 440.12, 440.15, 440.381, 443.012, 443.036, 443.041,  
 33 | 443.051, 443.071, 443.101, 443.111, 443.1113,  
 34 | 443.1115, 443.1116, 443.1118, 443.1215, 443.1216,  
 35 | 443.1217, 443.131, 443.1312, 443.1313, 443.1315,  
 36 | 443.1316, 443.1317, 443.141, 443.151, 443.163,  
 37 | 443.171, 443.1715, 443.17161, 443.181, 443.191,  
 38 | 443.211, 443.221, 445.002, 445.003, 445.004, 445.009,  
 39 | 445.016, 445.024, 445.0325, 445.038, 445.045, 445.056,  
 40 | 445.06, 445.07, 446.41, 446.53, 446.71, 448.09,  
 41 | 448.095, 448.109, 448.110, 450.161, 450.191, 450.261,  
 42 | 450.31, 468.529, 551.104, 553.79, 570.71, 624.5105,  
 43 | 627.42397, 641.514, 692.203, 692.204, 720.403,  
 44 | 720.404, 720.406, 943.0311, 944.801, 945.10, 985.601,  
 45 | 1001.02, 1001.03, 1001.706, 1002.20, 1002.395,  
 46 | 1002.895, 1003.4156, 1003.491, 1003.493, 1004.015,  
 47 | 1004.46, 1008.39, 1008.40, 1008.41, 1011.76, 1011.80,  
 48 | and 1011.802, F.S., to conform to section 147 of  
 49 | chapter 2023-173, Laws of Florida, which directs the  
 50 | Division of Law Revision to prepare a reviser's bill

51 for the 2024 Regular Session of the Legislature to  
 52 replace references to the terms "Department of  
 53 Economic Opportunity" and "Secretary of Economic  
 54 Opportunity," wherever they occur in the Florida  
 55 Statutes, with the terms "Department of Commerce" and  
 56 "Secretary of Commerce," respectively; providing  
 57 effective dates.  
 58

59 Be It Enacted by the Legislature of the State of Florida:  
 60

61 Section 1. Paragraph (b) of subsection (2) of section  
 62 11.40, Florida Statutes, is amended to read:

63 11.40 Legislative Auditing Committee.—

64 (2) Following notification by the Auditor General, the  
 65 Department of Financial Services, the Division of Bond Finance  
 66 of the State Board of Administration, the Governor or his or her  
 67 designee, or the Commissioner of Education or his or her  
 68 designee of the failure of a local governmental entity, district  
 69 school board, charter school, or charter technical career center  
 70 to comply with the applicable provisions within s. 11.45(5)-(7),  
 71 s. 218.32(1), s. 218.38, or s. 218.503(3), the Legislative  
 72 Auditing Committee may schedule a hearing to determine if the  
 73 entity should be subject to further state action. If the  
 74 committee determines that the entity should be subject to  
 75 further state action, the committee shall:

76 (b) In the case of a special district created by:

77 1. A special act, notify the President of the Senate, the

78 Speaker of the House of Representatives, the standing committees

79 of the Senate and the House of Representatives charged with

80 special district oversight as determined by the presiding

81 officers of each respective chamber, the legislators who

82 represent a portion of the geographical jurisdiction of the

83 special district, and the Department of Commerce ~~Economic~~

84 ~~Opportunity~~ that the special district has failed to comply with

85 the law. Upon receipt of notification, the Department of

86 Commerce ~~Economic Opportunity~~ shall proceed pursuant to s.

87 189.062 or s. 189.067. If the special district remains in

88 noncompliance after the process set forth in s. 189.0651, or if

89 a public hearing is not held, the Legislative Auditing Committee

90 may request the department to proceed pursuant to s. 189.067(3).

91 2. A local ordinance, notify the chair or equivalent of

92 the local general-purpose government pursuant to s. 189.0652 and

93 the Department of Commerce ~~Economic Opportunity~~ that the special

94 district has failed to comply with the law. Upon receipt of

95 notification, the department shall proceed pursuant to s.

96 189.062 or s. 189.067. If the special district remains in

97 noncompliance after the process set forth in s. 189.0652, or if

98 a public hearing is not held, the Legislative Auditing Committee

99 may request the department to proceed pursuant to s. 189.067(3).

100 3. Any manner other than a special act or local ordinance,

101 notify the Department of Commerce ~~Economic Opportunity~~ that the  
 102 special district has failed to comply with the law. Upon receipt  
 103 of notification, the department shall proceed pursuant to s.  
 104 189.062 or s. 189.067(3).

105 Section 2. Paragraph (c) of subsection (7) of section  
 106 11.45, Florida Statutes, is amended to read:

107 11.45 Definitions; duties; authorities; reports; rules.—

108 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

109 (c) The Auditor General shall provide annually a list of  
 110 those special districts which are not in compliance with s.  
 111 218.39 to the Special District Accountability Program of the  
 112 Department of Commerce ~~Economic Opportunity~~.

113 Section 3. Paragraph (b) of subsection (2) of section  
 114 14.20195, Florida Statutes, is amended to read:

115 14.20195 Suicide Prevention Coordinating Council;  
 116 creation; membership; duties.—There is created within the  
 117 Statewide Office for Suicide Prevention a Suicide Prevention  
 118 Coordinating Council. The council shall develop strategies for  
 119 preventing suicide.

120 (2) MEMBERSHIP.—The Suicide Prevention Coordinating  
 121 Council shall consist of 31 voting members and 1 nonvoting  
 122 member.

123 (b) The following state officials or their designees shall  
 124 serve on the coordinating council:

125 1. The Secretary of Elderly Affairs.

- 126           2. The State Surgeon General.
- 127           3. The Commissioner of Education.
- 128           4. The Secretary of Health Care Administration.
- 129           5. The Secretary of Juvenile Justice.
- 130           6. The Secretary of Corrections.
- 131           7. The executive director of the Department of Law
- 132 Enforcement.
- 133           8. The executive director of the Department of Veterans'
- 134 Affairs.
- 135           9. The Secretary of Children and Families.
- 136           10. The Secretary of Commerce ~~Economic Opportunity~~.
- 137           Section 4. Paragraphs (c) and (d) of subsection (2),
- 138 paragraphs (d) and (k) of subsection (3), paragraph (c) of
- 139 subsection (4), and paragraph (b) of subsection (5) of section
- 140 14.36, Florida Statutes, are amended to read:
- 141           14.36 Reimagining Education and Career Help Act.—The
- 142 Reimagining Education and Career Help Act is created to address
- 143 the evolving needs of Florida's economy by increasing the level
- 144 of collaboration and cooperation among state businesses and
- 145 education communities while improving training within and equity
- 146 and access to a more integrated workforce and education system
- 147 for all Floridians.
- 148           (2) As used in this section, the term:
- 149           (c) "Workforce development system" means the entities and
- 150 activities that contribute to the state's talent pipeline system

151 through education, training, and support services that prepare  
 152 individuals for employment or career advancement, and the  
 153 entities that are responsible for oversight or conducting those  
 154 activities such as CareerSource Florida, Inc., local workforce  
 155 development boards, one-stop career centers, the Department of  
 156 Commerce ~~Economic Opportunity~~, the Department of Education, and  
 157 the Department of Children and Families.

158 (d) "Workforce education region" means areas of the state  
 159 identified by the Department of Education, in collaboration with  
 160 the Department of Commerce ~~Economic Opportunity~~, to maximize  
 161 resource allocation by combining two or more sources of funding  
 162 to integrate education and training in order to improve access  
 163 to credentials of value for participants in adult education  
 164 programs.

165 (3) The duties of the office are to:

166 (d) Coordinate state and federal workforce related  
 167 programs, plans, resources, and activities provided by  
 168 CareerSource Florida, Inc., the Department of Commerce ~~Economic~~  
 169 ~~Opportunity~~, and the Department of Education.

170 (k) Facilitate coordination among the Department of  
 171 Commerce ~~Economic Opportunity~~, the Department of Education, and  
 172 CareerSource Florida, Inc., to develop and expand  
 173 apprenticeship, preapprenticeship, and other work-based learning  
 174 models and streamline efforts to recruit and onboard new  
 175 apprentices, preapprentices, students, and employers interested

176 in work-based learning opportunities. Such coordination must  
 177 include, but need not be limited to, conducting outreach with  
 178 business leaders, local governments, and education providers.

179 (4) The office shall create a no-wrong-door-entry strategy  
 180 to improve equity and access to the myriad of state and  
 181 federally funded workforce related programs through CareerSource  
 182 Florida, Inc., local workforce development boards, one-stop  
 183 career centers, school districts, charter technical centers,  
 184 Florida College System institutions, the State University  
 185 System, and through eligible training providers. Individuals  
 186 must not be required to visit multiple locations when seeking  
 187 access to education and workforce training. To create the  
 188 strategy, the office shall:

189 (c) Coordinate and facilitate a memorandum of  
 190 understanding between the Department of Commerce ~~Economic~~  
 191 ~~Opportunity~~ and the Department of Children and Families to  
 192 permit Supplemental Nutrition Assistance Program (SNAP) and  
 193 Temporary Assistance for Needy Families (TANF) clients to  
 194 precertify for Workforce Innovation and Opportunity Act training  
 195 services without having to physically visit a one-stop center.

196 (5) The office shall provide the public with access to  
 197 available federal, state, and local services and provide  
 198 stakeholders with a systemwide, global view of workforce related  
 199 program data across various programs through actionable  
 200 qualitative and quantitative information. The office shall:



201 (b) Provide access to labor market data consistent with  
 202 the information developed by the Labor Market Estimating  
 203 Conference and the Labor Market Statistics Center within the  
 204 Department of Commerce ~~Economic Opportunity~~ and provide guidance  
 205 on how to analyze the data, the appropriate use of the data, and  
 206 any limitations of the data, including instances in which such  
 207 data may not be used.

208 Section 5. Paragraph (j) of subsection (1) of section  
 209 16.615, Florida Statutes, is amended to read:

210 16.615 Council on the Social Status of Black Men and  
 211 Boys.—

212 (1) The Council on the Social Status of Black Men and Boys  
 213 is established within the Department of Legal Affairs and shall  
 214 consist of 19 members appointed as follows:

215 (j) The Secretary of Commerce ~~Economic Opportunity~~ or his  
 216 or her designee.

217 Section 6. Paragraph (c) of subsection (3) of section  
 218 17.61, Florida Statutes, is amended to read:

219 17.61 Chief Financial Officer; powers and duties in the  
 220 investment of certain funds.—

221 (3)

222 (c) Except as provided in this paragraph and except for  
 223 moneys described in paragraph (d), the following agencies may  
 224 not invest trust fund moneys as provided in this section, but  
 225 shall retain such moneys in their respective trust funds for

- 226 investment, with interest appropriated to the General Revenue  
 227 Fund, pursuant to s. 17.57:
- 228 1. The Agency for Health Care Administration, except for  
 229 the Tobacco Settlement Trust Fund.
  - 230 2. The Agency for Persons with Disabilities, except for:
  - 231 a. The Federal Grants Trust Fund.
  - 232 b. The Tobacco Settlement Trust Fund.
  - 233 3. The Department of Children and Families, except for:
  - 234 a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.
  - 235 b. The Social Services Block Grant Trust Fund.
  - 236 c. The Tobacco Settlement Trust Fund.
  - 237 4. The Department of Corrections.
  - 238 5. The Department of Elderly Affairs, except for:
  - 239 a. The Federal Grants Trust Fund.
  - 240 b. The Tobacco Settlement Trust Fund.
  - 241 6. The Department of Health, except for:
  - 242 a. The Federal Grants Trust Fund.
  - 243 b. The Grants and Donations Trust Fund.
  - 244 c. The Maternal and Child Health Block Grant Trust Fund.
  - 245 d. The Tobacco Settlement Trust Fund.
  - 246 7. The Department of Highway Safety and Motor Vehicles,  
 247 only for the Security Deposits Trust Fund.
  - 248 8. The Department of Juvenile Justice.
  - 249 9. The Department of Law Enforcement.
  - 250 10. The Department of Legal Affairs.

- 251 11. The Department of State, only for:  
 252 a. The Grants and Donations Trust Fund.  
 253 b. The Records Management Trust Fund.
- 254 12. The Department of Commerce ~~Economic Opportunity~~, only  
 255 for the Economic Development Trust Fund.
- 256 13. The Florida Public Service Commission, only for the  
 257 Florida Public Service Regulatory Trust Fund.
- 258 14. The Justice Administrative Commission.  
 259 15. The state courts system.
- 260 Section 7. Subsection (3) and paragraph (b) of subsection  
 261 (7) of section 20.04, Florida Statutes, are amended to read:  
 262 20.04 Structure of executive branch.—The executive branch  
 263 of state government is structured as follows:
- 264 (3) For their internal structure, all departments, except  
 265 for the Department of Financial Services, the Department of  
 266 Commerce ~~Economic Opportunity~~, the Department of Children and  
 267 Families, the Department of Corrections, the Department of  
 268 Management Services, the Department of Revenue, and the  
 269 Department of Transportation, must adhere to the following  
 270 standard terms:
- 271 (a) The principal unit of the department is the  
 272 "division." Each division is headed by a "director."  
 273 (b) The principal unit of the division is the "bureau."  
 274 Each bureau is headed by a "chief."  
 275 (c) The principal unit of the bureau is the "section."

276 Each section is headed by an "administrator."

277 (d) If further subdivision is necessary, sections may be  
 278 divided into "subsections," which are headed by "supervisors."

279 (7)

280 (b) Within the limitations of this subsection, the head of  
 281 the department may recommend the establishment of additional  
 282 divisions, bureaus, sections, and subsections of the department  
 283 to promote efficient and effective operation of the department.  
 284 However, additional divisions, or offices in the Department of  
 285 Children and Families, the Department of Corrections, the  
 286 Department of Commerce ~~Economic Opportunity~~, and the Department  
 287 of Transportation, may be established only by specific statutory  
 288 enactment. New bureaus, sections, and subsections of departments  
 289 may be initiated by a department and established as recommended  
 290 by the Department of Management Services and approved by the  
 291 Executive Office of the Governor, or may be established by  
 292 specific statutory enactment.

293 Section 8. Paragraph (c) of subsection (4) of section  
 294 20.166, Florida Statutes, is amended to read:

295 20.166 Florida Business Information Portal.—

296 (4) The state agencies that must cooperate with the  
 297 Department of Business and Professional Regulation in the  
 298 development, implementation, and ongoing content updates of the  
 299 Florida Business Information Portal include, but are not limited  
 300 to:

301 (c) The Department of Commerce ~~Economic Opportunity~~.

302 Section 9. Subsection (1) of section 20.181, Florida  
303 Statutes, is amended to read:

304 20.181 Federal Grants Trust Fund.—

305 (1) The Federal Grants Trust Fund is created within the  
306 Department of Commerce ~~Economic Opportunity~~.

307 Section 10. Section 20.605, Florida Statutes, is amended  
308 to read:

309 20.605 Administrative Trust Fund of the Department of  
310 Commerce ~~Economic Opportunity~~.—

311 (1) The Administrative Trust Fund is created within the  
312 Department of Commerce ~~Economic Opportunity~~.

313 (2) Funds shall be used for the purpose of supporting the  
314 administrative functions of the department as required by law,  
315 pursuant to legislative appropriation or an approved amendment  
316 to the department's operating budget pursuant to the provisions  
317 of chapter 216.

318 (3) Notwithstanding the provisions of s. 216.301 and  
319 pursuant to s. 216.351, any balance in the trust fund at the end  
320 of any fiscal year shall remain in the trust fund at the end of  
321 the year and shall be available for carrying out the purposes of  
322 the trust fund.

323 Section 11. Paragraph (a) of subsection (7) of section  
324 45.031, Florida Statutes, is amended to read:

325 45.031 Judicial sales procedure.—In any sale of real or

326 personal property under an order or judgment, the procedures  
 327 provided in this section and ss. 45.0315-45.035 may be followed  
 328 as an alternative to any other sale procedure if so ordered by  
 329 the court.

330 (7) DISBURSEMENTS OF PROCEEDS.—

331 (a) On filing a certificate of title, the clerk shall  
 332 disburse the proceeds of the sale in accordance with the order  
 333 or final judgment and shall file a report of such disbursements  
 334 and serve a copy of it on each party, and on the Department of  
 335 Revenue if the department was named as a defendant in the action  
 336 or if the Department of Commerce ~~Economic Opportunity~~ or the  
 337 former Agency for Workforce Innovation was named as a defendant  
 338 while the Department of Revenue was providing reemployment  
 339 assistance tax collection services under contract with the  
 340 Department of Commerce ~~Economic Opportunity~~ or the former Agency  
 341 for Workforce Innovation through an interagency agreement  
 342 pursuant to s. 443.1316.

343 Section 12. Paragraph (a) of subsection (4) of section  
 344 69.041, Florida Statutes, is amended to read:

345 69.041 State named party; lien foreclosure, suit to quiet  
 346 title.—

347 (4) (a) The Department of Revenue has the right to  
 348 participate in the disbursement of funds remaining in the  
 349 registry of the court after distribution pursuant to s.  
 350 45.031(7). The department shall participate in accordance with

351 applicable procedures in any mortgage foreclosure action in  
 352 which the department has a duly filed tax warrant, or interests  
 353 under a lien arising from a judgment, order, or decree for  
 354 support, as defined in s. 409.2554, or interest in a  
 355 reemployment assistance tax lien under contract with the  
 356 Department of Commerce ~~Economic Opportunity~~ through an  
 357 interagency agreement pursuant to s. 443.1316, against the  
 358 subject property and with the same priority, regardless of  
 359 whether a default against the department, the Department of  
 360 Commerce ~~Economic Opportunity~~, or the former Agency for  
 361 Workforce Innovation has been entered for failure to file an  
 362 answer or other responsive pleading.

363 Section 13. Paragraph (a) of subsection (3) of section  
 364 110.112, Florida Statutes, is amended to read:

365 110.112 Affirmative action; equal employment opportunity.—

366 (3)(a) The department, in consultation with the Agency for  
 367 Persons with Disabilities, the Division of Vocational  
 368 Rehabilitation and the Division of Blind Services of the  
 369 Department of Education, the Department of Commerce ~~Economic~~  
 370 ~~Opportunity~~, and the Executive Office of the Governor, shall  
 371 develop and implement programs that incorporate internships,  
 372 mentoring, on-the-job training, unpaid work experience,  
 373 situational assessments, and other innovative strategies that  
 374 are specifically geared toward individuals who have a  
 375 disability.

376 Section 14. Paragraph (d) of subsection (4) of section  
 377 112.63, Florida Statutes, is amended to read:

378 112.63 Actuarial reports and statements of actuarial  
 379 impact; review.—

380 (4) Upon receipt, pursuant to subsection (2), of an  
 381 actuarial report, or, pursuant to subsection (3), of a statement  
 382 of actuarial impact, the Department of Management Services shall  
 383 acknowledge such receipt, but shall only review and comment on  
 384 each retirement system's or plan's actuarial valuations at least  
 385 on a triennial basis.

386 (d) In the case of an affected special district, the  
 387 Department of Management Services shall also notify the  
 388 Department of Commerce ~~Economic Opportunity~~. Upon receipt of  
 389 notification, the Department of Commerce ~~Economic Opportunity~~  
 390 shall proceed pursuant to s. 189.067.

391 1. Failure of a special district to provide a required  
 392 report or statement, to make appropriate adjustments, or to  
 393 provide additional material information after the procedures  
 394 specified in s. 189.067(1) are exhausted shall be deemed final  
 395 action by the special district.

396 2. The Department of Management Services may notify the  
 397 Department of Commerce ~~Economic Opportunity~~ of those special  
 398 districts that failed to come into compliance. Upon receipt of  
 399 notification, the Department of Commerce ~~Economic Opportunity~~  
 400 shall proceed pursuant to s. 189.067(4).



401 Section 15. Paragraph (f) of subsection (1) of section  
 402 112.665, Florida Statutes, is amended to read:

403 112.665 Duties of Department of Management Services.—

404 (1) The Department of Management Services shall:

405 (f) Annually issue, by January 1, a report to the Special  
 406 District Accountability Program of the Department of Commerce  
 407 ~~Economic Opportunity~~ which includes the participation in and  
 408 compliance of special districts with the local government  
 409 retirement system provisions in s. 112.63 and the state-  
 410 administered retirement system provisions specified in part I of  
 411 chapter 121; and

412 Section 16. Paragraph (h) of subsection (1) and paragraph  
 413 (f) of subsection (5) of section 119.071, Florida Statutes, are  
 414 amended to read:

415 119.071 General exemptions from inspection or copying of  
 416 public records.—

417 (1) AGENCY ADMINISTRATION.—

418 (h)1. Information relating to communications services  
 419 locations, project proposals, and challenges submitted to the  
 420 Department of Commerce ~~Economic Opportunity~~ under s. 288.9962 or  
 421 pursuant to a federal broadband access grant program implemented  
 422 by the Department of Commerce ~~Economic Opportunity~~ is  
 423 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
 424 of the State Constitution if such information is not otherwise  
 425 publicly available and the release of such information would

426 reveal:

427       a. The location or capacity of communications network

428 facilities;

429       b. Communications network areas, including geographical

430 maps indicating actual or proposed locations of network

431 infrastructure or facilities;

432       c. The features, functions, and capabilities of

433 communications network infrastructure and facilities;

434       d. Security, including cybersecurity, of the design,

435 construction, and operation of the communications network and

436 associated services and products;

437       e. Specific customer locations; or

438       f. Sources of funding or in-kind contributions for a

439 project.

440       2. This exemption does not apply to any required functions

441 of the department under s. 288.9962 relating to publishing a

442 description of the proposed unserved areas to be served and the

443 proposed broadband Internet speeds of the areas to be served as

444 provided by the applicant and approved by the department.

445       3. This paragraph is subject to the Open Government Sunset

446 Review Act in accordance with s. 119.15 and shall stand repealed

447 on October 2, 2028, unless reviewed and saved from repeal

448 through reenactment by the Legislature.

449       (5) OTHER PERSONAL INFORMATION.—

450       (f)1. The following information held by the Department of

451 Commerce Economic Opportunity, the Florida Housing Finance  
 452 Corporation, a county, a municipality, or a local housing  
 453 finance agency is confidential and exempt from s. 119.07(1) and  
 454 s. 24(a), Art. I of the State Constitution:

455       a. Medical history records and information related to  
 456 health or property insurance provided by an applicant for or a  
 457 participant in a federal, state, or local housing assistance  
 458 program.

459       b. Property photographs and personal identifying  
 460 information of an applicant for or a participant in a federal,  
 461 state, or local housing assistance program for the purpose of  
 462 disaster recovery assistance for a presidentially declared  
 463 disaster.

464       2. Governmental entities or their agents shall have access  
 465 to such confidential and exempt records and information for the  
 466 purpose of auditing federal, state, or local housing programs or  
 467 housing assistance programs.

468       3. Such confidential and exempt records and information  
 469 may be used in any administrative or judicial proceeding,  
 470 provided such records are kept confidential and exempt unless  
 471 otherwise ordered by a court.

472       4. Sub-subparagraph 1.b. is subject to the Open Government  
 473 Sunset Review Act in accordance with s. 119.15 and shall stand  
 474 repealed on October 2, 2025, unless reviewed and saved from  
 475 repeal through reenactment by the Legislature.

476 Section 17. Subsection (10) of section 120.80, Florida  
 477 Statutes, is amended to read:

478 120.80 Exceptions and special requirements; agencies.—

479 (10) DEPARTMENT OF COMMERCE ~~ECONOMIC OPPORTUNITY~~.—

480 (a) Notwithstanding s. 120.54, the rulemaking provisions  
 481 of this chapter do not apply to reemployment assistance appeals  
 482 referees.

483 (b) Notwithstanding s. 120.54(5), the uniform rules of  
 484 procedure do not apply to appeal proceedings conducted under  
 485 chapter 443 by the Reemployment Assistance Appeals Commission,  
 486 special deputies, or reemployment assistance appeals referees.

487 (c) Notwithstanding s. 120.57(1)(a), hearings under  
 488 chapter 443 may not be conducted by an administrative law judge  
 489 assigned by the division, but instead shall be conducted by the  
 490 Reemployment Assistance Appeals Commission in reemployment  
 491 assistance appeals, reemployment assistance appeals referees,  
 492 and the Department of Commerce ~~Economic Opportunity~~ or its  
 493 special deputies under s. 443.141.

494 Section 18. Paragraph (a) of subsection (5) of section  
 495 125.045, Florida Statutes, is amended to read:

496 125.045 County economic development powers.—

497 (5)(a) By January 15, 2011, and annually thereafter, each  
 498 county shall report to the Office of Economic and Demographic  
 499 Research the economic development incentives in excess of  
 500 \$25,000 given to any business during the county's previous

501 fiscal year. The Office of Economic and Demographic Research  
 502 shall compile the information from the counties into a report  
 503 and provide the report to the President of the Senate, the  
 504 Speaker of the House of Representatives, and the Department of  
 505 Commerce ~~Economic Opportunity~~. Economic development incentives  
 506 include:

507 1. Direct financial incentives of monetary assistance  
 508 provided to a business from the county or through an  
 509 organization authorized by the county. Such incentives include,  
 510 but are not limited to, grants, loans, equity investments, loan  
 511 insurance and guarantees, and training subsidies.

512 2. Indirect incentives in the form of grants and loans  
 513 provided to businesses and community organizations that provide  
 514 support to businesses or promote business investment or  
 515 development.

516 3. Fee-based or tax-based incentives, including, but not  
 517 limited to, credits, refunds, exemptions, and property tax  
 518 abatement or assessment reductions.

519 4. Below-market rate leases or deeds for real property.

520 Section 19. Paragraph (a) of subsection (16) and  
 521 subsection (17) of section 155.40, Florida Statutes, are amended  
 522 to read:

523 155.40 Sale or lease of county, district, or municipal  
 524 hospital; effect of sale.—

525 (16) If a county, district, or municipal hospital is sold

526 | or leased, the governing board shall:

527 |       (a) Deposit 50 percent of the net proceeds of the sale or  
 528 | lease into a health care economic development trust fund, which  
 529 | shall be under the control of the county commission of the  
 530 | county in which the property is located, if the hospital is a  
 531 | county hospital or district hospital whose geographic boundaries  
 532 | extend beyond a single municipality, or, if the hospital is a  
 533 | municipal hospital or district hospital whose geographic  
 534 | boundaries lie entirely within a single municipality, under the  
 535 | control of the city or municipal government in which the  
 536 | hospital is located. The use and distribution of the funds shall  
 537 | be at the discretion of a majority of the county commission if  
 538 | the hospital is a county hospital or district hospital whose  
 539 | geographic boundaries extend beyond a single municipality, or,  
 540 | if the hospital is a municipal hospital or district hospital  
 541 | whose geographic boundaries lie entirely within a single  
 542 | municipality, at the discretion of a majority of the members of  
 543 | the municipal government. The members of the county commission  
 544 | or the municipal government, depending on the type of hospital  
 545 | being sold, shall serve as trustees of the trust fund. The net  
 546 | proceeds in the health care economic development trust fund  
 547 | shall be distributed, in consultation with the Department of  
 548 | Commerce ~~Economic Opportunity~~, to promote job creation in the  
 549 | health care sector of the economy through new or expanded health  
 550 | care business development, new or expanded health care services,

551 or new or expanded health care education programs or  
 552 commercialization of health care research within the affected  
 553 community; and

554  
 555 For the purposes of this subsection, the term "net proceeds"  
 556 means the sale price after payment of all district debts and  
 557 obligations.

558 (17) If a county, district, or municipal hospital or  
 559 health care system is sold or leased to a for-profit corporation  
 560 or other business entity subject to local taxation, the  
 561 resulting county and municipal ad valorem tax revenue from the  
 562 formerly tax-exempt property shall be distributed by the county  
 563 commission of the county in which the property is located, if  
 564 the hospital is a county hospital or district hospital whose  
 565 geographic boundaries extend beyond a single municipality, or,  
 566 if the hospital is a municipal hospital or district hospital  
 567 whose geographic boundaries lie entirely within a single  
 568 municipality, such ad valorem tax revenues shall be distributed  
 569 by the municipal government. The distribution of such ad valorem  
 570 tax revenues shall be made in consultation with the Department  
 571 of Commerce ~~Economic Opportunity~~, for purposes set forth in  
 572 subsection (16).

573 Section 20. Paragraph (a) of subsection (2) of section  
 574 159.8081, Florida Statutes, is amended to read:

575 159.8081 Manufacturing facility bond pool.—

576 (2) (a) The first 75 percent of this pool shall be  
 577 available on a first come, first served basis, except that 15  
 578 percent of the state volume limitation allocated to this pool  
 579 shall be available as provided in paragraph (b). Before issuing  
 580 any written confirmations for the remaining 25 percent of this  
 581 pool, the executive director shall forward all notices of intent  
 582 to issue which are received by the division for manufacturing  
 583 facility projects to the Department of Commerce ~~Economic~~  
 584 ~~Opportunity~~. The Department of Commerce ~~Economic Opportunity~~  
 585 shall decide, after receipt of the notices of intent to issue,  
 586 which notices will receive written confirmations. Such decision  
 587 shall be communicated in writing by the Department of Commerce  
 588 ~~Economic Opportunity~~ to the executive director within 10 days of  
 589 receipt of such notices of intent to issue.

590 Section 21. Section 159.8083, Florida Statutes, is amended  
 591 to read:

592 159.8083 Florida First Business allocation pool.—The  
 593 Florida First Business allocation pool is hereby established.  
 594 The Florida First Business allocation pool shall be available  
 595 solely to provide written confirmation for private activity  
 596 bonds to finance Florida First Business projects certified by  
 597 the Department of Commerce ~~Economic Opportunity~~ as eligible to  
 598 receive a written confirmation. Allocations from such pool shall  
 599 be awarded statewide pursuant to procedures specified in s.  
 600 159.805, except that the provisions of s. 159.805(2), (3), and



601 (6) do not apply. Florida First Business projects that are  
 602 eligible for a carryforward do not lose their allocation  
 603 pursuant to s. 159.809(3) on October 1, or pursuant to s.  
 604 159.809(4) on November 16, if they have applied for and have  
 605 been granted a carryforward by the division pursuant to s.  
 606 159.81(1). In issuing written confirmations of allocations for  
 607 Florida First Business projects, the division shall use the  
 608 Florida First Business allocation pool. If allocation is not  
 609 available from the Florida First Business allocation pool, the  
 610 division shall issue written confirmations of allocations for  
 611 Florida First Business projects pursuant to s. 159.806 or s.  
 612 159.807, in such order. For the purpose of determining priority  
 613 within a regional allocation pool or the state allocation pool,  
 614 notices of intent to issue bonds for Florida First Business  
 615 projects to be issued from a regional allocation pool or the  
 616 state allocation pool shall be considered to have been received  
 617 by the division at the time it is determined by the division  
 618 that the Florida First Business allocation pool is unavailable  
 619 to issue confirmation for such Florida First Business project.  
 620 If the total amount requested in notices of intent to issue  
 621 private activity bonds for Florida First Business projects  
 622 exceeds the total amount of the Florida First Business  
 623 allocation pool, the director shall forward all timely notices  
 624 of intent to issue, which are received by the division for such  
 625 projects, to the Department of Commerce ~~Economic Opportunity~~,

626 | which shall render a decision as to which notices of intent to  
 627 | issue are to receive written confirmations.

628 |         Section 22. Subsection (3) of section 159.809, Florida  
 629 | Statutes, is amended to read:

630 |             159.809 Recapture of unused amounts.—

631 |             (3) On October 1 of each year, any portion of the  
 632 | allocation made to the Florida First Business allocation pool  
 633 | pursuant to s. 159.804(5), subsection (1), or subsection (2),  
 634 | which is eligible for carryforward pursuant to s. 146(f) of the  
 635 | Code but which has not been certified for carryforward by the  
 636 | Department of Commerce ~~Economic Opportunity~~, shall be returned  
 637 | to the Florida First Business allocation pool.

638 |         Section 23. Subsection (1) of section 159.81, Florida  
 639 | Statutes, is amended to read:

640 |             159.81 Unused allocations; carryforwards.—

641 |             (1) The division shall, when requested, provide  
 642 | carryforwards pursuant to s. 146(f) of the Code for written  
 643 | confirmations for priority projects which qualify for a  
 644 | carryforward pursuant to s. 146(f) of the Code, if such request  
 645 | is accompanied by an opinion of bond counsel to that effect. In  
 646 | addition, in the case of Florida First Business projects, the  
 647 | division shall, when requested, grant requests for carryforward  
 648 | only after receipt of a certification from the Department of  
 649 | Commerce ~~Economic Opportunity~~ that the project has been approved  
 650 | by the department to receive carryforward.

651           Section 24. Subsection (4) of section 161.142, Florida  
 652 Statutes, is amended to read:  
 653           161.142 Declaration of public policy relating to improved  
 654 navigation inlets.—The Legislature recognizes the need for  
 655 maintaining navigation inlets to promote commercial and  
 656 recreational uses of our coastal waters and their resources. The  
 657 Legislature further recognizes that inlets interrupt or alter  
 658 the natural drift of beach-quality sand resources, which often  
 659 results in these sand resources being deposited in nearshore  
 660 areas or in the inlet channel, or in the inland waterway  
 661 adjacent to the inlet, instead of providing natural nourishment  
 662 to the adjacent eroding beaches. Accordingly, the Legislature  
 663 finds it is in the public interest to replicate the natural  
 664 drift of sand which is interrupted or altered by inlets to be  
 665 replaced and for each level of government to undertake all  
 666 reasonable efforts to maximize inlet sand bypassing to ensure  
 667 that beach-quality sand is placed on adjacent eroding beaches.  
 668 Such activities cannot make up for the historical sand deficits  
 669 caused by inlets but shall be designed to balance the sediment  
 670 budget of the inlet and adjacent beaches and extend the life of  
 671 proximate beach-restoration projects so that periodic  
 672 nourishment is needed less frequently. Therefore, in furtherance  
 673 of this declaration of public policy and the Legislature's  
 674 intent to redirect and recommit the state's comprehensive beach  
 675 management efforts to address the beach erosion caused by

676 inlets, the department shall ensure that:

677 (4) The provisions of subsections (1) and (2) shall not be  
 678 a requirement imposed upon ports listed in s. 403.021(9)(b);  
 679 however, such ports must demonstrate reasonable effort to place  
 680 beach-quality sand from construction and maintenance dredging  
 681 and port-development projects on adjacent eroding beaches in  
 682 accordance with port master plans approved by the Department of  
 683 Commerce ~~Economic Opportunity~~, and permits approved and issued  
 684 by the department, to ensure compliance with this section. Ports  
 685 may sponsor or cosponsor inlet management projects that are  
 686 fully eligible for state cost sharing.

687 Section 25. Subsection (10) of section 161.54, Florida  
 688 Statutes, is amended to read:

689 161.54 Definitions.—In construing ss. 161.52–161.58:

690 (10) "State land planning agency" means the Department of  
 691 Commerce ~~Economic Opportunity~~.

692 Section 26. Subsection (44) of section 163.3164, Florida  
 693 Statutes, is amended to read:

694 163.3164 Community Planning Act; definitions.—As used in  
 695 this act:

696 (44) "State land planning agency" means the Department of  
 697 Commerce ~~Economic Opportunity~~.

698 Section 27. Subsection (14) of section 163.3221, Florida  
 699 Statutes, is amended to read:

700 163.3221 Florida Local Government Development Agreement

701 Act; definitions.—As used in ss. 163.3220-163.3243:

702 (14) "State land planning agency" means the Department of  
703 Commerce ~~Economic Opportunity~~.

704 Section 28. Subsection (1) of section 163.3251, Florida  
705 Statutes, is amended to read:

706 163.3251 Definitions.—As used in this section and ss.  
707 163.3252 and 163.3253, the term:

708 (1) "Department" means the Department of Commerce ~~Economic~~  
709 ~~Opportunity~~.

710 Section 29. Subsections (2) and (6) of section 163.3756,  
711 Florida Statutes, are amended to read:

712 163.3756 Inactive community redevelopment agencies.—

713 (2)(a) A community redevelopment agency that has reported  
714 no revenue, no expenditures, and no debt under s. 189.016(9) or  
715 s. 218.32 for 6 consecutive fiscal years beginning no earlier  
716 than October 1, 2016, must be declared inactive by the  
717 Department of Commerce ~~Economic Opportunity~~, which shall notify  
718 the agency of the declaration. If the agency does not have board  
719 members or an agent, the notice of the declaration of inactive  
720 status must be delivered to the county or municipal governing  
721 board or commission that created the agency.

722 (b) The governing board of a community redevelopment  
723 agency that is declared inactive under this section may seek to  
724 invalidate the declaration by initiating proceedings under s.  
725 189.062(5) within 30 days after the date of the receipt of the

726 notice from the Department of Commerce ~~Economic Opportunity~~.

727 (6) The Department of Commerce ~~Economic Opportunity~~ shall  
 728 maintain on its website a separate list of community  
 729 redevelopment agencies declared inactive under this section.

730 Section 30. Subsection (3) of section 163.503, Florida  
 731 Statutes, is amended to read:

732 163.503 Definitions.—

733 (3) "Department" means the Department of Commerce ~~Economic~~  
 734 ~~Opportunity~~.

735 Section 31. Subsection (1) of section 163.5055, Florida  
 736 Statutes, is amended to read:

737 163.5055 Registration of district establishment; notice of  
 738 dissolution.—

739 (1)(a) Each neighborhood improvement district authorized  
 740 and established under this part shall within 30 days thereof  
 741 register with the Department of Commerce ~~Economic Opportunity~~ by  
 742 providing the department with the district's name, location,  
 743 size, and type, and such other information as the department may  
 744 require.

745 (b) Each local governing body that authorizes the  
 746 dissolution of a district shall notify the Department of  
 747 Commerce ~~Economic Opportunity~~ within 30 days after the  
 748 dissolution of the district.

749 Section 32. Paragraph (h) of subsection (1) of section  
 750 163.506, Florida Statutes, is amended to read:

751 163.506 Local government neighborhood improvement  
 752 districts; creation; advisory council; dissolution.—

753 (1) After a local planning ordinance has been adopted  
 754 authorizing the creation of local government neighborhood  
 755 improvement districts, the local governing body of a  
 756 municipality or county may create local government neighborhood  
 757 improvement districts by the enactment of a separate ordinance  
 758 for each district, which ordinance:

759 (h) Requires the district to notify the Department of  
 760 Commerce ~~Economic Opportunity~~ in writing of its establishment  
 761 within 30 days thereof pursuant to s. 163.5055.

762 Section 33. Paragraph (g) of subsection (1) of section  
 763 163.508, Florida Statutes, is amended to read:

764 163.508 Property owners' association neighborhood  
 765 improvement districts; creation; powers and duties; duration.—

766 (1) After a local planning ordinance has been adopted  
 767 authorizing the creation of property owners' association  
 768 neighborhood improvement districts, the local governing body of  
 769 a municipality or county may create property owners' association  
 770 neighborhood improvement districts by the enactment of a  
 771 separate ordinance for each district, which ordinance:

772 (g) Requires the district to notify the Department of  
 773 Commerce ~~Economic Opportunity~~ in writing of its establishment  
 774 within 30 days thereof pursuant to s. 163.5055.

775 Section 34. Paragraph (i) of subsection (1) of section

776 | 163.511, Florida Statutes, is amended to read:

777 |       163.511 Special neighborhood improvement districts;  
778 | creation; referendum; board of directors; duration; extension.—

779 |       (1) After a local planning ordinance has been adopted  
780 | authorizing the creation of special neighborhood improvement  
781 | districts, the governing body of a municipality or county may  
782 | declare the need for and create special residential or business  
783 | neighborhood improvement districts by the enactment of a  
784 | separate ordinance for each district, which ordinance:

785 |       (i) Requires the district to notify the Department of  
786 | Commerce ~~Economic Opportunity~~ in writing of its establishment  
787 | within 30 days thereof pursuant to s. 163.5055.

788 |       Section 35. Paragraph (i) of subsection (1) of section  
789 | 163.512, Florida Statutes, is amended to read:

790 |       163.512 Community redevelopment neighborhood improvement  
791 | districts; creation; advisory council; dissolution.—

792 |       (1) Upon the recommendation of the community redevelopment  
793 | agency and after a local planning ordinance has been adopted  
794 | authorizing the creation of community redevelopment neighborhood  
795 | improvement districts, the local governing body of a  
796 | municipality or county may create community redevelopment  
797 | neighborhood improvement districts by the enactment of a  
798 | separate ordinance for each district, which ordinance:

799 |       (i) Requires the district to notify the Department of  
800 | Legal Affairs and the Department of Commerce ~~Economic~~



801 ~~Opportunity~~ in writing of its establishment within 30 days  
 802 thereof pursuant to s. 163.5055.

803 Section 36. Paragraph (e) of subsection (8) of section  
 804 166.021, Florida Statutes, is amended to read:

805 166.021 Powers.—

806 (8)

807 (e)1. By January 15, 2011, and annually thereafter, each  
 808 municipality having annual revenues or expenditures greater than  
 809 \$250,000 shall report to the Office of Economic and Demographic  
 810 Research the economic development incentives in excess of  
 811 \$25,000 given to any business during the municipality's previous  
 812 fiscal year. The Office of Economic and Demographic Research  
 813 shall compile the information from the municipalities into a  
 814 report and provide the report to the President of the Senate,  
 815 the Speaker of the House of Representatives, and the Department  
 816 of Commerce ~~Economic Opportunity~~. Economic development  
 817 incentives include:

818 a. Direct financial incentives of monetary assistance  
 819 provided to a business from the municipality or through an  
 820 organization authorized by the municipality. Such incentives  
 821 include, but are not limited to, grants, loans, equity  
 822 investments, loan insurance and guarantees, and training  
 823 subsidies.

824 b. Indirect incentives in the form of grants and loans  
 825 provided to businesses and community organizations that provide

826 support to businesses or promote business investment or  
 827 development.

828 c. Fee-based or tax-based incentives, including, but not  
 829 limited to, credits, refunds, exemptions, and property tax  
 830 abatement or assessment reductions.

831 d. Below-market rate leases or deeds for real property.

832 2. A municipality shall report its economic development  
 833 incentives in the format specified by the Office of Economic and  
 834 Demographic Research.

835 3. The Office of Economic and Demographic Research shall  
 836 compile the economic development incentives provided by each  
 837 municipality in a manner that shows the total of each class of  
 838 economic development incentives provided by each municipality  
 839 and all municipalities.

840 Section 37. Subsection (1) of section 171.204, Florida  
 841 Statutes, is amended to read:

842 171.204 Prerequisites to annexation under this part.—The  
 843 interlocal service boundary agreement may describe the character  
 844 of land that may be annexed under this part and may provide that  
 845 the restrictions on the character of land that may be annexed  
 846 pursuant to part I are not restrictions on land that may be  
 847 annexed pursuant to this part. As determined in the interlocal  
 848 service boundary agreement, any character of land may be  
 849 annexed, including, but not limited to, an annexation of land  
 850 not contiguous to the boundaries of the annexing municipality,

851 an annexation that creates an enclave, or an annexation where  
 852 the annexed area is not reasonably compact; however, such area  
 853 must be "urban in character" as defined in s. 171.031. The  
 854 interlocal service boundary agreement may not allow for  
 855 annexation of land within a municipality that is not a party to  
 856 the agreement or of land that is within another county. Before  
 857 annexation of land that is not contiguous to the boundaries of  
 858 the annexing municipality, an annexation that creates an  
 859 enclave, or an annexation of land that is not currently served  
 860 by water or sewer utilities, one of the following options must  
 861 be followed:

862 (1) The municipality shall transmit a comprehensive plan  
 863 amendment that proposes specific amendments relating to the  
 864 property anticipated for annexation to the Department of  
 865 Commerce ~~Economic Opportunity~~ for review under chapter 163.  
 866 After considering the department's review, the municipality may  
 867 approve the annexation and comprehensive plan amendment  
 868 concurrently. The local government must adopt the annexation and  
 869 the comprehensive plan amendment as separate and distinct  
 870 actions but may take such actions at a single public hearing; or

871 Section 38. Paragraph (c) of subsection (4) of section  
 872 186.504, Florida Statutes, is amended to read:

873 186.504 Regional planning councils; creation; membership.—

874 (4) In addition to voting members appointed pursuant to  
 875 paragraph (2)(c), the Governor shall appoint the following ex

876 | officio nonvoting members to each regional planning council:

877 |       (c) A representative nominated by the Department of  
878 | Commerce ~~Economic Opportunity~~.

879 |  
880 | The Governor may also appoint ex officio nonvoting members  
881 | representing appropriate metropolitan planning organizations and  
882 | regional water supply authorities.

883 |       Section 39. Subsection (1) of section 189.012, Florida  
884 | Statutes, is amended to read:

885 |       189.012 Definitions.—As used in this chapter, the term:

886 |       (1) "Department" means the Department of Commerce ~~Economic~~  
887 | ~~Opportunity~~.

888 |       Section 40. Subsection (2) of section 190.009, Florida  
889 | Statutes, is amended to read:

890 |       190.009 Disclosure of public financing.—

891 |       (2) The Department of Commerce ~~Economic Opportunity~~ shall  
892 | keep a current list of districts and their disclosures pursuant  
893 | to this act and shall make such studies and reports and take  
894 | such actions as it deems necessary.

895 |       Section 41. Section 190.047, Florida Statutes, is amended  
896 | to read:

897 |       190.047 Incorporation or annexation of district.—

898 |       (1) Upon attaining the population standards for  
899 | incorporation contained in s. 165.061 and as determined by the  
900 | Department of Commerce ~~Economic Opportunity~~, any district wholly

901 contained within the unincorporated area of a county that also  
 902 meets the other requirements for incorporation contained in s.  
 903 165.061 shall hold a referendum at a general election on the  
 904 question of whether to incorporate. However, any district  
 905 contiguous to the boundary of a municipality may be annexed to  
 906 such municipality pursuant to the provisions of chapter 171.

907 (2) The Department of Commerce ~~Economic Opportunity~~ shall  
 908 annually monitor the status of the district for purposes of  
 909 carrying out the provisions of this section.

910 Section 42. Subsection (1) of section 191.009, Florida  
 911 Statutes, is amended to read:

912 191.009 Taxes; non-ad valorem assessments; impact fees and  
 913 user charges.—

914 (1) AD VALOREM TAXES.—An elected board may levy and assess  
 915 ad valorem taxes on all taxable property in the district to  
 916 construct, operate, and maintain district facilities and  
 917 services, to pay the principal of, and interest on, general  
 918 obligation bonds of the district, and to provide for any sinking  
 919 or other funds established in connection with such bonds. An ad  
 920 valorem tax levied by the board for operating purposes,  
 921 exclusive of debt service on bonds, may not exceed 3.75 mills  
 922 unless a higher amount has been previously authorized by law,  
 923 subject to a referendum as required by the State Constitution  
 924 and this act. The ballot question on such referendum shall state  
 925 the currently authorized millage rate and the year of its

926 approval by referendum. The levy of ad valorem taxes pursuant to  
 927 this section must be approved by referendum called by the board  
 928 when the proposed levy of ad valorem taxes exceeds the amount  
 929 authorized by prior special act, general law of local  
 930 application, or county ordinance approved by referendum. Nothing  
 931 in this act shall require a referendum on the levy of ad valorem  
 932 taxes in an amount previously authorized by special act, general  
 933 law of local application, or county ordinance approved by  
 934 referendum. Such tax shall be assessed, levied, and collected in  
 935 the same manner as county taxes. The levy of ad valorem taxes  
 936 approved by referendum shall be reported within 60 days after  
 937 the vote to the Department of Commerce ~~Economic Opportunity~~.

938 Section 43. Section 191.015, Florida Statutes, is amended  
 939 to read:

940 191.015 Codification.—Each fire control district existing  
 941 on the effective date of this section, by December 1, 2004,  
 942 shall submit to the Legislature a draft codified charter, at its  
 943 expense, so that its special acts may be codified into a single  
 944 act for reenactment by the Legislature, if there is more than  
 945 one special act for the district. The Legislature may adopt a  
 946 schedule for individual district codification. Any codified act  
 947 relating to a district, which act is submitted to the  
 948 Legislature for reenactment, shall provide for the repeal of all  
 949 prior special acts of the Legislature relating to the district.  
 950 The codified act shall be filed with the Department of Commerce

951 ~~Economic Opportunity~~ pursuant to s. 189.016(2).

952 Section 44. Paragraphs (b), (d), and (f) of subsection (4)  
 953 of section 201.15, Florida Statutes, are amended to read:

954 201.15 Distribution of taxes collected.—All taxes  
 955 collected under this chapter are hereby pledged and shall be  
 956 first made available to make payments when due on bonds issued  
 957 pursuant to s. 215.618 or s. 215.619, or any other bonds  
 958 authorized to be issued on a parity basis with such bonds. Such  
 959 pledge and availability for the payment of these bonds shall  
 960 have priority over any requirement for the costs of collection  
 961 and enforcement under this section. Before distribution pursuant  
 962 to this section, the Department of Revenue shall deduct amounts  
 963 necessary to pay the costs of the collection and enforcement of  
 964 the tax levied by this chapter. The costs may not be levied  
 965 against any portion of taxes pledged to debt service on bonds to  
 966 the extent that the costs are required to pay any amounts  
 967 relating to the bonds. All of the costs of the collection and  
 968 enforcement of the tax levied by this chapter shall be available  
 969 and transferred to the extent necessary to pay debt service and  
 970 any other amounts payable with respect to bonds authorized  
 971 before January 1, 2017, secured by revenues distributed pursuant  
 972 to this section. All taxes remaining after deduction of costs  
 973 shall be distributed as follows:

974 (4) After the required distributions to the Land  
 975 Acquisition Trust Fund pursuant to subsections (1) and (2), the

976 lesser of 8 percent of the remainder or \$150 million in each  
 977 fiscal year shall be paid into the State Treasury to the credit  
 978 of the State Housing Trust Fund and shall be expended pursuant  
 979 to s. 420.50871. If 8 percent of the remainder is greater than  
 980 \$150 million in any fiscal year, the difference between 8  
 981 percent of the remainder and \$150 million shall be paid into the  
 982 State Treasury to the credit of the General Revenue Fund. The  
 983 remainder shall be distributed as follows:

984 (b) The lesser of 0.1456 percent of the remainder or \$3.25  
 985 million in each fiscal year shall be paid into the State  
 986 Treasury to the credit of the Grants and Donations Trust Fund in  
 987 the Department of Commerce ~~Economic Opportunity~~ to fund  
 988 technical assistance to local governments.

989  
 990 Moneys distributed pursuant to paragraphs (a) and (b) may not be  
 991 pledged for debt service unless such pledge is approved by  
 992 referendum of the voters.

993 (d) An amount equaling 5.20254 percent of the remainder in  
 994 each fiscal year shall be paid into the State Treasury to the  
 995 credit of the State Housing Trust Fund. Of such funds:

996 1. Twelve and one-half percent of that amount shall be  
 997 deposited into the State Housing Trust Fund and expended by the  
 998 Department of Commerce ~~Economic Opportunity~~ and the Florida  
 999 Housing Finance Corporation for the purposes for which the State  
 1000 Housing Trust Fund was created and exists by law.



1001           2. Eighty-seven and one-half percent of that amount shall  
 1002 be distributed to the Local Government Housing Trust Fund and  
 1003 used for the purposes for which the Local Government Housing  
 1004 Trust Fund was created and exists by law. Funds from this  
 1005 category may also be used to provide for state and local  
 1006 services to assist the homeless.

1007           (f) A total of \$75 million shall be paid into the State  
 1008 Treasury to the credit of the State Economic Enhancement and  
 1009 Development Trust Fund within the Department of Commerce  
 1010 ~~Economic Opportunity~~.

1011           Section 45. Effective July 1, 2033, paragraphs (b), (d),  
 1012 and (f) of subsection (4) of section 201.15, Florida Statutes,  
 1013 as amended by section 11 of chapter 2023-17, Laws of Florida,  
 1014 are amended to read:

1015           201.15 Distribution of taxes collected.—All taxes  
 1016 collected under this chapter are hereby pledged and shall be  
 1017 first made available to make payments when due on bonds issued  
 1018 pursuant to s. 215.618 or s. 215.619, or any other bonds  
 1019 authorized to be issued on a parity basis with such bonds. Such  
 1020 pledge and availability for the payment of these bonds shall  
 1021 have priority over any requirement for the payment of service  
 1022 charges or costs of collection and enforcement under this  
 1023 section. All taxes collected under this chapter, except taxes  
 1024 distributed to the Land Acquisition Trust Fund pursuant to  
 1025 subsections (1) and (2), are subject to the service charge

1026 imposed in s. 215.20(1). Before distribution pursuant to this  
 1027 section, the Department of Revenue shall deduct amounts  
 1028 necessary to pay the costs of the collection and enforcement of  
 1029 the tax levied by this chapter. The costs and service charge may  
 1030 not be levied against any portion of taxes pledged to debt  
 1031 service on bonds to the extent that the costs and service charge  
 1032 are required to pay any amounts relating to the bonds. All of  
 1033 the costs of the collection and enforcement of the tax levied by  
 1034 this chapter and the service charge shall be available and  
 1035 transferred to the extent necessary to pay debt service and any  
 1036 other amounts payable with respect to bonds authorized before  
 1037 January 1, 2017, secured by revenues distributed pursuant to  
 1038 this section. All taxes remaining after deduction of costs shall  
 1039 be distributed as follows:

1040 (4) After the required distributions to the Land  
 1041 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
 1042 deduction of the service charge imposed pursuant to s.  
 1043 215.20(1), the remainder shall be distributed as follows:

1044 (b) The lesser of 0.1456 percent of the remainder or \$3.25  
 1045 million in each fiscal year shall be paid into the State  
 1046 Treasury to the credit of the Grants and Donations Trust Fund in  
 1047 the Department of Commerce ~~Economic Opportunity~~ to fund  
 1048 technical assistance to local governments.

1049  
 1050 Moneys distributed pursuant to paragraphs (a) and (b) may not be

1051 pledged for debt service unless such pledge is approved by  
 1052 referendum of the voters.

1053 (d) An amount equaling 5.20254 percent of the remainder in  
 1054 each fiscal year shall be paid into the State Treasury to the  
 1055 credit of the State Housing Trust Fund. Of such funds:

1056 1. Twelve and one-half percent of that amount shall be  
 1057 deposited into the State Housing Trust Fund and expended by the  
 1058 Department of Commerce ~~Economic Opportunity~~ and the Florida  
 1059 Housing Finance Corporation for the purposes for which the State  
 1060 Housing Trust Fund was created and exists by law.

1061 2. Eighty-seven and one-half percent of that amount shall  
 1062 be distributed to the Local Government Housing Trust Fund and  
 1063 used for the purposes for which the Local Government Housing  
 1064 Trust Fund was created and exists by law. Funds from this  
 1065 category may also be used to provide for state and local  
 1066 services to assist the homeless.

1067 (f) A total of \$75 million shall be paid into the State  
 1068 Treasury to the credit of the State Economic Enhancement and  
 1069 Development Trust Fund within the Department of Commerce  
 1070 ~~Economic Opportunity~~.

1071 Section 46. Paragraphs (p) and (q) of subsection (5) of  
 1072 section 212.08, Florida Statutes, are amended to read:

1073 212.08 Sales, rental, use, consumption, distribution, and  
 1074 storage tax; specified exemptions.—The sale at retail, the  
 1075 rental, the use, the consumption, the distribution, and the

1076 storage to be used or consumed in this state of the following  
 1077 are hereby specifically exempt from the tax imposed by this  
 1078 chapter.

1079 (5) EXEMPTIONS; ACCOUNT OF USE.—

1080 (p) *Community contribution tax credit for donations.*—

1081 1. Authorization.—Persons who are registered with the  
 1082 department under s. 212.18 to collect or remit sales or use tax  
 1083 and who make donations to eligible sponsors are eligible for tax  
 1084 credits against their state sales and use tax liabilities as  
 1085 provided in this paragraph:

1086 a. The credit shall be computed as 50 percent of the  
 1087 person's approved annual community contribution.

1088 b. The credit shall be granted as a refund against state  
 1089 sales and use taxes reported on returns and remitted in the 12  
 1090 months preceding the date of application to the department for  
 1091 the credit as required in sub-subparagraph 3.c. If the annual  
 1092 credit is not fully used through such refund because of  
 1093 insufficient tax payments during the applicable 12-month period,  
 1094 the unused amount may be included in an application for a refund  
 1095 made pursuant to sub-subparagraph 3.c. in subsequent years  
 1096 against the total tax payments made for such year. Carryover  
 1097 credits may be applied for a 3-year period without regard to any  
 1098 time limitation that would otherwise apply under s. 215.26.

1099 c. A person may not receive more than \$200,000 in annual  
 1100 tax credits for all approved community contributions made in any

1101 one year.

1102 d. All proposals for the granting of the tax credit  
 1103 require the prior approval of the Department of Commerce  
 1104 ~~Economic Opportunity~~.

1105 e. The total amount of tax credits which may be granted  
 1106 for all programs approved under this paragraph and ss. 220.183  
 1107 and 624.5105 is \$25 million in the 2023-2024 fiscal year and in  
 1108 each fiscal year thereafter for projects that provide housing  
 1109 opportunities for persons with special needs or homeownership  
 1110 opportunities for low-income households or very-low-income  
 1111 households and \$4.5 million in the 2022-2023 fiscal year and in  
 1112 each fiscal year thereafter for all other projects. As used in  
 1113 this paragraph, the term "person with special needs" has the  
 1114 same meaning as in s. 420.0004 and the terms "low-income  
 1115 person," "low-income household," "very-low-income person," and  
 1116 "very-low-income household" have the same meanings as in s.  
 1117 420.9071.

1118 f. A person who is eligible to receive the credit provided  
 1119 in this paragraph, s. 220.183, or s. 624.5105 may receive the  
 1120 credit only under one section of the person's choice.

1121 2. Eligibility requirements.—

1122 a. A community contribution by a person must be in the  
 1123 following form:

1124 (I) Cash or other liquid assets;

1125 (II) Real property, including 100 percent ownership of a

1126 real property holding company;  
 1127 (III) Goods or inventory; or  
 1128 (IV) Other physical resources identified by the Department  
 1129 of Commerce ~~Economic Opportunity~~.

1130  
 1131 For purposes of this sub-subparagraph, the term "real property  
 1132 holding company" means a Florida entity, such as a Florida  
 1133 limited liability company, that is wholly owned by the person;  
 1134 is the sole owner of real property, as defined in s.  
 1135 192.001(12), located in this state; is disregarded as an entity  
 1136 for federal income tax purposes pursuant to 26 C.F.R. s.  
 1137 301.7701-3(b)(1)(ii); and at the time of contribution to an  
 1138 eligible sponsor, has no material assets other than the real  
 1139 property and any other property that qualifies as a community  
 1140 contribution.

1141 b. All community contributions must be reserved  
 1142 exclusively for use in a project. As used in this sub-  
 1143 subparagraph, the term "project" means activity undertaken by an  
 1144 eligible sponsor which is designed to construct, improve, or  
 1145 substantially rehabilitate housing that is affordable to low-  
 1146 income households or very-low-income households; designed to  
 1147 provide housing opportunities for persons with special needs;  
 1148 designed to provide commercial, industrial, or public resources  
 1149 and facilities; or designed to improve entrepreneurial and job-  
 1150 development opportunities for low-income persons. A project may

1151 be the investment necessary to increase access to high-speed  
 1152 broadband capability in a rural community that had an enterprise  
 1153 zone designated pursuant to chapter 290 as of May 1, 2015,  
 1154 including projects that result in improvements to communications  
 1155 assets that are owned by a business. A project may include the  
 1156 provision of museum educational programs and materials that are  
 1157 directly related to a project approved between January 1, 1996,  
 1158 and December 31, 1999, and located in an area which was in an  
 1159 enterprise zone designated pursuant to s. 290.0065 as of May 1,  
 1160 2015. This paragraph does not preclude projects that propose to  
 1161 construct or rehabilitate housing for low-income households or  
 1162 very-low-income households on scattered sites or housing  
 1163 opportunities for persons with special needs. With respect to  
 1164 housing, contributions may be used to pay the following eligible  
 1165 special needs, low-income, and very-low-income housing-related  
 1166 activities:

1167 (I) Project development impact and management fees for  
 1168 special needs, low-income, or very-low-income housing projects;

1169 (II) Down payment and closing costs for persons with  
 1170 special needs, low-income persons, and very-low-income persons;

1171 (III) Administrative costs, including housing counseling  
 1172 and marketing fees, not to exceed 10 percent of the community  
 1173 contribution, directly related to special needs, low-income, or  
 1174 very-low-income projects; and

1175 (IV) Removal of liens recorded against residential

1176 | property by municipal, county, or special district local  
 1177 | governments if satisfaction of the lien is a necessary precedent  
 1178 | to the transfer of the property to a low-income person or very-  
 1179 | low-income person for the purpose of promoting home ownership.  
 1180 | Contributions for lien removal must be received from a  
 1181 | nonrelated third party.

1182 |       c. The project must be undertaken by an "eligible  
 1183 | sponsor," which includes:

1184 |           (I) A community action program;

1185 |           (II) A nonprofit community-based development organization  
 1186 | whose mission is the provision of housing for persons with  
 1187 | special needs, low-income households, or very-low-income  
 1188 | households or increasing entrepreneurial and job-development  
 1189 | opportunities for low-income persons;

1190 |           (III) A neighborhood housing services corporation;

1191 |           (IV) A local housing authority created under chapter 421;

1192 |           (V) A community redevelopment agency created under s.  
 1193 | 163.356;

1194 |           (VI) A historic preservation district agency or  
 1195 | organization;

1196 |           (VII) A local workforce development board;

1197 |           (VIII) A direct-support organization as provided in s.  
 1198 | 1009.983;

1199 |           (IX) An enterprise zone development agency created under  
 1200 | s. 290.0056;



1201 (X) A community-based organization incorporated under  
 1202 chapter 617 which is recognized as educational, charitable, or  
 1203 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code  
 1204 and whose bylaws and articles of incorporation include  
 1205 affordable housing, economic development, or community  
 1206 development as the primary mission of the corporation;

1207 (XI) Units of local government;

1208 (XII) Units of state government; or

1209 (XIII) Any other agency that the Department of Commerce  
 1210 ~~Economic Opportunity~~ designates by rule.

1211  
 1212 A contributing person may not have a financial interest in the  
 1213 eligible sponsor.

1214 d. The project must be located in an area which was in an  
 1215 enterprise zone designated pursuant to chapter 290 as of May 1,  
 1216 2015, or a Front Porch Florida Community, unless the project  
 1217 increases access to high-speed broadband capability in a rural  
 1218 community that had an enterprise zone designated pursuant to  
 1219 chapter 290 as of May 1, 2015, but is physically located outside  
 1220 the designated rural zone boundaries. Any project designed to  
 1221 construct or rehabilitate housing for low-income households or  
 1222 very-low-income households or housing opportunities for persons  
 1223 with special needs is exempt from the area requirement of this  
 1224 sub-subparagraph.

1225 e.(I) If, during the first 10 business days of the state

1226 fiscal year, eligible tax credit applications for projects that  
 1227 provide housing opportunities for persons with special needs or  
 1228 homeownership opportunities for low-income households or very-  
 1229 low-income households are received for less than the annual tax  
 1230 credits available for those projects, the Department of Commerce  
 1231 ~~Economic Opportunity~~ shall grant tax credits for those  
 1232 applications and grant remaining tax credits on a first-come,  
 1233 first-served basis for subsequent eligible applications received  
 1234 before the end of the state fiscal year. If, during the first 10  
 1235 business days of the state fiscal year, eligible tax credit  
 1236 applications for projects that provide housing opportunities for  
 1237 persons with special needs or homeownership opportunities for  
 1238 low-income households or very-low-income households are received  
 1239 for more than the annual tax credits available for those  
 1240 projects, the Department of Commerce ~~Economic Opportunity~~ shall  
 1241 grant the tax credits for those applications as follows:  
 1242 (A) If tax credit applications submitted for approved  
 1243 projects of an eligible sponsor do not exceed \$200,000 in total,  
 1244 the credits shall be granted in full if the tax credit  
 1245 applications are approved.  
 1246 (B) If tax credit applications submitted for approved  
 1247 projects of an eligible sponsor exceed \$200,000 in total, the  
 1248 amount of tax credits granted pursuant to sub-sub-sub-  
 1249 subparagraph (A) shall be subtracted from the amount of  
 1250 available tax credits, and the remaining credits shall be

1251 granted to each approved tax credit application on a pro rata  
 1252 basis.

1253 (II) If, during the first 10 business days of the state  
 1254 fiscal year, eligible tax credit applications for projects other  
 1255 than those that provide housing opportunities for persons with  
 1256 special needs or homeownership opportunities for low-income  
 1257 households or very-low-income households are received for less  
 1258 than the annual tax credits available for those projects, the  
 1259 Department of Commerce ~~Economic Opportunity~~ shall grant tax  
 1260 credits for those applications and shall grant remaining tax  
 1261 credits on a first-come, first-served basis for subsequent  
 1262 eligible applications received before the end of the state  
 1263 fiscal year. If, during the first 10 business days of the state  
 1264 fiscal year, eligible tax credit applications for projects other  
 1265 than those that provide housing opportunities for persons with  
 1266 special needs or homeownership opportunities for low-income  
 1267 households or very-low-income households are received for more  
 1268 than the annual tax credits available for those projects, the  
 1269 Department of Commerce ~~Economic Opportunity~~ shall grant the tax  
 1270 credits for those applications on a pro rata basis.

1271 3. Application requirements.—

1272 a. An eligible sponsor seeking to participate in this  
 1273 program must submit a proposal to the Department of Commerce  
 1274 ~~Economic Opportunity~~ which sets forth the name of the sponsor, a  
 1275 description of the project, and the area in which the project is

1276 | located, together with such supporting information as is  
 1277 | prescribed by rule. The proposal must also contain a resolution  
 1278 | from the local governmental unit in which the project is located  
 1279 | certifying that the project is consistent with local plans and  
 1280 | regulations.

1281 |         b. A person seeking to participate in this program must  
 1282 | submit an application for tax credit to the Department of  
 1283 | Commerce ~~Economic Opportunity~~ which sets forth the name of the  
 1284 | sponsor; a description of the project; and the type, value, and  
 1285 | purpose of the contribution. The sponsor shall verify, in  
 1286 | writing, the terms of the application and indicate its receipt  
 1287 | of the contribution, and such verification must accompany the  
 1288 | application for tax credit. The person must submit a separate  
 1289 | tax credit application to the Department of Commerce ~~Economic~~  
 1290 | ~~Opportunity~~ for each individual contribution that it makes to  
 1291 | each individual project.

1292 |         c. A person who has received notification from the  
 1293 | Department of Commerce ~~Economic Opportunity~~ that a tax credit  
 1294 | has been approved must apply to the department to receive the  
 1295 | refund. Application must be made on the form prescribed for  
 1296 | claiming refunds of sales and use taxes and be accompanied by a  
 1297 | copy of the notification. A person may submit only one  
 1298 | application for refund to the department within a 12-month  
 1299 | period.

1300 |         4. Administration.—

1301 a. The Department of Commerce ~~Economic Opportunity~~ may  
 1302 adopt rules necessary to administer this paragraph, including  
 1303 rules for the approval or disapproval of proposals by a person.

1304 b. The decision of the Department of Commerce ~~Economic~~  
 1305 ~~Opportunity~~ must be in writing, and, if approved, the  
 1306 notification shall state the maximum credit allowable to the  
 1307 person. Upon approval, the Department of Commerce ~~Economic~~  
 1308 ~~Opportunity~~ shall transmit a copy of the decision to the  
 1309 department.

1310 c. The Department of Commerce ~~Economic Opportunity~~ shall  
 1311 periodically monitor all projects in a manner consistent with  
 1312 available resources to ensure that resources are used in  
 1313 accordance with this paragraph; however, each project must be  
 1314 reviewed at least once every 2 years.

1315 d. The Department of Commerce ~~Economic Opportunity~~ shall,  
 1316 in consultation with the statewide and regional housing and  
 1317 financial intermediaries, market the availability of the  
 1318 community contribution tax credit program to community-based  
 1319 organizations.

1320 (q) *Building materials, the rental of tangible personal*  
 1321 *property, and pest control services used in new construction*  
 1322 *located in a rural area of opportunity.—*

1323 1. As used in this paragraph, the term:

1324 a. "Building materials" means tangible personal property  
 1325 that becomes a component part of improvements to real property.

1326           b. "Exempt goods and services" means building materials,  
 1327 the rental of tangible personal property, and pest control  
 1328 services used in new construction.

1329           c. "New construction" means improvements to real property  
 1330 which did not previously exist. The term does not include the  
 1331 reconstruction, renovation, restoration, rehabilitation,  
 1332 modification, alteration, or expansion of buildings already  
 1333 located on the parcel on which the new construction is built.

1334           d. "Pest control" has the same meaning as in s. 482.021.

1335           e. "Real property" has the same meaning as provided in s.  
 1336 192.001, but does not include a condominium parcel or  
 1337 condominium property as defined in s. 718.103.

1338           f. "Substantially completed" has the same meaning as in s.  
 1339 192.042(1).

1340           2. Building materials, the rental of tangible personal  
 1341 property, and pest control services used in new construction  
 1342 located in a rural area of opportunity, as designated by the  
 1343 Governor pursuant to s. 288.0656, are exempt from the tax  
 1344 imposed by this chapter if an owner, lessee, or lessor can  
 1345 demonstrate to the satisfaction of the department that the  
 1346 requirements of this paragraph have been met. Except as provided  
 1347 in subparagraph 3., this exemption inures to the owner, lessee,  
 1348 or lessor at the time the new construction occurs, but only  
 1349 through a refund of previously paid taxes. To receive a refund  
 1350 pursuant to this paragraph, the owner, lessee, or lessor of the

1351 new construction must file an application under oath with the  
 1352 Department of Commerce ~~Economic Opportunity~~. The application  
 1353 must include all of the following:

1354 a. The name and address of the person claiming the refund.

1355 b. An address and assessment roll parcel number of the  
 1356 real property that was improved by the new construction for  
 1357 which a refund of previously paid taxes is being sought.

1358 c. A description of the new construction.

1359 d. A copy of a valid building permit issued by the county  
 1360 or municipal building department for the new construction.

1361 e. A sworn statement, under penalty of perjury, from the  
 1362 general contractor licensed in this state with whom the  
 1363 applicant contracted to build the new construction, which  
 1364 specifies the exempt goods and services, the actual cost of the  
 1365 exempt goods and services, and the amount of sales tax paid in  
 1366 this state on the exempt goods and services, and which states  
 1367 that the improvement to the real property was new construction.  
 1368 If a general contractor was not used, the applicant shall make  
 1369 the sworn statement required by this sub-subparagraph. Copies of  
 1370 the invoices evidencing the actual cost of the exempt goods and  
 1371 services and the amount of sales tax paid on such goods and  
 1372 services must be attached to the sworn statement provided by the  
 1373 general contractor or by the applicant. If copies of such  
 1374 invoices are not attached, the cost of the exempt goods and  
 1375 services is deemed to be an amount equal to 40 percent of the

1376 | increase in assessed value of the property for ad valorem tax  
 1377 | purposes.

1378 |         f. A certification by the local building code inspector  
 1379 | that the new construction is substantially completed and is new  
 1380 | construction.

1381 |         3. The exemption under this paragraph inures to a  
 1382 | municipality, county, other governmental unit or agency, or  
 1383 | nonprofit community-based organization through a refund of  
 1384 | previously paid taxes if the exempt goods and services are paid  
 1385 | for from the funds of a community development block grant, the  
 1386 | State Housing Initiatives Partnership Program, or a similar  
 1387 | grant or loan program. To receive a refund, a municipality,  
 1388 | county, other governmental unit or agency, or nonprofit  
 1389 | community-based organization must file an application that  
 1390 | includes the same information required under subparagraph 2. In  
 1391 | addition, the application must include a sworn statement signed  
 1392 | by the chief executive officer of the municipality, county,  
 1393 | other governmental unit or agency, or nonprofit community-based  
 1394 | organization seeking a refund which states that the exempt goods  
 1395 | and services for which a refund is sought were funded by a  
 1396 | community development block grant, the State Housing Initiatives  
 1397 | Partnership Program, or a similar grant or loan program.

1398 |         4. Within 10 working days after receiving an application,  
 1399 | the Department of Commerce ~~Economic Opportunity~~ shall review the  
 1400 | application to determine whether it contains all of the



1401 information required by subparagraph 2. or subparagraph 3., as  
 1402 appropriate, and meets the criteria set out in this paragraph.  
 1403 The Department of Commerce ~~Economic Opportunity~~ shall certify  
 1404 all applications that contain the required information and are  
 1405 eligible to receive a refund. The certification must be in  
 1406 writing and a copy must be transmitted by the Department of  
 1407 Commerce ~~Economic Opportunity~~ to the executive director of the  
 1408 department. The applicant is responsible for forwarding a  
 1409 certified application to the department within the period  
 1410 specified in subparagraph 5.

1411 5. An application for a refund must be submitted to the  
 1412 department within 6 months after the new construction is deemed  
 1413 to be substantially completed by the local building code  
 1414 inspector or by November 1 after the improved property is first  
 1415 subject to assessment.

1416 6. Only one exemption through a refund of previously paid  
 1417 taxes for the new construction may be claimed for any single  
 1418 parcel of property unless there is a change in ownership, a new  
 1419 lessor, or a new lessee of the real property. A refund may not  
 1420 be granted unless the amount to be refunded exceeds \$500. A  
 1421 refund may not exceed the lesser of 97.5 percent of the Florida  
 1422 sales or use tax paid on the cost of the exempt goods and  
 1423 services as determined pursuant to sub-subparagraph 2.e. or  
 1424 \$10,000. The department shall issue a refund within 30 days  
 1425 after it formally approves a refund application.

1426           7. The department shall deduct 10 percent of each refund  
 1427 amount granted under this paragraph from the amount transferred  
 1428 into the Local Government Half-cent Sales Tax Clearing Trust  
 1429 Fund pursuant to s. 212.20 for the county area in which the new  
 1430 construction is located and shall transfer that amount to the  
 1431 General Revenue Fund.

1432           8. The department may adopt rules governing the manner and  
 1433 format of refund applications and may establish guidelines as to  
 1434 the requisites for an affirmative showing of qualification for  
 1435 exemption under this paragraph.

1436           9. This exemption does not apply to improvements for which  
 1437 construction began before July 1, 2017.

1438           Section 47. Paragraph (d) of subsection (1) of section  
 1439 212.096, Florida Statutes, is amended to read:

1440           212.096 Sales, rental, storage, use tax; enterprise zone  
 1441 jobs credit against sales tax.—

1442           (1) For the purposes of the credit provided in this  
 1443 section:

1444           (d) "Job" means a full-time position, as consistent with  
 1445 terms used by the Department of Commerce ~~Economic Opportunity~~  
 1446 and the United States Department of Labor for purposes of  
 1447 reemployment assistance tax administration and employment  
 1448 estimation resulting directly from a business operation in this  
 1449 state. This term does not include a temporary construction job  
 1450 involved with the construction of facilities or any job that has

1451 | previously been included in any application for tax credits  
 1452 | under s. 220.181(1). The term also includes employment of an  
 1453 | employee leased from an employee leasing company licensed under  
 1454 | chapter 468 if such employee has been continuously leased to the  
 1455 | employer for an average of at least 36 hours per week for more  
 1456 | than 6 months.

1457 |  
 1458 | A person shall be deemed to be employed if the person performs  
 1459 | duties in connection with the operations of the business on a  
 1460 | regular, full-time basis, provided the person is performing such  
 1461 | duties for an average of at least 36 hours per week each month.  
 1462 | The person must be performing such duties at a business site  
 1463 | located in the enterprise zone.

1464 | Section 48. Paragraphs (a) and (e) of subsection (1),  
 1465 | subsections (6) and (7), paragraphs (a) and (c) of subsection  
 1466 | (10), and subsection (11) of section 212.097, Florida Statutes,  
 1467 | are amended to read:

1468 | 212.097 Urban High-Crime Area Job Tax Credit Program.—

1469 | (1) As used in this section, the term:

1470 | (a) "Eligible business" means any sole proprietorship,  
 1471 | firm, partnership, or corporation that is located in a qualified  
 1472 | county and is predominantly engaged in, or is headquarters for a  
 1473 | business predominantly engaged in, activities usually provided  
 1474 | for consideration by firms classified within the following  
 1475 | standard industrial classifications: SIC 01-SIC 09 (agriculture,

1476 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 52-  
 1477 SIC 57 and SIC 59 (retail); SIC 422 (public warehousing and  
 1478 storage); SIC 70 (hotels and other lodging places); SIC 7391  
 1479 (research and development); SIC 781 (motion picture production  
 1480 and allied services); SIC 7992 (public golf courses); and SIC  
 1481 7996 (amusement parks). A call center or similar customer  
 1482 service operation that services a multistate market or  
 1483 international market is also an eligible business. In addition,  
 1484 the Department of Commerce ~~Economic Opportunity~~ may, as part of  
 1485 its final budget request submitted pursuant to s. 216.023,  
 1486 recommend additions to or deletions from the list of standard  
 1487 industrial classifications used to determine an eligible  
 1488 business, and the Legislature may implement such  
 1489 recommendations. Excluded from eligible receipts are receipts  
 1490 from retail sales, except such receipts for SIC 52-SIC 57 and  
 1491 SIC 59 (retail) hotels and other lodging places classified in  
 1492 SIC 70, public golf courses in SIC 7992, and amusement parks in  
 1493 SIC 7996. For purposes of this paragraph, the term  
 1494 "predominantly" means that more than 50 percent of the  
 1495 business's gross receipts from all sources is generated by those  
 1496 activities usually provided for consideration by firms in the  
 1497 specified standard industrial classification. The determination  
 1498 of whether the business is located in a qualified high-crime  
 1499 area and the tier ranking of that area must be based on the date  
 1500 of application for the credit under this section. Commonly owned

1501 and controlled entities are to be considered a single business  
 1502 entity.

1503 (e) "Qualified high-crime area" means an area selected by  
 1504 the Department of Commerce ~~Economic Opportunity~~ in the following  
 1505 manner: every third year, the Department of Commerce ~~Economic~~  
 1506 ~~Opportunity~~ shall rank and tier those areas nominated under  
 1507 subsection (7), according to the following prioritized criteria:

1508 1. Highest arrest rates within the geographic area for  
 1509 violent crime and for such other crimes as drug sale, drug  
 1510 possession, prostitution, vandalism, and civil disturbances;

1511 2. Highest reported crime volume and rate of specific  
 1512 property crimes such as business and residential burglary, motor  
 1513 vehicle theft, and vandalism;

1514 3. Highest percentage of reported index crimes that are  
 1515 violent in nature;

1516 4. Highest overall index crime volume for the area; and

1517 5. Highest overall index crime rate for the geographic  
 1518 area.

1519  
 1520 Tier-one areas are ranked 1 through 5 and represent the highest  
 1521 crime areas according to this ranking. Tier-two areas are ranked  
 1522 6 through 10 according to this ranking. Tier-three areas are  
 1523 ranked 11 through 15. Notwithstanding this definition,  
 1524 "qualified high-crime area" also means an area that has been  
 1525 designated as a federal Empowerment Zone pursuant to the

1526 Taxpayer Relief Act of 1997. Such a designated area is ranked in  
 1527 tier three until the areas are reevaluated by the Department of  
 1528 Commerce ~~Economic Opportunity~~.

1529 (6) Any county or municipality, or a county and one or  
 1530 more municipalities together, may apply to the Department of  
 1531 Commerce ~~Economic Opportunity~~ for the designation of an area as  
 1532 a high-crime area after the adoption by the governing body or  
 1533 bodies of a resolution that:

1534 (a) Finds that a high-crime area exists in such county or  
 1535 municipality, or in both the county and one or more  
 1536 municipalities, which chronically exhibits extreme and  
 1537 unacceptable levels of poverty, unemployment, physical  
 1538 deterioration, and economic disinvestment;

1539 (b) Determines that the rehabilitation, conservation, or  
 1540 redevelopment, or a combination thereof, of such a high-crime  
 1541 area is necessary in the interest of the health, safety, and  
 1542 welfare of the residents of such county or municipality, or such  
 1543 county and one or more municipalities; and

1544 (c) Determines that the revitalization of such a high-  
 1545 crime area can occur if the public sector or private sector can  
 1546 be induced to invest its own resources in productive enterprises  
 1547 that build or rebuild the economic viability of the area.

1548 (7) The governing body of the entity nominating the area  
 1549 shall provide to the Department of Commerce ~~Economic Opportunity~~  
 1550 the following:

1551 (a) The overall index crime rate for the geographic area;  
 1552 (b) The overall index crime volume for the area;  
 1553 (c) The percentage of reported index crimes that are  
 1554 violent in nature;  
 1555 (d) The reported crime volume and rate of specific  
 1556 property crimes such as business and residential burglary, motor  
 1557 vehicle theft, and vandalism; and  
 1558 (e) The arrest rates within the geographic area for  
 1559 violent crime and for such other crimes as drug sale, drug  
 1560 possession, prostitution, disorderly conduct, vandalism, and  
 1561 other public-order offenses.

1562 (10) (a) In order to claim this credit, an eligible  
 1563 business must file under oath with the Department of Commerce  
 1564 ~~Economic Opportunity~~ a statement that includes the name and  
 1565 address of the eligible business and any other information that  
 1566 is required to process the application.

1567 (c) The maximum credit amount that may be approved during  
 1568 any calendar year is \$5 million, of which \$1 million shall be  
 1569 exclusively reserved for tier-one areas. The Department of  
 1570 Revenue, in conjunction with the Department of Commerce ~~Economic~~  
 1571 ~~Opportunity~~, shall notify the governing bodies in areas  
 1572 designated as urban high-crime areas when the \$5 million maximum  
 1573 amount has been reached. Applications must be considered for  
 1574 approval in the order in which they are received without regard  
 1575 to whether the credit is for a new or existing business. This

1576 | limitation applies to the value of the credit as contained in  
 1577 | approved applications. Approved credits may be taken in the time  
 1578 | and manner allowed pursuant to this section.

1579 |         (11) If the application is insufficient to support the  
 1580 | credit authorized in this section, the Department of Commerce  
 1581 | ~~Economic Opportunity~~ shall deny the credit and notify the  
 1582 | business of that fact. The business may reapply for this credit  
 1583 | within 3 months after such notification.

1584 |         Section 49. Paragraph (c) of subsection (1), paragraphs  
 1585 | (a), (b), and (c) of subsection (6), and subsection (7) of  
 1586 | section 212.098, Florida Statutes, are amended to read:

1587 |         212.098 Rural Job Tax Credit Program.—

1588 |         (1) As used in this section, the term:

1589 |         (c) "Qualified area" means any area that is contained  
 1590 | within a rural area of opportunity designated under s. 288.0656,  
 1591 | a county that has a population of fewer than 75,000 persons, or  
 1592 | a county that has a population of 125,000 or less and is  
 1593 | contiguous to a county that has a population of less than  
 1594 | 75,000, selected in the following manner: every third year, the  
 1595 | Department of Commerce ~~Economic Opportunity~~ shall rank and tier  
 1596 | the state's counties according to the following four factors:

1597 |         1. Highest unemployment rate for the most recent 36-month  
 1598 | period.

1599 |         2. Lowest per capita income for the most recent 36-month  
 1600 | period.



1601           3. Highest percentage of residents whose incomes are below  
1602 the poverty level, based upon the most recent data available.

1603           4. Average weekly manufacturing wage, based upon the most  
1604 recent data available.

1605           (6) (a) In order to claim this credit, an eligible business  
1606 must file under oath with the Department of Commerce ~~Economic~~  
1607 ~~Opportunity~~ a statement that includes the name and address of  
1608 the eligible business, the starting salary or hourly wages paid  
1609 to the new employee, and any other information that the  
1610 Department of Revenue requires.

1611           (b) Pursuant to the incentive review process under s.  
1612 288.061, the Department of Commerce ~~Economic Opportunity~~ shall  
1613 review the application to determine whether it contains all the  
1614 information required by this subsection and meets the criteria  
1615 set out in this section. Subject to the provisions of paragraph  
1616 (c), the Department of Commerce ~~Economic Opportunity~~ shall  
1617 approve all applications that contain the information required  
1618 by this subsection and meet the criteria set out in this section  
1619 as eligible to receive a credit.

1620           (c) The maximum credit amount that may be approved during  
1621 any calendar year is \$5 million. The Department of Revenue, in  
1622 conjunction with the Department of Commerce ~~Economic~~  
1623 ~~Opportunity~~, shall notify the governing bodies in areas  
1624 designated as qualified counties when the \$5 million maximum  
1625 amount has been reached. Applications must be considered for

1626 approval in the order in which they are received without regard  
 1627 to whether the credit is for a new or existing business. This  
 1628 limitation applies to the value of the credit as contained in  
 1629 approved applications. Approved credits may be taken in the time  
 1630 and manner allowed pursuant to this section.

1631 (7) If the application is insufficient to support the  
 1632 credit authorized in this section, the Department of Commerce  
 1633 ~~Economic Opportunity~~ shall deny the credit and notify the  
 1634 business of that fact. The business may reapply for this credit  
 1635 within 3 months after such notification.

1636 Section 50. Subsection (4) and paragraph (a) of subsection  
 1637 (7) of section 213.053, Florida Statutes, are amended to read:

1638 213.053 Confidentiality and information sharing.—

1639 (4) The department, while providing reemployment  
 1640 assistance tax collection services under contract with the  
 1641 Department of Commerce ~~Economic Opportunity~~ through an  
 1642 interagency agreement pursuant to s. 443.1316, may release  
 1643 reemployment assistance tax rate information to the agent of an  
 1644 employer who provides payroll services for more than 100  
 1645 employers, pursuant to the terms of a memorandum of  
 1646 understanding. The memorandum of understanding must state that  
 1647 the agent affirms, subject to the criminal penalties contained  
 1648 in ss. 443.171 and 443.1715, that the agent will retain the  
 1649 confidentiality of the information, that the agent has in effect  
 1650 a power of attorney from the employer which permits the agent to

1651 obtain reemployment assistance tax rate information, and that  
 1652 the agent shall provide the department with a copy of the  
 1653 employer's power of attorney upon request.

1654 (7)(a) Any information received by the Department of  
 1655 Revenue in connection with the administration of taxes,  
 1656 including, but not limited to, information contained in returns,  
 1657 reports, accounts, or declarations filed by persons subject to  
 1658 tax, shall be made available to the following in performance of  
 1659 their official duties:

1660 1. The Auditor General or his or her authorized agent;

1661 2. The director of the Office of Program Policy Analysis  
 1662 and Government Accountability or his or her authorized agent;

1663 3. The Chief Financial Officer or his or her authorized  
 1664 agent;

1665 4. The Director of the Office of Insurance Regulation of  
 1666 the Financial Services Commission or his or her authorized  
 1667 agent;

1668 5. A property appraiser or tax collector or their  
 1669 authorized agents pursuant to s. 195.084(1);

1670 6. Designated employees of the Department of Education  
 1671 solely for determination of each school district's price level  
 1672 index pursuant to s. 1011.62(2);

1673 7. The Secretary of Commerce ~~Economic Opportunity~~ or his  
 1674 or her authorized agent;

1675 8. The taxpayers' rights advocate or his or her authorized

1676 agent pursuant to s. 20.21(3); and

1677 9. The coordinator of the Office of Economic and  
 1678 Demographic Research or his or her authorized agent.

1679 Section 51. Subsection (1) of section 215.5588, Florida  
 1680 Statutes, is amended to read:

1681 215.5588 Florida Disaster Recovery Program.—

1682 (1) The Department of Commerce ~~Economic Opportunity~~ shall  
 1683 implement the 2006 Disaster Recovery Program from funds provided  
 1684 through the Emergency Supplemental Appropriations Act for  
 1685 Defense, the Global War on Terror, and Hurricane Recovery, 2006,  
 1686 for the purpose of assisting local governments in satisfying  
 1687 disaster recovery needs in the areas of low-income housing and  
 1688 infrastructure, with a primary focus on the hardening of single-  
 1689 family and multifamily housing units, not only to ensure that  
 1690 affordable housing can withstand the effects of hurricane-force  
 1691 winds, but also to mitigate the increasing costs of insurance,  
 1692 which may ultimately render existing affordable homes  
 1693 unaffordable or uninsurable. This section does not create an  
 1694 entitlement for local governments or property owners or obligate  
 1695 the state in any way to fund disaster recovery needs.

1696 Section 52. Paragraph (a) of subsection (6) of section  
 1697 216.292, Florida Statutes, is amended to read:

1698 216.292 Appropriations nontransferable; exceptions.—

1699 (6) The Chief Financial Officer shall transfer from any  
 1700 available funds of an agency or the judicial branch the

1701 following amounts and shall report all such transfers and the  
 1702 reasons therefor to the legislative appropriations committees  
 1703 and the Executive Office of the Governor:

1704 (a) The amount due to the Unemployment Compensation Trust  
 1705 Fund which is more than 90 days delinquent on reimbursements due  
 1706 to the Unemployment Compensation Trust Fund. The amount  
 1707 transferred shall be that certified by the state agency  
 1708 providing reemployment assistance tax collection services under  
 1709 contract with the Department of Commerce ~~Economic Opportunity~~  
 1710 through an interagency agreement pursuant to s. 443.1316.

1711 Section 53. Paragraph (f) of subsection (1), subsection  
 1712 (2), and paragraph (c) of subsection (3) of section 218.32,  
 1713 Florida Statutes, are amended to read:

1714 218.32 Annual financial reports; local governmental  
 1715 entities.—

1716 (1)

1717 (f) If the department does not receive a completed annual  
 1718 financial report from a local governmental entity within the  
 1719 required period, it shall notify the Legislative Auditing  
 1720 Committee and the Special District Accountability Program of the  
 1721 Department of Commerce ~~Economic Opportunity~~ of the entity's  
 1722 failure to comply with the reporting requirements.

1723 (2) The department shall annually by December 1 file a  
 1724 verified report with the Governor, the Legislature, the Auditor  
 1725 General, and the Special District Accountability Program of the

1726 Department of Commerce ~~Economic Opportunity~~ showing the  
 1727 revenues, both locally derived and derived from  
 1728 intergovernmental transfers, and the expenditures of each local  
 1729 governmental entity, regional planning council, local government  
 1730 finance commission, and municipal power corporation that is  
 1731 required to submit an annual financial report. In preparing the  
 1732 verified report, the department may request additional  
 1733 information from the local governmental entity. The information  
 1734 requested must be provided to the department within 45 days  
 1735 after the request. If the local governmental entity does not  
 1736 comply with the request, the department shall notify the  
 1737 Legislative Auditing Committee, which may take action pursuant  
 1738 to s. 11.40(2). The report must include, but is not limited to:

1739 (a) The total revenues and expenditures of each local  
 1740 governmental entity that is a component unit included in the  
 1741 annual financial report of the reporting entity.

1742 (b) The amount of outstanding long-term debt by each local  
 1743 governmental entity. For purposes of this paragraph, the term  
 1744 "long-term debt" means any agreement or series of agreements to  
 1745 pay money, which, at inception, contemplate terms of payment  
 1746 exceeding 1 year in duration.

1747 (3)

1748 (c) By November 1 of each year, the department must  
 1749 provide the Special District Accountability Program of the  
 1750 Department of Commerce ~~Economic Opportunity~~ with a list of each

1751 community redevelopment agency that does not report any  
 1752 revenues, expenditures, or debt for the community redevelopment  
 1753 agency's previous fiscal year.

1754 Section 54. Paragraph (f) of subsection (1) of section  
 1755 218.37, Florida Statutes, is amended to read:

1756 218.37 Powers and duties of Division of Bond Finance;  
 1757 advisory council.—

1758 (1) The Division of Bond Finance of the State Board of  
 1759 Administration, with respect to both general obligation bonds  
 1760 and revenue bonds, shall:

1761 (f) By January 1 each year, provide the Special District  
 1762 Accountability Program of the Department of Commerce ~~Economic~~  
 1763 ~~Opportunity~~ with a list of special districts that are not in  
 1764 compliance with the requirements in s. 218.38.

1765 Section 55. Paragraph (c) of subsection (1) of section  
 1766 218.411, Florida Statutes, is amended to read:

1767 218.411 Authorization for state technical and advisory  
 1768 assistance.—

1769 (1) The board is authorized, upon request, to assist local  
 1770 governments in investing funds that are temporarily in excess of  
 1771 operating needs by:

1772 (c) Providing, in cooperation with the Department of  
 1773 Commerce ~~Economic Opportunity~~, technical assistance to local  
 1774 governments in investment of surplus funds.

1775 Section 56. Paragraph (ff) of subsection (1) of section

1776 220.03, Florida Statutes, is amended to read:

1777 220.03 Definitions.—

1778 (1) SPECIFIC TERMS.—When used in this code, and when not  
 1779 otherwise distinctly expressed or manifestly incompatible with  
 1780 the intent thereof, the following terms shall have the following  
 1781 meanings:

1782 (ff) "Job" means a full-time position, as consistent with  
 1783 terms used by the Department of Commerce ~~Economic Opportunity~~  
 1784 and the United States Department of Labor for purposes of  
 1785 reemployment assistance tax administration and employment  
 1786 estimation resulting directly from business operations in this  
 1787 state. The term may not include a temporary construction job  
 1788 involved with the construction of facilities or any job that has  
 1789 previously been included in any application for tax credits  
 1790 under s. 212.096. The term also includes employment of an  
 1791 employee leased from an employee leasing company licensed under  
 1792 chapter 468 if the employee has been continuously leased to the  
 1793 employer for an average of at least 36 hours per week for more  
 1794 than 6 months.

1795 Section 57. Subsections (2) and (3), paragraphs (b) and  
 1796 (c) of subsection (4), and subsection (5) of section 220.153,  
 1797 Florida Statutes, are amended to read:

1798 220.153 Apportionment by sales factor.—

1799 (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not  
 1800 including a financial organization as defined in s. 220.15(6) or



1801 a bank, savings association, international banking facility, or  
 1802 banking organization as defined in s. 220.62, doing business  
 1803 within and without this state, who applies and demonstrates to  
 1804 the Department of Commerce ~~Economic Opportunity~~ that, within a  
 1805 2-year period beginning on or after July 1, 2011, it has made  
 1806 qualified capital expenditures equal to or exceeding \$250  
 1807 million may apportion its adjusted federal income solely by the  
 1808 sales factor set forth in s. 220.15(5), commencing in the  
 1809 taxable year that the Department of Commerce ~~Economic~~  
 1810 ~~Opportunity~~ approves the application, but not before a taxable  
 1811 year that begins on or after January 1, 2013. Once approved, a  
 1812 taxpayer may elect to apportion its adjusted federal income for  
 1813 any taxable year using the method provided under this section or  
 1814 the method provided under s. 220.15.

1815 (3) QUALIFICATION PROCESS.—

1816 (a) To qualify as a taxpayer who is eligible to apportion  
 1817 its adjusted federal income under this section:

1818 1. The taxpayer must notify the Department of Commerce  
 1819 ~~Economic Opportunity~~ of its intent to submit an application to  
 1820 apportion its adjusted federal income in order to commence the  
 1821 2-year period for measuring qualified capital expenditures.

1822 2. The taxpayer must submit an application to apportion  
 1823 its adjusted federal income under this section to the Department  
 1824 of Commerce ~~Economic Opportunity~~ within 2 years after notifying  
 1825 the Department of Commerce ~~Economic Opportunity~~ of the

1826 taxpayer's intent to qualify. The application must be made under  
 1827 oath and provide such information as the Department of Commerce  
 1828 ~~Economic Opportunity~~ reasonably requires by rule for determining  
 1829 the applicant's eligibility to apportion adjusted federal income  
 1830 under this section. The taxpayer is responsible for  
 1831 affirmatively demonstrating to the satisfaction of the  
 1832 Department of Commerce ~~Economic Opportunity~~ that it meets the  
 1833 eligibility requirements.

1834 (b) The taxpayer notice and application forms shall be  
 1835 established by the Department of Commerce ~~Economic Opportunity~~  
 1836 by rule. The Department of Commerce ~~Economic Opportunity~~ shall  
 1837 acknowledge receipt of the notice and approve or deny the  
 1838 application in writing within 45 days after receipt.

1839 (4) REVIEW AUTHORITY; RECAPTURE OF TAX.—

1840 (b) The Department of Commerce ~~Economic Opportunity~~ may,  
 1841 by order, revoke its decision to grant eligibility for  
 1842 apportionment pursuant to this section, and may also order the  
 1843 recalculation of apportionment factors to those applicable under  
 1844 s. 220.15 if, as the result of an audit, investigation, or  
 1845 examination, it determines that information provided by the  
 1846 taxpayer in the application, or in a statement, representation,  
 1847 record, report, plan, or other document provided to the  
 1848 Department of Commerce ~~Economic Opportunity~~ to become eligible  
 1849 for apportionment, was materially false at the time it was made  
 1850 and that an individual acting on behalf of the taxpayer knew, or

1851 should have known, that the information submitted was false. The  
 1852 taxpayer shall pay such additional taxes and interest as may be  
 1853 due pursuant to this chapter computed as the difference between  
 1854 the tax that would have been due under the apportionment formula  
 1855 provided in s. 220.15 for such years and the tax actually paid.  
 1856 In addition, the department shall assess a penalty equal to 100  
 1857 percent of the additional tax due.

1858 (c) The Department of Commerce ~~Economic Opportunity~~ shall  
 1859 immediately notify the department of an order affecting a  
 1860 taxpayer's eligibility to apportion tax pursuant to this  
 1861 section. A taxpayer who is liable for past tax must file an  
 1862 amended return with the department, or such other report as the  
 1863 department prescribes by rule, and pay any required tax,  
 1864 interest, and penalty within 60 days after the taxpayer receives  
 1865 notification from the Department of Commerce ~~Economic~~  
 1866 ~~Opportunity~~ that the previously approved credits have been  
 1867 revoked. If the revocation is contested, the taxpayer shall file  
 1868 an amended return or other report within 30 days after an order  
 1869 becomes final. A taxpayer who fails to pay the past tax,  
 1870 interest, and penalty by the due date is subject to the  
 1871 penalties provided in s. 220.803.

1872 (5) RULES.—The Department of Commerce ~~Economic Opportunity~~  
 1873 and the department may adopt rules to administer this section.

1874 Section 58. Paragraph (d) of subsection (1), paragraphs  
 1875 (b) and (c) of subsection (2), paragraphs (a) and (b) of

1876 subsection (3), and paragraphs (a), (b), (c), and (e) of  
 1877 subsection (4) of section 220.183, Florida Statutes, are amended  
 1878 to read:

1879 220.183 Community contribution tax credit.—

1880 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX  
 1881 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM  
 1882 SPENDING.—

1883 (d) All proposals for the granting of the tax credit shall  
 1884 require the prior approval of the Department of Commerce  
 1885 ~~Economic Opportunity~~.

1886 (2) ELIGIBILITY REQUIREMENTS.—

1887 (b)1. All community contributions must be reserved  
 1888 exclusively for use in projects as defined in s. 220.03(1)(t).

1889 2. If, during the first 10 business days of the state  
 1890 fiscal year, eligible tax credit applications for projects that  
 1891 provide housing opportunities for persons with special needs as  
 1892 defined in s. 420.0004 or homeownership opportunities for low-  
 1893 income or very-low-income households as defined in s.  
 1894 420.9071(20) and (30) are received for less than the annual tax  
 1895 credits available for those projects, the Department of Commerce  
 1896 ~~Economic Opportunity~~ shall grant tax credits for those  
 1897 applications and shall grant remaining tax credits on a first-  
 1898 come, first-served basis for any subsequent eligible  
 1899 applications received before the end of the state fiscal year.  
 1900 If, during the first 10 business days of the state fiscal year,

1901 eligible tax credit applications for projects that provide  
 1902 housing opportunities for persons with special needs as defined  
 1903 in s. 420.0004 or homeownership opportunities for low-income or  
 1904 very-low-income households as defined in s. 420.9071(20) and  
 1905 (30) are received for more than the annual tax credits available  
 1906 for those projects, the Department of Commerce ~~Economic~~  
 1907 ~~Opportunity~~ shall grant the tax credits for those applications  
 1908 as follows:

1909       a. If tax credit applications submitted for approved  
 1910 projects of an eligible sponsor do not exceed \$200,000 in total,  
 1911 the credit shall be granted in full if the tax credit  
 1912 applications are approved.

1913       b. If tax credit applications submitted for approved  
 1914 projects of an eligible sponsor exceed \$200,000 in total, the  
 1915 amount of tax credits granted under sub-subparagraph a. shall be  
 1916 subtracted from the amount of available tax credits, and the  
 1917 remaining credits shall be granted to each approved tax credit  
 1918 application on a pro rata basis.

1919       3. If, during the first 10 business days of the state  
 1920 fiscal year, eligible tax credit applications for projects other  
 1921 than those that provide housing opportunities for persons with  
 1922 special needs as defined in s. 420.0004 or homeownership  
 1923 opportunities for low-income or very-low-income households as  
 1924 defined in s. 420.9071(20) and (30) are received for less than  
 1925 the annual tax credits available for those projects, the

1926 Department of Commerce ~~Economic Opportunity~~ shall grant tax  
 1927 credits for those applications and shall grant remaining tax  
 1928 credits on a first-come, first-served basis for any subsequent  
 1929 eligible applications received before the end of the state  
 1930 fiscal year. If, during the first 10 business days of the state  
 1931 fiscal year, eligible tax credit applications for projects other  
 1932 than those that provide housing opportunities for persons with  
 1933 special needs as defined in s. 420.0004 or homeownership  
 1934 opportunities for low-income or very-low-income households as  
 1935 defined in s. 420.9071(20) and (30) are received for more than  
 1936 the annual tax credits available for those projects, the  
 1937 Department of Commerce ~~Economic Opportunity~~ shall grant the tax  
 1938 credits for those applications on a pro rata basis.

1939 (c) The project must be undertaken by an "eligible  
 1940 sponsor," defined here as:

- 1941 1. A community action program;
- 1942 2. A nonprofit community-based development organization  
 1943 whose mission is the provision of housing for persons with  
 1944 special needs or low-income or very-low-income households or  
 1945 increasing entrepreneurial and job-development opportunities for  
 1946 low-income persons;
- 1947 3. A neighborhood housing services corporation;
- 1948 4. A local housing authority, created pursuant to chapter  
 1949 421;
- 1950 5. A community redevelopment agency, created pursuant to

1951 s. 163.356;

1952 6. A historic preservation district agency or

1953 organization;

1954 7. A local workforce development board;

1955 8. A direct-support organization as provided in s.

1956 1009.983;

1957 9. An enterprise zone development agency created pursuant

1958 to s. 290.0056;

1959 10. A community-based organization incorporated under

1960 chapter 617 which is recognized as educational, charitable, or

1961 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code

1962 and whose bylaws and articles of incorporation include

1963 affordable housing, economic development, or community

1964 development as the primary mission of the corporation;

1965 11. Units of local government;

1966 12. Units of state government; or

1967 13. Such other agency as the Department of Commerce

1968 ~~Economic Opportunity~~ may, from time to time, designate by rule.

1969

1970 In no event shall a contributing business firm have a financial

1971 interest in the eligible sponsor.

1972 (3) APPLICATION REQUIREMENTS.—

1973 (a) Any eligible sponsor wishing to participate in this

1974 program must submit a proposal to the Department of Commerce

1975 ~~Economic Opportunity~~ which sets forth the sponsor, the project,

1976 | the area in which the project is located, and such supporting  
 1977 | information as may be prescribed by rule. The proposal shall  
 1978 | also contain a resolution from the local governmental unit in  
 1979 | which it is located certifying that the project is consistent  
 1980 | with local plans and regulations.

1981 |         (b) Any business wishing to participate in this program  
 1982 | must submit an application for tax credit to the Department of  
 1983 | Commerce ~~Economic Opportunity~~, which application sets forth the  
 1984 | sponsor; the project; and the type, value, and purpose of the  
 1985 | contribution. The sponsor shall verify the terms of the  
 1986 | application and indicate its receipt of the contribution, which  
 1987 | verification must be in writing and accompany the application  
 1988 | for tax credit.

1989 |         (4) ADMINISTRATION.—

1990 |         (a) The Department of Commerce ~~Economic Opportunity~~ has  
 1991 | authority to adopt rules pursuant to ss. 120.536(1) and 120.54  
 1992 | to implement the provisions of this section, including rules for  
 1993 | the approval or disapproval of proposals by business firms.

1994 |         (b) The decision of the Department of Commerce ~~Economic~~  
 1995 | ~~Opportunity~~ shall be in writing, and, if approved, the  
 1996 | notification must state the maximum credit allowable to the  
 1997 | business firm. A copy of the decision shall be transmitted to  
 1998 | the executive director of the Department of Revenue, who shall  
 1999 | apply such credit to the tax liability of the business firm.

2000 |         (c) The Department of Commerce ~~Economic Opportunity~~ shall



2001 periodically monitor all projects in a manner consistent with  
 2002 available resources to ensure that resources are utilized in  
 2003 accordance with this section; however, each project shall be  
 2004 reviewed no less often than once every 2 years.

2005 (e) The Department of Commerce ~~Economic Opportunity~~ shall,  
 2006 in consultation with the Florida Housing Finance Corporation and  
 2007 the statewide and regional housing and financial intermediaries,  
 2008 market the availability of the community contribution tax credit  
 2009 program to community-based organizations.

2010 Section 59. Section 220.1895, Florida Statutes, is amended  
 2011 to read:

2012 220.1895 Rural Job Tax Credit and Urban High-Crime Area  
 2013 Job Tax Credit.—There shall be allowed a credit against the tax  
 2014 imposed by this chapter amounts approved by the Department of  
 2015 Commerce ~~Economic Opportunity~~ pursuant to the Rural Job Tax  
 2016 Credit Program in s. 212.098 and the Urban High-Crime Area Job  
 2017 Tax Credit Program in s. 212.097. A corporation that uses its  
 2018 credit against the tax imposed by this chapter may not take the  
 2019 credit against the tax imposed by chapter 212. If any credit  
 2020 granted under this section is not fully used in the first year  
 2021 for which it becomes available, the unused amount may be carried  
 2022 forward for a period not to exceed 5 years. The carryover may be  
 2023 used in a subsequent year when the tax imposed by this chapter  
 2024 for such year exceeds the credit for such year under this  
 2025 section after applying the other credits and unused credit

2026 carryovers in the order provided in s. 220.02(8).

2027 Section 60. Paragraphs (f) and (g) of subsection (1) of  
 2028 section 220.191, Florida Statutes, are amended to read:

2029 220.191 Capital investment tax credit.—

2030 (1) DEFINITIONS.—For purposes of this section:

2031 (f) "Jobs" means full-time equivalent positions, as that  
 2032 term is consistent with terms used by the Department of Commerce  
 2033 ~~Economic Opportunity~~ and the United States Department of Labor  
 2034 for purposes of reemployment assistance tax administration and  
 2035 employment estimation, resulting directly from a project in this  
 2036 state. The term does not include temporary construction jobs  
 2037 involved in the construction of the project facility.

2038 (g) "Qualifying business" means a business which  
 2039 establishes a qualifying project in this state and which is  
 2040 certified by the Department of Commerce ~~Economic Opportunity~~ to  
 2041 receive tax credits pursuant to this section.

2042 Section 61. Subsection (2) of section 222.15, Florida  
 2043 Statutes, is amended to read:

2044 222.15 Wages or reemployment assistance or unemployment  
 2045 compensation payments due deceased employee may be paid spouse  
 2046 or certain relatives.—

2047 (2) It is also lawful for the Department of Commerce  
 2048 ~~Economic Opportunity~~, in case of death of any unemployed  
 2049 individual, to pay to those persons referred to in subsection  
 2050 (1) any reemployment assistance or unemployment compensation

2051 | payments that may be due to the individual at the time of his or  
 2052 | her death.

2053 | Section 62. Subsection (1) of section 252.85, Florida  
 2054 | Statutes, is amended to read:

2055 | 252.85 Fees.—

2056 | (1) Any owner or operator of a facility required under s.  
 2057 | 302 or s. 312 of EPCRA, or by s. 252.87, to submit a  
 2058 | notification or an annual inventory form to the commission shall  
 2059 | be required to pay an annual registration fee. The fee for any  
 2060 | company, including all facilities under common ownership or  
 2061 | control, shall not be less than \$25 nor more than \$2,000. The  
 2062 | division shall establish a reduced fee, of not less than \$25 nor  
 2063 | more than \$500, applicable to any owner or operator regulated  
 2064 | under part I of chapter 368, chapter 527, or s. 376.303, which  
 2065 | does not have present any extremely hazardous substance, as  
 2066 | defined by EPCRA, in excess of a threshold planning quantity, as  
 2067 | established by EPCRA. The division shall establish a reduced fee  
 2068 | of not less than \$25 nor more than \$1,000, applicable to any  
 2069 | owner or operator of a facility with a Standard Industrial  
 2070 | Classification Code of 01, 02, or 07, which is eligible for the  
 2071 | "routine agricultural use" exemption provided in ss. 311 and 312  
 2072 | of EPCRA. The fee under this subsection shall be based on the  
 2073 | number of employees employed within the state at facilities  
 2074 | under the common ownership or control of such owner or operator,  
 2075 | which number shall be determined, to the extent possible, in

2076 accordance with data supplied by the Department of Commerce  
 2077 ~~Economic Opportunity~~ or its tax collection service provider. In  
 2078 order to avoid the duplicative reporting of seasonal and  
 2079 temporary agricultural employees, fees applicable to owners or  
 2080 operators of agricultural facilities, which are eligible for the  
 2081 "routine agricultural use" reporting exemption provided in ss.  
 2082 311 and 312 of EPCRA, shall be based on employee data which most  
 2083 closely reflects such owner or operator's permanent nonseasonal  
 2084 workforce. The division shall establish by rule the date by  
 2085 which the fee is to be paid, as well as a formula or method of  
 2086 determining the applicable fee under this subsection without  
 2087 regard to the number of facilities under common ownership or  
 2088 control. The division may require owners or operators of  
 2089 multiple facilities to demonstrate common ownership or control  
 2090 for purposes of this subsection.

2091 Section 63. Paragraph (a) of subsection (21) of section  
 2092 253.025, Florida Statutes, is amended to read:

2093 253.025 Acquisition of state lands.—

2094 (21) (a) The board of trustees may acquire, pursuant to s.  
 2095 288.980 (2) (b), nonconservation lands from the annual list  
 2096 submitted by the Department of Commerce ~~Economic Opportunity~~ for  
 2097 the purpose of buffering a military installation against  
 2098 encroachment.

2099 Section 64. Paragraph (b) of subsection (1) of section  
 2100 255.099, Florida Statutes, is amended to read:

2101 255.099 Preference to state residents.—

2102 (1) Each contract for construction that is funded by state  
 2103 funds must contain a provision requiring the contractor to give  
 2104 preference to the employment of state residents in the  
 2105 performance of the work on the project if state residents have  
 2106 substantially equal qualifications to those of nonresidents. A  
 2107 contract for construction funded by local funds may contain such  
 2108 a provision.

2109 (b) A contractor required to employ state residents must  
 2110 contact the Department of Commerce ~~Economic Opportunity~~ to post  
 2111 the contractor's employment needs in the state's job bank  
 2112 system.

2113 Section 65. Paragraph (b) of subsection (3), paragraph (b)  
 2114 of subsection (4), subsection (6), paragraph (a) of subsection  
 2115 (7), and paragraph (c) of subsection (9) of section 258.501,  
 2116 Florida Statutes, are amended to read:

2117 258.501 Myakka River; wild and scenic segment.—

2118 (3) DEFINITIONS.—As used in this section, the term:

2119 (b) "Agreement" means the interagency operating agreement  
 2120 between the department, the Department of Commerce ~~Economic~~  
 2121 ~~Opportunity~~, and Sarasota County or the City of North Port.

2122 (4) DESIGNATION OF WILD AND SCENIC RIVER.—

2123 (b) The governments of Sarasota County and the City of  
 2124 North Port shall manage the Myakka River wild and scenic  
 2125 protection zone under their existing authorities for

2126 comprehensive planning, the regulation of land development  
 2127 activities, and other necessary or appropriate ordinances and in  
 2128 conformance with this section, the management plan required  
 2129 under subsection (5), and the agreements adopted by the  
 2130 department and the Department of Commerce ~~Economic Opportunity~~  
 2131 with the city and county pursuant to this section.

2132 (6) AMENDMENT OF REGULATIONS AND COMPREHENSIVE PLANS.—

2133 (a) Sarasota County and the City of North Port shall amend  
 2134 their comprehensive plans so that the parts of such plans that  
 2135 affect the wild and scenic protection zone conform to, or are  
 2136 more stringent than, this section, the river management plan,  
 2137 and management guidelines and performance standards to be  
 2138 developed and contained within agreements to be adopted by the  
 2139 department, the Department of Commerce ~~Economic Opportunity~~, and  
 2140 the city and county. The guidelines and performance standards  
 2141 must be used by the department and the Department of Commerce  
 2142 ~~Economic Opportunity~~ to review and monitor the regulation of  
 2143 activities by the city and county in the wild and scenic  
 2144 protection zone. Amendments to those comprehensive plans must  
 2145 include specific policies and guidelines for minimizing adverse  
 2146 impacts on resources in the river area and for managing the wild  
 2147 and scenic protection zone in conformance with this section, the  
 2148 river management plan, and the agreement. Such comprehensive  
 2149 plans must be amended within 1 year after the adoption date of  
 2150 the agreement, and thereafter, within 6 months following an

2151 amendment to this section, the river management plan, or the  
 2152 agreement, as may be necessary. For the purposes established in  
 2153 this subsection, such amendments need not conform to statutory  
 2154 or local ordinance limitations on the frequency of consideration  
 2155 of amendments to local comprehensive plans.

2156 (b) Sarasota County and the City of North Port shall adopt  
 2157 or amend, within 1 year after the department and the Department  
 2158 of Commerce ~~Economic Opportunity~~ adopt with the city and with  
 2159 the county agreements for regulating activities in the wild and  
 2160 scenic protection zone, any necessary ordinances and land  
 2161 development regulations so that those ordinances and regulations  
 2162 conform to the purposes of this section, the river management  
 2163 plan, and the agreement. Thereafter, following any amendment to  
 2164 this section, the river management plan, or the agreement, the  
 2165 city and county must amend or adopt, within 1 year, appropriate  
 2166 ordinances and land development regulations to maintain such  
 2167 local ordinances and regulations in conformance with this  
 2168 section, the river management plan, and the agreement. Those  
 2169 ordinances and regulations must provide that activities must be  
 2170 prohibited, or must undergo review and either be denied or  
 2171 permitted with or without conditions, so as to minimize  
 2172 potential adverse physical and visual impacts on resource values  
 2173 in the river area and to minimize adverse impacts on private  
 2174 landowners' use of land for residential purposes. The resource  
 2175 values of concern are those identified in this section and by

2176 the coordinating council in the river management plan.  
 2177 Activities which may be prohibited, subject to the agreement,  
 2178 include, but are not limited to, landfills, clear cuttings,  
 2179 major new infrastructure facilities, major activities that would  
 2180 alter historic water or flood flows, multifamily residential  
 2181 construction, commercial and industrial development, and mining  
 2182 and major excavations. However, appurtenant structures for these  
 2183 activities may be permitted if such structures do not have  
 2184 adverse visual or measurable adverse environmental impacts to  
 2185 resource values in the river area.

2186 (c) If the Department of Commerce ~~Economic Opportunity~~  
 2187 determines that the local comprehensive plan or land development  
 2188 regulations, as amended or supplemented by the local government,  
 2189 are not in conformance with the purposes of this section, the  
 2190 river management plan, and the agreement, the Department of  
 2191 Commerce ~~Economic Opportunity~~ shall issue a notice of intent to  
 2192 find the plan not in compliance and such plan shall be subject  
 2193 to the administrative proceedings in accordance with s.  
 2194 163.3184.

2195 (7) MANAGEMENT COORDINATING COUNCIL.—

2196 (a) Upon designation, the department shall create a  
 2197 permanent council to provide interagency and intergovernmental  
 2198 coordination in the management of the river. The coordinating  
 2199 council shall be composed of one representative appointed from  
 2200 each of the following: the department, the Department of



2201 Transportation, the Fish and Wildlife Conservation Commission,  
 2202 the Department of Commerce ~~Economic Opportunity~~, the Florida  
 2203 Forest Service of the Department of Agriculture and Consumer  
 2204 Services, the Division of Historical Resources of the Department  
 2205 of State, the Tampa Bay Regional Planning Council, the Southwest  
 2206 Florida Water Management District, the Southwest Florida  
 2207 Regional Planning Council, Manatee County, Sarasota County,  
 2208 Charlotte County, the City of Sarasota, the City of North Port,  
 2209 agricultural interests, environmental organizations, and any  
 2210 others deemed advisable by the department.

2211 (9) RULEMAKING AUTHORITY.—

2212 (c) The department and the Department of Commerce ~~Economic~~  
 2213 ~~Opportunity~~ must enter into agreements with the City of North  
 2214 Port and Sarasota County which provide for guiding and  
 2215 monitoring the regulation of activities by the city and county,  
 2216 in accordance with subsection (6). Such agreements shall include  
 2217 guidelines and performance standards for regulating proposed  
 2218 activities so as to minimize adverse environmental and visual  
 2219 impacts of such activities on the resource values in the river  
 2220 area, and to minimize adverse impacts to landowners' use of land  
 2221 for residential purposes.

2222 Section 66. Subsection (3) of section 259.042, Florida  
 2223 Statutes, is amended to read:

2224 259.042 Tax increment financing for conservation lands.—

2225 (3) The governing body of the jurisdiction that will

2226 administer the separate reserve account shall provide  
 2227 documentation to the Department of Commerce ~~Economic Opportunity~~  
 2228 identifying the boundary of the tax increment area. The  
 2229 department shall determine whether the boundary is appropriate  
 2230 in that property owners within the boundary will receive a  
 2231 benefit from the proposed purchase of identified conservation  
 2232 lands. The department must issue a letter of approval stating  
 2233 that the establishment of the tax increment area and the  
 2234 proposed purchases would benefit property owners within the  
 2235 boundary and serve a public purpose before any tax increment  
 2236 funds are deposited into the separate reserve account. If the  
 2237 department fails to provide the required letter within 90 days  
 2238 after receiving sufficient documentation of the boundary, the  
 2239 establishment of the area and the proposed purchases are deemed  
 2240 to provide such benefit and serve a public purpose.

2241 Section 67. Paragraph (b) of subsection (4) of section  
 2242 267.0625, Florida Statutes, is amended to read:

2243 267.0625 Abrogation of offensive and derogatory geographic  
 2244 place names.—

2245 (4) The division shall:

2246 (b) Notify the Department of Transportation, the  
 2247 Department of Commerce ~~Economic Opportunity~~, the Department of  
 2248 Management Services, and any other entity that compiles  
 2249 information for or develops maps or markers for the state of the  
 2250 name change so that it may be reflected on subsequent editions

2251 of any maps, informational literature, or markers produced by  
 2252 those entities.

2253 Section 68. Subsection (2) of section 288.005, Florida  
 2254 Statutes, is amended to read:

2255 288.005 Definitions.—As used in this chapter, the term:

2256 (2) "Department" means the Department of Commerce ~~Economic~~  
 2257 ~~Opportunity~~.

2258 Section 69. Subsection (3), paragraph (a) of subsection  
 2259 (5), and subsection (6) of section 288.061, Florida Statutes,  
 2260 are amended to read:

2261 288.061 Economic development incentive application  
 2262 process.—

2263 (3) Within 10 business days after the department receives  
 2264 the submitted economic development incentive application, the  
 2265 Secretary of Commerce ~~Economic Opportunity~~ shall approve or  
 2266 disapprove the application and issue a letter of certification  
 2267 to the applicant which includes a justification of that  
 2268 decision, unless the business requests an extension of that  
 2269 time.

2270 (a) The contract or agreement with the applicant must  
 2271 specify the total amount of the award, the performance  
 2272 conditions that must be met to obtain the award, the schedule  
 2273 for payment, and sanctions that would apply for failure to meet  
 2274 performance conditions. The department may enter into one  
 2275 agreement or contract covering all of the state incentives that

2276 are being provided to the applicant. The contract must provide  
 2277 that release of funds is contingent upon sufficient  
 2278 appropriation of funds by the Legislature.

2279 (b) The release of funds for the incentive or incentives  
 2280 awarded to the applicant depends upon the statutory requirements  
 2281 of the particular incentive program.

2282 (5)(a) The Secretary of Commerce ~~Economic Opportunity~~ may  
 2283 not approve an economic development incentive application unless  
 2284 the application includes a signed written declaration by the  
 2285 applicant which states that the applicant has read the  
 2286 information in the application and that the information is true,  
 2287 correct, and complete to the best of the applicant's knowledge  
 2288 and belief.

2289 (6) ~~Beginning July 1, 2020,~~ The Secretary of Commerce  
 2290 ~~Economic Opportunity~~ may not approve an economic development  
 2291 incentive application unless the application includes proof to  
 2292 the department that the applicant business is registered with  
 2293 and uses the E-Verify system, as defined in s. 448.095, to  
 2294 verify the work authorization status of all newly hired  
 2295 employees. If the department determines that an awardee is not  
 2296 complying with this subsection, the department must notify the  
 2297 awardee by certified mail of the department's determination of  
 2298 noncompliance and the awardee's right to appeal the  
 2299 determination. Upon a final determination of noncompliance, the  
 2300 awardee must repay all moneys received as an economic

2301 development incentive to the department within 30 days after the  
 2302 final determination.

2303 Section 70. Paragraph (a) of subsection (1) of section  
 2304 288.075, Florida Statutes, is amended to read:

2305 288.075 Confidentiality of records.—

2306 (1) DEFINITIONS.—As used in this section, the term:

2307 (a) "Economic development agency" means:

2308 1. The Department of Commerce ~~Economic Opportunity~~;

2309 2. Any industrial development authority created in  
 2310 accordance with part III of chapter 159 or by special law;

2311 3. Space Florida created in part II of chapter 331;

2312 4. The public economic development agency of a county or  
 2313 municipality or, if the county or municipality does not have a  
 2314 public economic development agency, the county or municipal  
 2315 officers or employees assigned the duty to promote the general  
 2316 business interests or industrial interests of that county or  
 2317 municipality or the responsibilities related thereto;

2318 5. Any research and development authority created in  
 2319 accordance with part V of chapter 159; or

2320 6. Any private agency, person, partnership, corporation,  
 2321 or business entity when authorized by the state, a municipality,  
 2322 or a county to promote the general business interests or  
 2323 industrial interests of the state or that municipality or  
 2324 county.

2325 Section 71. Subsection (1) of section 288.1201, Florida

2326 Statutes, is amended to read:  
 2327       288.1201 State Economic Enhancement and Development Trust  
 2328 Fund.—  
 2329       (1) There is created within the Department of Commerce  
 2330 ~~Economic Opportunity~~ the State Economic Enhancement and  
 2331 Development Trust Fund. Moneys deposited in the trust fund shall  
 2332 be used for infrastructure and job creation opportunities and  
 2333 for the following purposes or programs:  
 2334       (a) Transportation facilities that meet a strategic and  
 2335 essential state interest with respect to the economic  
 2336 development of the state;  
 2337       (b) Affordable housing programs and projects in accordance  
 2338 with chapter 420;  
 2339       (c) Economic development incentives for job creation and  
 2340 capital investment;  
 2341       (d) Workforce training associated with locating a new  
 2342 business or expanding an existing business; and  
 2343       (e) Tourism promotion and marketing services, functions,  
 2344 and programs.  
 2345       Section 72. Subsection (11) of section 288.1226, Florida  
 2346 Statutes, is amended to read:  
 2347       288.1226 Florida Tourism Industry Marketing Corporation;  
 2348 use of property; board of directors; duties; audit.—  
 2349       (11) PROPOSED OPERATING BUDGET SUBMISSION.—By August 15 of  
 2350 each fiscal year, the Department of Commerce ~~Economic~~

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2351 ~~Opportunity~~ shall submit a proposed operating budget for the  
 2352 corporation including amounts to be expended on advertising,  
 2353 marketing, promotions, events, other operating capital outlay,  
 2354 and salaries and benefits for each employee to the Governor, the  
 2355 President of the Senate, and the Speaker of the House of  
 2356 Representatives.

2357 Section 73. Subsection (2) of section 288.8012, Florida  
 2358 Statutes, is amended to read:

2359 288.8012 Definitions.—As used in ss. 288.8011–288.8018,  
 2360 the term:

2361 (2) "Department" means the Department of Commerce ~~Economic~~  
 2362 ~~Opportunity~~.

2363 Section 74. Subsection (8) of section 288.8014, Florida  
 2364 Statutes, is amended to read:

2365 288.8014 Triumph Gulf Coast, Inc.; organization; board of  
 2366 directors.—

2367 (8) The Secretary of Commerce ~~Economic Opportunity~~, or his  
 2368 or her designee, the Secretary of Environmental Protection, or  
 2369 his or her designee, and the chair of the Committee of 8  
 2370 Disproportionally Affected Counties, or his or her designee,  
 2371 shall be available to consult with the board of directors and  
 2372 may be requested to attend meetings of the board of directors.  
 2373 These individuals shall not be permitted to vote on any matter  
 2374 before the board.

2375 Section 75. Subsection (2) of section 288.9604, Florida

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2376 Statutes, is amended to read:  
 2377       288.9604 Creation of the corporation.—  
 2378       (2) The board of directors of the corporation shall  
 2379 consist of seven directors. The Secretary of Commerce ~~Economic~~  
 2380 ~~Opportunity~~, or his or her designee, shall serve as chair of the  
 2381 board of directors of the corporation. The director of the  
 2382 Division of Bond Finance of the State Board of Administration,  
 2383 or his or her designee, shall serve as a director on the board  
 2384 of directors of the corporation. The Governor, subject to  
 2385 confirmation by the Senate, shall appoint the remaining five  
 2386 directors of the board of directors of the corporation. The  
 2387 terms of office for the appointed directors are for 4 years  
 2388 after the date of their appointment. A vacancy occurring during  
 2389 a term of an appointed director shall be filled for the  
 2390 unexpired term. An appointed director is eligible for  
 2391 reappointment. At least three of the appointed directors of the  
 2392 corporation must have experience in finance, and one of the  
 2393 directors must have experience in economic development.  
 2394       Section 76. Section 288.9610, Florida Statutes, is amended  
 2395 to read:  
 2396       288.9610 Annual reports of Florida Development Finance  
 2397 Corporation.—On or before 90 days after the close of the Florida  
 2398 Development Finance Corporation's fiscal year, the corporation  
 2399 shall submit to the Governor, the Legislature, the Auditor  
 2400 General, the Department of Commerce ~~Economic Opportunity~~, and



2401 the governing body of each public entity for which the  
 2402 corporation issues revenue bonds pursuant to s. 288.9606 or with  
 2403 which it has entered into an interlocal agreement a complete and  
 2404 detailed report setting forth:

2405 (1) The results of any audit conducted under s. 11.45.

2406 (2) The activities, operations, and accomplishments of the  
 2407 Florida Development Finance Corporation, including the number of  
 2408 businesses assisted by the corporation.

2409 (3) Its assets, liabilities, income, and operating  
 2410 expenses at the end of its most recent fiscal year, including a  
 2411 description of all of its outstanding revenue bonds.

2412 Section 77. Subsection (5) of section 288.987, Florida  
 2413 Statutes, is amended to read:

2414 288.987 Florida Defense Support Task Force.—

2415 (5) The Secretary of Commerce ~~Economic Opportunity~~, or his  
 2416 or her designee, shall serve as the ex officio, nonvoting  
 2417 executive director of the task force.

2418 Section 78. Paragraph (b) of subsection (2) of section  
 2419 288.9961, Florida Statutes, is amended to read:

2420 288.9961 Promotion of broadband adoption; Florida Office  
 2421 of Broadband.—

2422 (2) DEFINITIONS.—As used in this section, the term:

2423 (b) "Department" means the Department of Commerce ~~Economic~~  
 2424 ~~Opportunity~~.

2425 Section 79. Subsection (2) of section 290.004, Florida

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2426 Statutes, is amended to read:

2427 290.004 Definitions relating to Florida Enterprise Zone  
2428 Act.—As used in ss. 290.001-290.016:

2429 (2) "Department" means the Department of Commerce ~~Economic~~  
2430 ~~Opportunity~~.

2431 Section 80. Paragraph (a) of subsection (6) of section  
2432 290.0065, Florida Statutes, is amended to read:

2433 290.0065 State designation of enterprise zones.—

2434 (6)(a) The department may develop guidelines necessary for  
2435 the approval of areas under this section by the Secretary of  
2436 Commerce ~~Economic Opportunity~~.

2437 Section 81. Section 290.00729, Florida Statutes, is  
2438 amended to read:

2439 290.00729 Enterprise zone designation for Charlotte  
2440 County.—Charlotte County may apply to the Department of Commerce  
2441 ~~Economic Opportunity~~ for designation of one enterprise zone  
2442 encompassing an area not to exceed 20 square miles within  
2443 Charlotte County. Notwithstanding s. 290.0065 limiting the total  
2444 number of enterprise zones designated and the number of  
2445 enterprise zones within a population category, the department  
2446 may designate one enterprise zone under this section. The  
2447 department shall establish the initial effective date of the  
2448 enterprise zone designated under this section.

2449 Section 82. Subsection (3) of section 290.042, Florida  
2450 Statutes, is amended to read:

2451 290.042 Definitions relating to Florida Small Cities  
 2452 Community Development Block Grant Program Act.—As used in ss.  
 2453 290.0401-290.048, the term:

2454 (3) "Department" means the Department of Commerce ~~Economic~~  
 2455 ~~Opportunity~~.

2456 Section 83. Subsection (4) of section 290.0455, Florida  
 2457 Statutes, is amended to read:

2458 290.0455 Small Cities Community Development Block Grant  
 2459 Loan Guarantee Program; Section 108 loan guarantees.—

2460 (4) An applicant approved by the United States Department  
 2461 of Housing and Urban Development to receive a Section 108 loan  
 2462 shall enter into an agreement with the Department of Commerce  
 2463 ~~Economic Opportunity~~ which requires the applicant to pledge half  
 2464 of the amount necessary to guarantee the loan in the event of  
 2465 default.

2466 Section 84. Paragraph (a) of subsection (2) and subsection  
 2467 (4) of section 290.0491, Florida Statutes, are amended to read:

2468 290.0491 Florida Empowerment Zones.—

2469 (2) DEFINITIONS.—As used in this section, the term:

2470 (a) "Department" means the Department of Commerce ~~Economic~~  
 2471 ~~Opportunity~~.

2472 (4) EMPOWERMENT ZONE PROGRAM.—There is created an economic  
 2473 development program to be known as the Florida Empowerment Zone  
 2474 Program. The program shall exist for 10 years and, except as  
 2475 otherwise provided by law, be operated by the Department of

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2476 Commerce Economic Opportunity in conjunction with the Federal  
 2477 Empowerment Zone Program.

2478 Section 85. Section 290.06561, Florida Statutes, is  
 2479 amended to read:

2480 290.06561 Designation of rural enterprise zone as catalyst  
 2481 site.—Notwithstanding s. 290.0065(1), the Department of Commerce  
 2482 ~~Economic Opportunity~~, upon request of the host county, shall  
 2483 designate as a rural enterprise zone any catalyst site as  
 2484 defined in s. 288.0656(2) (b) that was approved before January 1,  
 2485 2010, and that is not located in an existing rural enterprise  
 2486 zone. The request from the host county must include the legal  
 2487 description of the catalyst site and the name and contact  
 2488 information for the county development authority responsible for  
 2489 managing the catalyst site. The designation shall provide  
 2490 businesses locating within the catalyst site the same  
 2491 eligibility for economic incentives and other benefits of a  
 2492 rural enterprise zone designated under s. 290.0065. The  
 2493 reporting criteria for a catalyst site designated as a rural  
 2494 enterprise zone under this section are the same as for other  
 2495 rural enterprise zones. Host county development authorities may  
 2496 enter into memoranda of agreement, as necessary, to coordinate  
 2497 their efforts to implement this section.

2498 Section 86. Subsection (2) of section 311.07, Florida  
 2499 Statutes, is amended to read:

2500 311.07 Florida seaport transportation and economic

2501 development funding.—

2502 (2) A minimum of \$25 million per year shall be made  
 2503 available from the State Transportation Trust Fund to fund the  
 2504 Florida Seaport Transportation and Economic Development Program.  
 2505 The Florida Seaport Transportation and Economic Development  
 2506 Council created in s. 311.09 shall develop guidelines for  
 2507 project funding. Council staff, the Department of  
 2508 Transportation, and the Department of Commerce ~~Economic~~  
 2509 ~~Opportunity~~ shall work in cooperation to review projects and  
 2510 allocate funds in accordance with the schedule required for the  
 2511 Department of Transportation to include these projects in the  
 2512 tentative work program developed pursuant to s. 339.135(4).

2513 Section 87. Subsections (1), (3), (5), (7), (8), and (10)  
 2514 of section 311.09, Florida Statutes, are amended to read:

2515 311.09 Florida Seaport Transportation and Economic  
 2516 Development Council.—

2517 (1) The Florida Seaport Transportation and Economic  
 2518 Development Council is created within the Department of  
 2519 Transportation. The council consists of the following 18  
 2520 members: the port director, or the port director's designee, of  
 2521 each of the ports of Jacksonville, Port Canaveral, Port Citrus,  
 2522 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,  
 2523 St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,  
 2524 Pensacola, Key West, and Fernandina; the secretary of the  
 2525 Department of Transportation or his or her designee; and the

2526 secretary of the Department of Commerce ~~Economic Opportunity~~ or  
 2527 his or her designee.

2528 (3) The council shall prepare a 5-year Florida Seaport  
 2529 Mission Plan defining the goals and objectives of the council  
 2530 concerning the development of port facilities and an intermodal  
 2531 transportation system consistent with the goals of the Florida  
 2532 Transportation Plan developed pursuant to s. 339.155. The  
 2533 Florida Seaport Mission Plan shall include specific  
 2534 recommendations for the construction of transportation  
 2535 facilities connecting any port to another transportation mode  
 2536 and for the efficient, cost-effective development of  
 2537 transportation facilities or port facilities for the purpose of  
 2538 enhancing trade, promoting cargo flow, increasing cruise  
 2539 passenger movements, increasing port revenues, and providing  
 2540 economic benefits to the state. The council shall develop a  
 2541 priority list of projects based on these recommendations  
 2542 annually and submit the list to the Department of  
 2543 Transportation. The council shall update the 5-year Florida  
 2544 Seaport Mission Plan annually and shall submit the plan no later  
 2545 than February 1 of each year to the President of the Senate, the  
 2546 Speaker of the House of Representatives, the Department of  
 2547 Commerce ~~Economic Opportunity~~, and the Department of  
 2548 Transportation. The council shall develop programs, based on an  
 2549 examination of existing programs in Florida and other states,  
 2550 for the training of minorities and secondary school students in

2551 | job skills associated with employment opportunities in the  
 2552 | maritime industry, and report on progress and recommendations  
 2553 | for further action to the President of the Senate and the  
 2554 | Speaker of the House of Representatives annually.

2555 |         (5) The council shall review and approve or disapprove  
 2556 | each project eligible to be funded pursuant to the Florida  
 2557 | Seaport Transportation and Economic Development Program. The  
 2558 | council shall annually submit to the Secretary of Transportation  
 2559 | and the executive director of the Department of Commerce  
 2560 | ~~Economic Opportunity~~, or his or her designee, a list of projects  
 2561 | which have been approved by the council. The list shall specify  
 2562 | the recommended funding level for each project; and, if staged  
 2563 | implementation of the project is appropriate, the funding  
 2564 | requirements for each stage shall be specified.

2565 |         (7) The Department of Commerce ~~Economic Opportunity~~ shall  
 2566 | review the list of project applications approved by the council  
 2567 | to evaluate the economic benefit of the project and to determine  
 2568 | whether the project is consistent with the Florida Seaport  
 2569 | Mission Plan and with state economic development goals and  
 2570 | policies. The Department of Commerce ~~Economic Opportunity~~ shall  
 2571 | review the proposed project's consistency with state, regional,  
 2572 | and local plans, as appropriate, and the economic benefits of  
 2573 | each project based upon the rules adopted pursuant to subsection  
 2574 | (4). The Department of Commerce ~~Economic Opportunity~~ shall  
 2575 | identify those projects that it has determined do not offer an

2576 economic benefit to the state, are not consistent with an  
 2577 appropriate plan, or are not consistent with the Florida Seaport  
 2578 Mission Plan or state economic development goals and policies  
 2579 and shall notify the council of its findings.

2580 (8) The council shall review the findings of the  
 2581 Department of Commerce ~~Economic Opportunity~~ and the Department  
 2582 of Transportation. Projects found to be inconsistent pursuant to  
 2583 subsection (6) or subsection (7) or projects that have been  
 2584 determined not to offer an economic benefit to the state  
 2585 pursuant to subsection (7) may not be included in the list of  
 2586 projects to be funded.

2587 (10) The council shall meet at the call of its  
 2588 chairperson, at the request of a majority of its membership, or  
 2589 at such times as may be prescribed in its bylaws. However, the  
 2590 council must meet at least semiannually. A majority of voting  
 2591 members of the council constitutes a quorum for the purpose of  
 2592 transacting the business of the council. All members of the  
 2593 council are voting members. A vote of the majority of the voting  
 2594 members present is sufficient for any action of the council,  
 2595 except that a member representing the Department of  
 2596 Transportation or the Department of Commerce ~~Economic~~  
 2597 ~~Opportunity~~ may vote to overrule any action of the council  
 2598 approving a project pursuant to subsection (5). The bylaws of  
 2599 the council may require a greater vote for a particular action.

2600 Section 88. Subsection (2) of section 311.10, Florida



2601 Statutes, is amended to read:

2602 311.10 Strategic Port Investment Initiative.—

2603 (2) Prior to making final project allocations, the  
 2604 Department of Transportation shall schedule a publicly noticed  
 2605 workshop with the Department of Commerce ~~Economic Opportunity~~  
 2606 and the deepwater ports listed in s. 311.09 to review the  
 2607 proposed projects. After considering the comments received, the  
 2608 Department of Transportation shall finalize a prioritized list  
 2609 of potential projects.

2610 Section 89. Subsection (4) of section 311.101, Florida  
 2611 Statutes, is amended to read:

2612 311.101 Intermodal Logistics Center Infrastructure Support  
 2613 Program.—

2614 (4) The department shall coordinate and consult with the  
 2615 Department of Commerce ~~Economic Opportunity~~ in the selection of  
 2616 projects to be funded by this program.

2617 Section 90. Paragraph (b) of subsection (1) of section  
 2618 311.105, Florida Statutes, is amended to read:

2619 311.105 Florida Seaport Environmental Management  
 2620 Committee; permitting; mitigation.—

2621 (1)

2622 (b) The committee shall consist of the following members:  
 2623 the Secretary of Environmental Protection, or his or her  
 2624 designee, as an ex officio, nonvoting member; a designee from  
 2625 the United States Army Corps of Engineers, as an ex officio,

2626 nonvoting member; a designee from the Florida Inland Navigation  
 2627 District, as an ex officio, nonvoting member; the Secretary of  
 2628 Commerce Economic Opportunity, or his or her designee, as an ex  
 2629 officio, nonvoting member; and five or more port directors, as  
 2630 voting members, appointed to the committee by the council chair,  
 2631 who shall also designate one such member as committee chair.

2632 Section 91. Section 311.11, Florida Statutes, is amended  
 2633 to read:

2634 311.11 Seaport Employment Training Grant Program.—

2635 (1) The Department of Commerce Economic Opportunity, in  
 2636 cooperation with the Florida Seaport Transportation and Economic  
 2637 Development Council, shall establish a Seaport Employment  
 2638 Training Grant Program within the Department of Commerce  
 2639 ~~Economic Opportunity~~. The Department of Commerce Economic  
 2640 ~~Opportunity~~ shall grant funds appropriated by the Legislature to  
 2641 the program for the purpose of stimulating and supporting  
 2642 seaport training and employment programs which will seek to  
 2643 match state and local training programs with identified job  
 2644 skills associated with employment opportunities in the port,  
 2645 maritime, and transportation industries, and for the purpose of  
 2646 providing such other training, educational, and information  
 2647 services as required to stimulate jobs in the described  
 2648 industries. Funds may be used for the purchase of equipment to  
 2649 be used for training purposes, hiring instructors, and any other  
 2650 purpose associated with the training program. The contribution

2651 of the Department of Commerce ~~Economic Opportunity~~ to any  
 2652 specific training program may not exceed 50 percent of the total  
 2653 cost of the program. Matching contributions may include services  
 2654 in kind, including, but not limited to, training instructors,  
 2655 equipment usage, and training facilities.

2656 (2) The Department of Commerce ~~Economic Opportunity~~ shall  
 2657 adopt criteria to implement this section.

2658 Section 92. Subsection (2) of section 311.22, Florida  
 2659 Statutes, is amended to read:

2660 311.22 Additional authorization for funding certain  
 2661 dredging projects.—

2662 (2) The council shall adopt rules for evaluating the  
 2663 projects that may be funded pursuant to this section. The rules  
 2664 must provide criteria for evaluating the economic benefit of the  
 2665 project. The rules must include the creation of an  
 2666 administrative review process by the council which is similar to  
 2667 the process described in s. 311.09(5)-(11), and provide for a  
 2668 review by the Department of Transportation and the Department of  
 2669 Commerce ~~Economic Opportunity~~ of all projects submitted for  
 2670 funding under this section.

2671 Section 93. Paragraph (b) of subsection (58) of section  
 2672 320.08058, Florida Statutes, is amended to read:

2673 320.08058 Specialty license plates.—

2674 (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

2675 (b) The annual use fees shall be distributed to the

2676 Wildlife Foundation of Florida, Inc., a citizen support  
 2677 organization created pursuant to s. 379.223, which shall  
 2678 administer the fees as follows:

2679 1. Wildlife Foundation of Florida, Inc., shall retain the  
 2680 first \$60,000 of the annual use fees as direct reimbursement for  
 2681 administrative costs, startup costs, and costs incurred in the  
 2682 development and approval process.

2683 2. Thereafter, a maximum of 10 percent of the fees may be  
 2684 used for administrative costs directly associated with education  
 2685 programs, conservation, springs research, and grant  
 2686 administration of the foundation. A maximum of 15 percent of the  
 2687 fees may be used for continuing promotion and marketing of the  
 2688 license plate.

2689 3. At least 55 percent of the fees shall be available for  
 2690 competitive grants for targeted community-based springs research  
 2691 not currently available for state funding. The remaining 20  
 2692 percent shall be directed toward community outreach programs  
 2693 aimed at implementing such research findings. The competitive  
 2694 grants shall be administered and approved by the board of  
 2695 directors of the Wildlife Foundation of Florida. The granting  
 2696 advisory committee shall be composed of nine members, including  
 2697 one representative from the Fish and Wildlife Conservation  
 2698 Commission, one representative from the Department of  
 2699 Environmental Protection, one representative from the Department  
 2700 of Health, one representative from the Department of Commerce

2701 ~~Economic Opportunity~~, three citizen representatives, and two  
 2702 representatives from nonprofit stakeholder groups.

2703 4. The remaining funds shall be distributed with the  
 2704 approval of and accountability to the board of directors of the  
 2705 Wildlife Foundation of Florida, and shall be used to support  
 2706 activities contributing to education, outreach, and springs  
 2707 conservation.

2708 Section 94. Paragraph (k) of subsection (4) of section  
 2709 322.142, Florida Statutes, is amended to read:

2710 322.142 Color photographic or digital imaged licenses.—

2711 (4) The department may maintain a film negative or print  
 2712 file. The department shall maintain a record of the digital  
 2713 image and signature of the licensees, together with other data  
 2714 required by the department for identification and retrieval.  
 2715 Reproductions from the file or digital record are exempt from  
 2716 the provisions of s. 119.07(1) and may be made and issued only:

2717 (k) To the Department of Commerce ~~Economic Opportunity~~  
 2718 pursuant to an interagency agreement to facilitate the  
 2719 validation of reemployment assistance claims and the  
 2720 identification of fraudulent or false reemployment assistance  
 2721 claims;

2722 Section 95. Subsection (3) of section 327.803, Florida  
 2723 Statutes, is amended to read:

2724 327.803 Boating Advisory Council.—

2725 (3) The purpose of the council is to make recommendations

2726 to the Fish and Wildlife Conservation Commission and the  
 2727 Department of Commerce ~~Economic Opportunity~~ regarding issues  
 2728 affecting the boating community, including, but not limited to,  
 2729 issues related to:

- 2730 (a) Boating and diving safety education.
- 2731 (b) Boating-related facilities, including marinas and boat  
 2732 testing facilities.
- 2733 (c) Boat usage.
- 2734 (d) Boat access.
- 2735 (e) Working waterfronts.

2736 Section 96. Subsections (2), (3), (6), (13), and (15) of  
 2737 section 331.3051, Florida Statutes, are amended to read:

2738 331.3051 Duties of Space Florida.—Space Florida shall:

2739 (2) Enter into agreement with the Department of Education,  
 2740 the Department of Transportation, the Department of Commerce  
 2741 ~~Economic Opportunity~~, and CareerSource Florida, Inc., for the  
 2742 purpose of implementing this act.

2743 (3) In cooperation with the Department of Commerce  
 2744 ~~Economic Opportunity~~, develop a plan to retain, expand, attract,  
 2745 and create aerospace industry entities, public or private, which  
 2746 results in the creation of high-value-added businesses and jobs  
 2747 in this state.

2748 (6) Develop, in cooperation with the Department of  
 2749 Commerce ~~Economic Opportunity~~, a plan to provide financing  
 2750 assistance to aerospace businesses. The plan may include the

2751 following activities:

2752 (a) Assembling, publishing, and disseminating information  
 2753 concerning financing opportunities and techniques for aerospace  
 2754 projects, programs, and activities; sources of public and  
 2755 private aerospace financing assistance; and sources of  
 2756 aerospace-related financing.

2757 (b) Organizing, hosting, and participating in seminars and  
 2758 other forums designed to disseminate information and technical  
 2759 assistance regarding aerospace-related financing.

2760 (c) Coordinating with programs and goals of the Department  
 2761 of Defense, the National Aeronautics and Space Administration,  
 2762 the Export-Import Bank of the United States, the International  
 2763 Trade Administration of the United States Department of  
 2764 Commerce, the Foreign Credit Insurance Association, and other  
 2765 private and public programs and organizations, domestic and  
 2766 foreign.

2767 (d) Establishing a network of contacts among those  
 2768 domestic and foreign public and private organizations that  
 2769 provide information, technical assistance, and financial support  
 2770 to the aerospace industry.

2771 (e) Financing aerospace business development projects or  
 2772 initiatives using funds provided by the Legislature.

2773 (13) Partner with the Division of Workforce Services of  
 2774 the Department of Commerce ~~Economic Opportunity~~, CareerSource  
 2775 Florida, Inc., and local workforce development boards to support

2776 initiatives that address the high technology skills and staff  
 2777 resources needed to better promote the state's efforts in  
 2778 becoming the nation's leader in aerospace and space exploration.

2779 (15) By October 1, 2023, and each year thereafter, submit  
 2780 to the Department of Commerce ~~Economic Opportunity~~ for inclusion  
 2781 in the annual report required under s. 20.60 a complete and  
 2782 detailed written report setting forth:

2783 (a) Its operations and accomplishments during the fiscal  
 2784 year.

2785 (b) Accomplishments and progress concerning the  
 2786 implementation of the spaceport master plan and other measurable  
 2787 goals, and any updates to such plan and measurable goals.

2788 (c) Any other information required by the Department of  
 2789 Commerce ~~Economic Opportunity~~.

2790 Section 97. Subsection (6) of section 331.3081, Florida  
 2791 Statutes, is amended to read:

2792 331.3081 Board of directors.—

2793 (6) The board shall conduct education for newly appointed  
 2794 board members as provided by the Department of Commerce ~~Economic~~  
 2795 ~~Opportunity~~ in accordance with s. 189.063.

2796 Section 98. Paragraphs (b) and (c) of subsection (2) of  
 2797 section 331.324, Florida Statutes, are amended to read:

2798 331.324 Contracts, grants, and contributions.—

2799 (2)

2800 (b) A final assessment report shall be submitted to the



2801 Space Florida board of directors and the Secretary of Commerce  
 2802 ~~Economic Opportunity~~ or his or her designee. Within 30 days  
 2803 after receipt of the final assessment report, the board shall  
 2804 submit to the Department of Commerce ~~Economic Opportunity~~ a  
 2805 written statement of explanation or rebuttal concerning findings  
 2806 requiring corrective action, including corrective action to be  
 2807 taken to preclude a recurrence.

2808 (c) Beginning October 1, 2023, and every 3 years  
 2809 thereafter, Space Florida shall complete a risk-based compliance  
 2810 assessment of all internal contracts executed by Space Florida  
 2811 for the preceding 3 fiscal years. The assessment must include  
 2812 steps to reasonably ensure that contracted service  
 2813 organizations' controls relevant to services provided are  
 2814 suitably designed and operating effectively. The assessment  
 2815 findings must be submitted to the board of directors, the  
 2816 Secretary of Commerce ~~Economic Opportunity~~ or his or her  
 2817 designee, the Governor, the President of the Senate, and the  
 2818 Speaker of the House of Representatives.

2819 Section 99. Subsection (1) of section 332.115, Florida  
 2820 Statutes, is amended to read:

2821 332.115 Joint project agreement with port district for  
 2822 transportation corridor between airport and port facility.—

2823 (1) An eligible agency may acquire, construct, and operate  
 2824 all equipment, appurtenances, and land necessary to establish,  
 2825 maintain, and operate, or to license others to establish,

2826 maintain, operate, or use, a transportation corridor connecting  
 2827 an airport operated by such eligible agency with a port  
 2828 facility, which corridor must be acquired, constructed, and used  
 2829 for the transportation of persons between the airport and the  
 2830 port facility, for the transportation of cargo, and for the  
 2831 location and operation of lines for the transmission of water,  
 2832 electricity, communications, information, petroleum products,  
 2833 products of a public utility (including new technologies of a  
 2834 public utility nature), and materials. However, any such  
 2835 corridor may be established and operated only pursuant to a  
 2836 joint project agreement between an eligible agency as defined in  
 2837 s. 332.004 and a port district as defined in s. 315.02, and such  
 2838 agreement must be approved by the Department of Transportation  
 2839 and the Department of Commerce ~~Economic Opportunity~~. Before the  
 2840 Department of Transportation approves the joint project  
 2841 agreement, that department must review the public purpose and  
 2842 necessity for the corridor pursuant to s. 337.273(5) and must  
 2843 also determine that the proposed corridor is consistent with the  
 2844 Florida Transportation Plan. Before the Department of Commerce  
 2845 ~~Economic Opportunity~~ approves the joint project agreement, that  
 2846 department must determine that the proposed corridor is  
 2847 consistent with the applicable local government comprehensive  
 2848 plans. An affected local government may provide its comments  
 2849 regarding the consistency of the proposed corridor with its  
 2850 comprehensive plan to the Department of Commerce ~~Economic~~

2851 ~~Opportunity.~~

2852 Section 100. Subsection (3) of section 334.065, Florida  
 2853 Statutes, is amended to read:

2854 334.065 Center for Urban Transportation Research.—

2855 (3) An advisory board shall be created to periodically and  
 2856 objectively review and advise the center concerning its research  
 2857 program. Except for projects mandated by law, state-funded base  
 2858 projects shall not be undertaken without approval of the  
 2859 advisory board. The membership of the board shall consist of  
 2860 nine experts in transportation-related areas, including the  
 2861 secretaries of the Department of Transportation, the Department  
 2862 of Environmental Protection, and the Department of Commerce  
 2863 ~~Economic Opportunity~~, or their designees, and a member of the  
 2864 Florida Transportation Commission. The nomination of the  
 2865 remaining members of the board shall be made to the President of  
 2866 the University of South Florida by the College of Engineering at  
 2867 the University of South Florida, and the appointment of these  
 2868 members must be reviewed and approved by the Florida  
 2869 Transportation Commission and confirmed by the Board of  
 2870 Governors.

2871 Section 101. Paragraph (d) of subsection (3) of section  
 2872 334.066, Florida Statutes, is amended to read:

2873 334.066 Implementing Solutions from Transportation  
 2874 Research and Evaluating Emerging Technologies Living Lab.—

2875 (3) An advisory board shall be created to periodically

2876 review and advise I-STREET concerning its research program. The  
 2877 board shall consist of nine members with expertise in  
 2878 transportation-related areas, as follows:

2879 (d) The Secretary of Commerce ~~Economic Opportunity~~ or his  
 2880 or her designee.

2881 Section 102. Paragraph (f) of subsection (4) of section  
 2882 339.135, Florida Statutes, is amended to read:

2883 339.135 Work program; legislative budget request;  
 2884 definitions; preparation, adoption, execution, and amendment.—

2885 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

2886 (f) The central office shall submit a preliminary copy of  
 2887 the tentative work program to the Executive Office of the  
 2888 Governor, the legislative appropriations committees, the Florida  
 2889 Transportation Commission, and the Department of Commerce  
 2890 ~~Economic Opportunity~~ at least 14 days prior to the convening of  
 2891 the regular legislative session. Prior to the statewide public  
 2892 hearing required by paragraph (g), the Department of Commerce  
 2893 ~~Economic Opportunity~~ shall transmit to the Florida  
 2894 Transportation Commission a list of those projects and project  
 2895 phases contained in the tentative work program which are  
 2896 identified as being inconsistent with approved local government  
 2897 comprehensive plans. For urbanized areas of metropolitan  
 2898 planning organizations, the list may not contain any project or  
 2899 project phase that is scheduled in a transportation improvement  
 2900 program unless such inconsistency has been previously reported

2901 to the affected metropolitan planning organization.

2902 Section 103. Paragraphs (f) and (g) of subsection (8) of  
 2903 section 339.175, Florida Statutes, are amended to read:

2904 339.175 Metropolitan planning organization.—

2905 (8) TRANSPORTATION IMPROVEMENT PROGRAM.—Each M.P.O. shall,  
 2906 in cooperation with the state and affected public transportation  
 2907 operators, develop a transportation improvement program for the  
 2908 area within the jurisdiction of the M.P.O. In the development of  
 2909 the transportation improvement program, each M.P.O. must provide  
 2910 the public, affected public agencies, representatives of  
 2911 transportation agency employees, freight shippers, providers of  
 2912 freight transportation services, private providers of  
 2913 transportation, representatives of users of public transit, and  
 2914 other interested parties with a reasonable opportunity to  
 2915 comment on the proposed transportation improvement program.

2916 (f) The adopted annual transportation improvement program  
 2917 for M.P.O.'s in nonattainment or maintenance areas must be  
 2918 submitted to the district secretary and the Department of  
 2919 Commerce ~~Economic Opportunity~~ at least 90 days before the  
 2920 submission of the state transportation improvement program by  
 2921 the department to the appropriate federal agencies. The annual  
 2922 transportation improvement program for M.P.O.'s in attainment  
 2923 areas must be submitted to the district secretary and the  
 2924 Department of Commerce ~~Economic Opportunity~~ at least 45 days  
 2925 before the department submits the state transportation

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2926 improvement program to the appropriate federal agencies;  
 2927 however, the department, the Department of Commerce ~~Economic~~  
 2928 ~~Opportunity~~, and a metropolitan planning organization may, in  
 2929 writing, agree to vary this submittal date. The Governor or the  
 2930 Governor's designee shall review and approve each transportation  
 2931 improvement program and any amendments thereto.

2932 (g) The Department of Commerce ~~Economic Opportunity~~ shall  
 2933 review the annual transportation improvement program of each  
 2934 M.P.O. for consistency with the approved local government  
 2935 comprehensive plans of the units of local government whose  
 2936 boundaries are within the metropolitan area of each M.P.O. and  
 2937 shall identify those projects that are inconsistent with such  
 2938 comprehensive plans. The Department of Commerce ~~Economic~~  
 2939 ~~Opportunity~~ shall notify an M.P.O. of any transportation  
 2940 projects contained in its transportation improvement program  
 2941 which are inconsistent with the approved local government  
 2942 comprehensive plans of the units of local government whose  
 2943 boundaries are within the metropolitan area of the M.P.O.

2944 Section 104. Paragraph (b) of subsection (1) and  
 2945 subsections (2) and (6) of section 339.2821, Florida Statutes,  
 2946 are amended to read:

2947 339.2821 Economic development transportation projects.—

2948 (1)

2949 (b) As used in this section, the term:

2950 1. "Governmental body" means an instrumentality of the

2951 state or a county, municipality, district, authority, board, or  
 2952 commission, or an agency thereof, within which jurisdiction the  
 2953 transportation project is located and which is responsible to  
 2954 the department for the transportation project.

2955 2. "Transportation project" means a transportation  
 2956 facility, as defined in s. 334.03, which the department, in  
 2957 consultation with the Department of Commerce ~~Economic~~  
 2958 ~~Opportunity~~, deems necessary to facilitate the economic  
 2959 development and growth of the state.

2960 (2) The department, in consultation with the Department of  
 2961 Commerce ~~Economic Opportunity~~, shall review each transportation  
 2962 project for approval and funding. In the review, the department  
 2963 must consider:

2964 (a) The cost per job created or retained considering the  
 2965 amount of transportation funds requested;

2966 (b) The average hourly rate of wages for jobs created;

2967 (c) The reliance on any program as an inducement for  
 2968 determining the transportation project's location;

2969 (d) The amount of capital investment to be made by a  
 2970 business;

2971 (e) The demonstrated local commitment;

2972 (f) The location of the transportation project in an  
 2973 enterprise zone as designated in s. 290.0055;

2974 (g) The location of the transportation project in a  
 2975 spaceport territory as defined in s. 331.304;

- 2976 (h) The unemployment rate of the surrounding area; and
- 2977 (i) The poverty rate of the community.

2978

2979 The department may contact any agency it deems appropriate for

2980 additional information regarding the approval of a

2981 transportation project. A transportation project must be

2982 approved by the department to be eligible for funding.

2983 (6) Each governmental body receiving funds under this

2984 section shall submit to the department a financial audit of the

2985 governmental body conducted by an independent certified public

2986 accountant. The department, in consultation with the Department

2987 of Commerce ~~Economic Opportunity~~, shall develop procedures to

2988 ensure that audits are received and reviewed in a timely manner

2989 and that deficiencies or questioned costs noted in the audit are

2990 resolved.

2991 Section 105. Subsection (1) of section 342.201, Florida

2992 Statutes, is amended to read:

2993 342.201 Waterfronts Florida Program.—

2994 (1) There is established within the Department of Commerce

2995 ~~Economic Opportunity~~ the Waterfronts Florida Program to provide

2996 technical assistance and support to communities in revitalizing

2997 waterfront areas in this state.

2998 Section 106. Subsection (3) of section 369.303, Florida

2999 Statutes, is amended to read:

3000 369.303 Definitions.—As used in this part:



3001 (3) "Department" means the Department of Commerce ~~Economic~~  
 3002 ~~Opportunity~~.

3003 Section 107. Subsection (1) of section 369.318, Florida  
 3004 Statutes, is amended to read:

3005 369.318 Studies.—

3006 (1) The Department of Environmental Protection shall study  
 3007 the efficacy and applicability of water quality and wastewater  
 3008 treatment standards needed to achieve nitrogen reductions  
 3009 protective of surface and groundwater quality within the Wekiva  
 3010 Study Area and report to the Governor and the Department of  
 3011 Commerce ~~Economic Opportunity~~. The Department of Environmental  
 3012 Protection may adopt rules to implement the specific  
 3013 recommendations set forth in sections C.2. and C.4. of its  
 3014 report entitled "A Strategy for Water Quality Protection:  
 3015 Wastewater Treatment in the Wekiva Study Area," dated December  
 3016 2004, in order to achieve nitrogen reductions protective of  
 3017 surface and groundwater quality in the Wekiva Study Area and  
 3018 implement Recommendation 8 of the Wekiva River Basin  
 3019 Coordinating Committee's final report dated March 16, 2004. The  
 3020 rules shall provide an opportunity for relief from such specific  
 3021 recommendations upon affirmative demonstration by the permittee  
 3022 or permit applicant, based on water quality data, physical  
 3023 circumstances, or other credible information, that the discharge  
 3024 of treated wastewater is protective of surface water and  
 3025 groundwater quality with respect to nitrate nitrogen as set

3026 | forth in section C.1. of the referenced December 2004 report.

3027 |       Section 108. Subsections (5) and (7) of section 369.321,  
3028 | Florida Statutes, are amended to read:

3029 |       369.321 Comprehensive plan amendments.—Except as otherwise  
3030 | expressly provided, by January 1, 2006, each local government  
3031 | within the Wekiva Study Area shall amend its local government  
3032 | comprehensive plan to include the following:

3033 |       (5) Comprehensive plans and comprehensive plan amendments  
3034 | adopted by the local governments to implement this section shall  
3035 | be reviewed by the Department of Commerce ~~Economic Opportunity~~  
3036 | pursuant to s. 163.3184.

3037 |       (7) During the period prior to the adoption of the  
3038 | comprehensive plan amendments required by this act, any local  
3039 | comprehensive plan amendment adopted by a city or county that  
3040 | applies to land located within the Wekiva Study Area shall  
3041 | protect surface and groundwater resources and be reviewed by the  
3042 | Department of Commerce ~~Economic Opportunity~~ using best available  
3043 | data, including the information presented to the Wekiva River  
3044 | Basin Coordinating Committee.

3045 |       Section 109. Subsections (1) and (3) of section 369.322,  
3046 | Florida Statutes, are amended to read:

3047 |       369.322 Coordination of land use and water supply within  
3048 | the Wekiva Study Area.—

3049 |       (1) In their review of local government comprehensive plan  
3050 | amendments for property located within the Wekiva Study Area

3051 pursuant to s. 163.3184, the Department of Commerce ~~Economic~~  
 3052 ~~Opportunity~~ and the St. Johns River Water Management District  
 3053 shall assure that amendments that increase development potential  
 3054 demonstrate that adequate potable water consumptive use permit  
 3055 capacity is available.

3056 (3) In recognition of the need to balance resource  
 3057 protection, existing infrastructure and improvements planned or  
 3058 committed as part of approved development, consistent with  
 3059 existing municipal or county comprehensive plans and economic  
 3060 development opportunities, planned community development  
 3061 initiatives that assure protection of surface and groundwater  
 3062 resources while promoting compact, ecologically and economically  
 3063 sustainable growth should be encouraged. Small area studies,  
 3064 sector plans, or similar planning tools should support these  
 3065 community development initiatives. In addition, the Department  
 3066 of Commerce ~~Economic Opportunity~~ may make available best  
 3067 practice guides that demonstrate how to balance resource  
 3068 protection and economic development opportunities.

3069 Section 110. Section 369.323, Florida Statutes, is amended  
 3070 to read:

3071 369.323 Compliance.—Comprehensive plans and plan  
 3072 amendments adopted by the local governments within the Wekiva  
 3073 Study Area to implement this act shall be reviewed for  
 3074 compliance by the Department of Commerce ~~Economic Opportunity~~.

3075 Section 111. Subsections (1) and (5) of section 369.324,

3076 Florida Statutes, are amended to read:  
 3077       369.324 Wekiva River Basin Commission.—  
 3078       (1) The Wekiva River Basin Commission is created to  
 3079 monitor and ensure the implementation of the recommendations of  
 3080 the Wekiva River Basin Coordinating Committee for the Wekiva  
 3081 Study Area. The East Central Florida Regional Planning Council  
 3082 shall provide staff support to the commission with funding  
 3083 assistance from the Department of Commerce ~~Economic Opportunity~~.  
 3084 The commission shall be comprised of a total of 18 members  
 3085 appointed by the Governor, 9 of whom shall be voting members and  
 3086 9 shall be ad hoc nonvoting members. The voting members shall  
 3087 include:  
 3088       (a) One member of each of the Boards of County  
 3089 Commissioners for Lake, Orange, and Seminole Counties.  
 3090       (b) One municipal elected official to serve as a  
 3091 representative of the municipalities located within the Wekiva  
 3092 Study Area of Lake County.  
 3093       (c) One municipal elected official to serve as a  
 3094 representative of the municipalities located within the Wekiva  
 3095 Study Area of Orange County.  
 3096       (d) One municipal elected official to serve as a  
 3097 representative of the municipalities located within the Wekiva  
 3098 Study Area of Seminole County.  
 3099       (e) One citizen representing an environmental or  
 3100 conservation organization, one citizen representing a local

3101 property owner, a land developer, or an agricultural entity, and  
 3102 one at-large citizen who shall serve as chair of the council.

3103 (f) The ad hoc nonvoting members shall include one  
 3104 representative from each of the following entities:

- 3105 1. St. Johns River Management District.
- 3106 2. Department of Commerce ~~Economic Opportunity~~.
- 3107 3. Department of Environmental Protection.
- 3108 4. Department of Health.
- 3109 5. Department of Agriculture and Consumer Services.
- 3110 6. Fish and Wildlife Conservation Commission.
- 3111 7. Department of Transportation.
- 3112 8. MetroPlan Orlando.
- 3113 9. Central Florida Expressway Authority.

3114 (5) The commission shall report annually, no later than  
 3115 December 31 of each year, to the Governor, the President of the  
 3116 Senate, the Speaker of the House of Representatives, and the  
 3117 Department of Commerce ~~Economic Opportunity~~ on implementation  
 3118 progress.

3119 Section 112. Paragraph (b) of subsection (3) of section  
 3120 373.199, Florida Statutes, is amended to read:

3121 373.199 Florida Forever Water Management District Work  
 3122 Plan.—

3123 (3) In developing the list, each water management district  
 3124 shall:

- 3125 (b) Work cooperatively with the applicable ecosystem

3126 management area teams and other citizen advisory groups, the  
 3127 Department of Environmental Protection and its district offices,  
 3128 the Department of Agriculture and Consumer Services, the Fish  
 3129 and Wildlife Conservation Commission, the Department of Commerce  
 3130 ~~Economic Opportunity~~, the Department of Transportation, other  
 3131 state agencies, and federal agencies, where applicable.

3132 Section 113. Subsection (5) of section 373.4149, Florida  
 3133 Statutes, is amended to read:

3134 373.4149 Miami-Dade County Lake Belt Plan.—

3135 (5) The secretary of the Department of Environmental  
 3136 Protection, the secretary of the Department of Commerce ~~Economic~~  
 3137 ~~Opportunity~~, the secretary of the Department of Transportation,  
 3138 the Commissioner of Agriculture, the executive director of the  
 3139 Fish and Wildlife Conservation Commission, and the executive  
 3140 director of the South Florida Water Management District may  
 3141 enter into agreements with landowners, developers, businesses,  
 3142 industries, individuals, and governmental agencies as necessary  
 3143 to effectuate the Miami-Dade County Lake Belt Plan and the  
 3144 provisions of this section.

3145 Section 114. Paragraph (a) of subsection (1) of section  
 3146 373.453, Florida Statutes, is amended to read:

3147 373.453 Surface water improvement and management plans and  
 3148 programs.—

3149 (1) (a) Each water management district, in cooperation with  
 3150 the department, the Department of Agriculture and Consumer

3151 Services, the Department of Commerce ~~Economic Opportunity~~, the  
 3152 Fish and Wildlife Conservation Commission, local governments,  
 3153 and others, shall maintain a list that prioritizes water bodies  
 3154 of regional or statewide significance within the water  
 3155 management district. The list shall be reviewed and updated  
 3156 every 5 years.

3157 Section 115. Paragraph (f) of subsection (5) of section  
 3158 373.461, Florida Statutes, is amended to read:

3159 373.461 Lake Apopka improvement and management.—

3160 (5) PURCHASE OF AGRICULTURAL LANDS.—

3161 (f)1. Tangible personal property acquired by the district  
 3162 as part of related facilities pursuant to this section, and  
 3163 classified as surplus by the district, shall be sold by the  
 3164 Department of Management Services. The Department of Management  
 3165 Services shall deposit the proceeds of such sale in the Economic  
 3166 Development Trust Fund in the Department of Commerce ~~Economic~~  
 3167 ~~Opportunity~~. The proceeds shall be used for the purpose of  
 3168 providing economic and infrastructure development in portions of  
 3169 northwestern Orange County and east central Lake County which  
 3170 will be adversely affected economically due to the acquisition  
 3171 of lands pursuant to this subsection.

3172 2. The Department of Commerce ~~Economic Opportunity~~ shall,  
 3173 upon presentation of the appropriate documentation justifying  
 3174 expenditure of the funds deposited pursuant to this paragraph,  
 3175 pay any obligation for which it has sufficient funds from the

3176 | proceeds of the sale of tangible personal property and which  
 3177 | meets the limitations specified in paragraph (g). The authority  
 3178 | of the Department of Commerce ~~Economic Opportunity~~ to expend  
 3179 | such funds shall expire 5 years from the effective date of this  
 3180 | paragraph. Such expenditures may occur without future  
 3181 | appropriation from the Legislature.

3182 |         3. Funds deposited under this paragraph may not be used  
 3183 | for any purpose other than those enumerated in paragraph (g).

3184 |         Section 116. Subsection (1) of section 375.021, Florida  
 3185 | Statutes, is amended to read:

3186 |         375.021 Comprehensive multipurpose outdoor recreation  
 3187 | plan.—

3188 |         (1) The department is given the responsibility, authority,  
 3189 | and power to develop and execute a comprehensive multipurpose  
 3190 | outdoor recreation plan for this state with the cooperation of  
 3191 | the Department of Agriculture and Consumer Services, the  
 3192 | Department of Transportation, the Fish and Wildlife Conservation  
 3193 | Commission, the Department of Commerce ~~Economic Opportunity~~, and  
 3194 | the water management districts.

3195 |         Section 117. Subsection (1), paragraph (c) of subsection  
 3196 | (2), subsection (3), and paragraphs (c) and (d) of subsection  
 3197 | (4) of section 377.809, Florida Statutes, are amended to read:

3198 |         377.809 Energy Economic Zone Pilot Program.—

3199 |         (1) The Department of Commerce ~~Economic Opportunity~~, in  
 3200 | consultation with the Department of Transportation, shall



3201 implement an Energy Economic Zone Pilot Program for the purpose  
 3202 of developing a model to help communities cultivate green  
 3203 economic development, encourage renewable electric energy  
 3204 generation, manufacture products that contribute to energy  
 3205 conservation and green jobs, and further implement chapter 2008-  
 3206 191, Laws of Florida, relative to discouraging sprawl and  
 3207 developing energy-efficient land use patterns and greenhouse gas  
 3208 reduction strategies. The Department of Agriculture and Consumer  
 3209 Services shall provide technical assistance to the departments  
 3210 in developing and administering the program.

3211 (2)

3212 (c) The Department of Commerce ~~Economic Opportunity~~ shall  
 3213 grant at least one application if the application meets the  
 3214 requirements of this subsection and the community has  
 3215 demonstrated a prior commitment to energy conservation, carbon  
 3216 reduction, green building, and economic development. The  
 3217 Department of Commerce ~~Economic Opportunity~~ shall provide the  
 3218 pilot community, including businesses within the energy economic  
 3219 zone, with technical assistance in identifying and qualifying  
 3220 for eligible grants and credits in job creation, energy, and  
 3221 other areas.

3222 (3) The Department of Commerce ~~Economic Opportunity~~ shall  
 3223 submit a report to the Governor, the President of the Senate,  
 3224 and the Speaker of the House of Representatives by February 15,  
 3225 2015, evaluating whether the pilot program has demonstrated

3226 success. The report shall contain recommendations with regard to  
 3227 whether the program should be expanded for use by other local  
 3228 governments and whether state policies should be revised to  
 3229 encourage the goals of the program.

3230 (4)

3231 (c) Upon approving an incentive for an eligible business,  
 3232 the governing body that has jurisdiction over the energy  
 3233 economic zone shall provide the taxpayer with a certificate  
 3234 indicating the name and federal identification number of the  
 3235 eligible business, the date the incentive is provided, the name  
 3236 of the energy economic zone, the incentive type, and the  
 3237 incentive amount. The local governing body shall certify to the  
 3238 Department of Revenue or the Department of Commerce ~~Economic~~  
 3239 ~~Opportunity~~, whichever is applicable, which businesses or  
 3240 properties are eligible to receive any or all of the state  
 3241 incentives according to their statutory requirements. The  
 3242 governing body that has jurisdiction over the energy economic  
 3243 zone shall provide a copy of the certificate to the Department  
 3244 of Revenue and the Department of Commerce ~~Economic Opportunity~~  
 3245 as notification that such incentives were approved for the  
 3246 specific eligible business or property. For incentives to be  
 3247 claimed against the sales and use tax under chapter 212, the  
 3248 Department of Revenue shall send, within 14 days after receipt,  
 3249 written instructions to an eligible business on how to claim the  
 3250 credit on a sales and use tax return initiated through an

3251 | electronic data interchange. Any credit against the sales and  
 3252 | use tax shall be deducted from any sales and use tax remitted by  
 3253 | the dealer to the Department of Revenue by electronic funds  
 3254 | transfer and may be deducted only on a sales and use tax return  
 3255 | initiated through an electronic data interchange. The dealer  
 3256 | shall separately state the credit on the electronic return. The  
 3257 | net amount of tax due and payable must be remitted by electronic  
 3258 | funds transfer. If the credit exceeds the amount owed on the  
 3259 | sales and use tax return, such excess amount may be carried  
 3260 | forward for a period not to exceed 12 months after the date that  
 3261 | the credit is initially claimed.

3262 |         (d) If all conditions are deemed met, the Department of  
 3263 | Commerce ~~Economic Opportunity~~ and the Department of Revenue may  
 3264 | adopt emergency rules pursuant to ss. 120.536(1) and 120.54 to  
 3265 | administer this subsection. The emergency rules shall remain in  
 3266 | effect for 6 months after the rules are adopted, and the rules  
 3267 | may be renewed while the procedures to adopt permanent rules  
 3268 | addressing the subject of the emergency rules are pending.

3269 |         Section 118. Subsection (3) of section 378.411, Florida  
 3270 | Statutes, is amended to read:

3271 |         378.411 Certification to receive notices of intent to  
 3272 | mine, to review, and to inspect for compliance.—

3273 |         (3) In making his or her determination, the secretary  
 3274 | shall consult with the Department of Commerce ~~Economic~~  
 3275 | ~~Opportunity~~, the appropriate regional planning council, and the

3276 appropriate water management district.

3277 Section 119. Paragraph (c) of subsection (4) of section  
3278 379.2291, Florida Statutes, is amended to read:

3279 379.2291 Endangered and Threatened Species Act.—

3280 (4) INTERAGENCY COORDINATION.—

3281 (c) The commission, in consultation with the Department of  
3282 Agriculture and Consumer Services, the Department of Commerce  
3283 ~~Economic Opportunity~~, or the Department of Transportation, may  
3284 establish reduced speed zones along roads, streets, and highways  
3285 to protect endangered species or threatened species.

3286 Section 120. Subsection (18) of section 380.031, Florida  
3287 Statutes, is amended to read:

3288 380.031 Definitions.—As used in this chapter:

3289 (18) "State land planning agency" means the Department of  
3290 Commerce ~~Economic Opportunity~~ and may be referred to in this  
3291 part as the "department."

3292 Section 121. Paragraph (d) of subsection (3) of section  
3293 380.093, Florida Statutes, is amended to read:

3294 380.093 Resilient Florida Grant Program; comprehensive  
3295 statewide flood vulnerability and sea level rise data set and  
3296 assessment; Statewide Flooding and Sea Level Rise Resilience  
3297 Plan; regional resilience entities.—

3298 (3) RESILIENT FLORIDA GRANT PROGRAM.—

3299 (d) A vulnerability assessment conducted pursuant to  
3300 paragraph (b) must include all of the following:

3301 1. Peril of flood comprehensive plan amendments that  
 3302 address the requirements of s. 163.3178(2)(f), if the county or  
 3303 municipality is subject to such requirements and has not  
 3304 complied with such requirements as determined by the Department  
 3305 of Commerce ~~Economic Opportunity~~.

3306 2. If applicable, the depth of:

3307 a. Tidal flooding, including future high tide flooding,  
 3308 which must use thresholds published and provided by the  
 3309 department. To the extent practicable, the analysis should also  
 3310 geographically display the number of tidal flood days expected  
 3311 for each scenario and planning horizon.

3312 b. Current and future storm surge flooding using publicly  
 3313 available National Oceanic and Atmospheric Administration or  
 3314 Federal Emergency Management Agency storm surge data. The  
 3315 initial storm surge event used must equal or exceed the current  
 3316 100-year flood event. Higher frequency storm events may be  
 3317 analyzed to understand the exposure of a critical asset.

3318 c. To the extent practicable, rainfall-induced flooding  
 3319 using spatiotemporal analysis or existing hydrologic and  
 3320 hydraulic modeling results. Future boundary conditions should be  
 3321 modified to consider sea level rise and high tide conditions.  
 3322 Vulnerability assessments for rainfall-induced flooding must  
 3323 include the depth of rainfall-induced flooding for a 100-year  
 3324 storm and a 500-year storm, as defined by the applicable water  
 3325 management district or, if necessary, the appropriate federal

3326 agency. Future rainfall conditions should be used, if available.  
 3327 Noncoastal communities must perform a rainfall-induced flooding  
 3328 assessment.

3329 d. To the extent practicable, compound flooding or the  
 3330 combination of tidal, storm surge, and rainfall-induced  
 3331 flooding.

3332 3. The following scenarios and standards:

3333 a. All analyses in the North American Vertical Datum of  
 3334 1988.

3335 b. At least two local sea level rise scenarios, which must  
 3336 include the 2017 National Oceanic and Atmospheric Administration  
 3337 intermediate-low and intermediate-high sea level rise  
 3338 projections.

3339 c. At least two planning horizons that include planning  
 3340 horizons for the years 2040 and 2070.

3341 d. Local sea level data that has been interpolated between  
 3342 the two closest National Oceanic and Atmospheric Administration  
 3343 tide gauges. Local sea level data may be taken from one such  
 3344 gauge if the gauge has a higher mean sea level. Data taken from  
 3345 an alternate tide gauge may be used with appropriate rationale  
 3346 and department approval, as long as it is publicly available or  
 3347 submitted to the department pursuant to paragraph (b).

3348 Section 122. Subsection (6) of section 381.0086, Florida  
 3349 Statutes, is amended to read:

3350 381.0086 Rules; variances; penalties.—

3351 (6) For the purposes of filing an interstate clearance  
 3352 order with the Department of Commerce ~~Economic Opportunity~~, if  
 3353 the housing is covered by 20 C.F.R. part 654, subpart E, no  
 3354 permanent structural variance referred to in subsection (2) is  
 3355 allowed.

3356 Section 123. Subsection (6) of section 397.754, Florida  
 3357 Statutes, is amended to read:

3358 397.754 Duties and responsibilities of the Department of  
 3359 Corrections.—The Department of Corrections shall:

3360 (6) In cooperation with other agencies, actively seek to  
 3361 enhance resources for the provision of treatment services for  
 3362 inmates and to develop partnerships with other state agencies,  
 3363 including but not limited to the Departments of Children and  
 3364 Families, Education, Commerce ~~Economic Opportunity~~, and Law  
 3365 Enforcement.

3366 Section 124. Subsection (5) of section 403.0752, Florida  
 3367 Statutes, is amended to read:

3368 403.0752 Ecosystem management agreements.—

3369 (5) The Secretary of Commerce ~~Economic Opportunity~~, the  
 3370 Secretary of Transportation, the Commissioner of Agriculture,  
 3371 the Executive Director of the Fish and Wildlife Conservation  
 3372 Commission, and the executive directors of the water management  
 3373 districts are authorized to participate in the development of  
 3374 ecosystem management agreements with regulated entities and  
 3375 other governmental agencies as necessary to effectuate the

3376 provisions of this section. Local governments are encouraged to  
 3377 participate in ecosystem management agreements.

3378 Section 125. Subsection (6) of section 403.0891, Florida  
 3379 Statutes, is amended to read:

3380 403.0891 State, regional, and local stormwater management  
 3381 plans and programs.—The department, the water management  
 3382 districts, and local governments shall have the responsibility  
 3383 for the development of mutually compatible stormwater management  
 3384 programs.

3385 (6) The department and the Department of Commerce ~~Economic~~  
 3386 ~~Opportunity~~, in cooperation with local governments in the  
 3387 coastal zone, shall develop a model stormwater management  
 3388 program that could be adopted by local governments. The model  
 3389 program must contain model ordinances that target nutrient  
 3390 reduction practices and use green infrastructure. The model  
 3391 program shall contain dedicated funding options, including a  
 3392 stormwater utility fee system based upon an equitable unit cost  
 3393 approach. Funding options shall be designed to generate capital  
 3394 to retrofit existing stormwater management systems, build new  
 3395 treatment systems, operate facilities, and maintain and service  
 3396 debt.

3397 Section 126. Paragraph (a) of subsection (2) of section  
 3398 403.507, Florida Statutes, is amended to read:

3399 403.507 Preliminary statements of issues, reports, project  
 3400 analyses, and studies.—



3401 (2) (a) No later than 100 days after the certification  
 3402 application has been determined complete, the following agencies  
 3403 shall prepare reports as provided below and shall submit them to  
 3404 the department and the applicant, unless a final order denying  
 3405 the determination of need has been issued under s. 403.519:

3406 1. The Department of Commerce ~~Economic Opportunity~~ shall  
 3407 prepare a report containing recommendations which address the  
 3408 impact upon the public of the proposed electrical power plant,  
 3409 based on the degree to which the electrical power plant is  
 3410 consistent with the applicable portions of the state  
 3411 comprehensive plan, emergency management, and other such matters  
 3412 within its jurisdiction. The Department of Commerce ~~Economic~~  
 3413 ~~Opportunity~~ may also comment on the consistency of the proposed  
 3414 electrical power plant with applicable strategic regional policy  
 3415 plans or local comprehensive plans and land development  
 3416 regulations.

3417 2. The water management district shall prepare a report as  
 3418 to matters within its jurisdiction, including but not limited  
 3419 to, the impact of the proposed electrical power plant on water  
 3420 resources, regional water supply planning, and district-owned  
 3421 lands and works.

3422 3. Each local government in whose jurisdiction the  
 3423 proposed electrical power plant is to be located shall prepare a  
 3424 report as to the consistency of the proposed electrical power  
 3425 plant with all applicable local ordinances, regulations,

3426 standards, or criteria that apply to the proposed electrical  
 3427 power plant, including any applicable local environmental  
 3428 regulations adopted pursuant to s. 403.182 or by other means.

3429 4. The Fish and Wildlife Conservation Commission shall  
 3430 prepare a report as to matters within its jurisdiction.

3431 5. The Department of Transportation shall address the  
 3432 impact of the proposed electrical power plant on matters within  
 3433 its jurisdiction.

3434 Section 127. Paragraph (a) of subsection (3) of section  
 3435 403.508, Florida Statutes, is amended to read:

3436 403.508 Land use and certification hearings, parties,  
 3437 participants.—

3438 (3)(a) Parties to the proceeding shall include:

- 3439 1. The applicant.
- 3440 2. The Public Service Commission.
- 3441 3. The Department of Commerce ~~Economic Opportunity~~.
- 3442 4. The Fish and Wildlife Conservation Commission.
- 3443 5. The water management district.
- 3444 6. The department.
- 3445 7. The local government.
- 3446 8. The Department of Transportation.

3447 Section 128. Paragraph (b) of subsection (2) of section  
 3448 403.524, Florida Statutes, is amended to read:

3449 403.524 Applicability; certification; exemptions.—

3450 (2) Except as provided in subsection (1), construction of

3451 a transmission line may not be undertaken without first  
 3452 obtaining certification under this act, but this act does not  
 3453 apply to:

3454 (b) Transmission lines that have been exempted by a  
 3455 binding letter of interpretation issued under s. 380.06(3), or  
 3456 in which the Department of Commerce ~~Economic Opportunity~~ or its  
 3457 predecessor agency has determined the utility to have vested  
 3458 development rights within the meaning of s. 380.05(18) or s.  
 3459 380.06(8).

3460 Section 129. Paragraph (a) of subsection (2) of section  
 3461 403.526, Florida Statutes, is amended to read:

3462 403.526 Preliminary statements of issues, reports, and  
 3463 project analyses; studies.—

3464 (2)(a) No later than 90 days after the filing of the  
 3465 application, the following agencies shall prepare reports as  
 3466 provided below, unless a final order denying the determination  
 3467 of need has been issued under s. 403.537:

3468 1. The department shall prepare a report as to the impact  
 3469 of each proposed transmission line or corridor as it relates to  
 3470 matters within its jurisdiction.

3471 2. Each water management district in the jurisdiction of  
 3472 which a proposed transmission line or corridor is to be located  
 3473 shall prepare a report as to the impact on water resources and  
 3474 other matters within its jurisdiction.

3475 3. The Department of Commerce ~~Economic Opportunity~~ shall

3476 | prepare a report containing recommendations which address the  
 3477 | impact upon the public of the proposed transmission line or  
 3478 | corridor, based on the degree to which the proposed transmission  
 3479 | line or corridor is consistent with the applicable portions of  
 3480 | the state comprehensive plan, emergency management, and other  
 3481 | matters within its jurisdiction. The Department of Commerce  
 3482 | ~~Economic Opportunity~~ may also comment on the consistency of the  
 3483 | proposed transmission line or corridor with applicable strategic  
 3484 | regional policy plans or local comprehensive plans and land  
 3485 | development regulations.

3486 |         4. The Fish and Wildlife Conservation Commission shall  
 3487 | prepare a report as to the impact of each proposed transmission  
 3488 | line or corridor on fish and wildlife resources and other  
 3489 | matters within its jurisdiction.

3490 |         5. Each local government shall prepare a report as to the  
 3491 | impact of each proposed transmission line or corridor on matters  
 3492 | within its jurisdiction, including the consistency of the  
 3493 | proposed transmission line or corridor with all applicable local  
 3494 | ordinances, regulations, standards, or criteria that apply to  
 3495 | the proposed transmission line or corridor, including local  
 3496 | comprehensive plans, zoning regulations, land development  
 3497 | regulations, and any applicable local environmental regulations  
 3498 | adopted pursuant to s. 403.182 or by other means. A change by  
 3499 | the responsible local government or local agency in local  
 3500 | comprehensive plans, zoning ordinances, or other regulations

3501 made after the date required for the filing of the local  
 3502 government's report required by this section is not applicable  
 3503 to the certification of the proposed transmission line or  
 3504 corridor unless the certification is denied or the application  
 3505 is withdrawn.

3506 6. The Department of Transportation shall prepare a report  
 3507 as to the impact of the proposed transmission line or corridor  
 3508 on state roads, railroads, airports, aeronautics, seaports, and  
 3509 other matters within its jurisdiction.

3510 7. The commission shall prepare a report containing its  
 3511 determination under s. 403.537, and the report may include the  
 3512 comments from the commission with respect to any other subject  
 3513 within its jurisdiction.

3514 8. Any other agency, if requested by the department, shall  
 3515 also perform studies or prepare reports as to subjects within  
 3516 the jurisdiction of the agency which may potentially be affected  
 3517 by the proposed transmission line.

3518 Section 130. Paragraph (a) of subsection (2) of section  
 3519 403.527, Florida Statutes, is amended to read:

3520 403.527 Certification hearing, parties, participants.—

3521 (2)(a) Parties to the proceeding shall be:

3522 1. The applicant.

3523 2. The department.

3524 3. The commission.

3525 4. The Department of Commerce ~~Economic Opportunity~~.

- 3526 5. The Fish and Wildlife Conservation Commission.
- 3527 6. The Department of Transportation.
- 3528 7. Each water management district in the jurisdiction of
- 3529 which the proposed transmission line or corridor is to be
- 3530 located.
- 3531 8. The local government.

3532 Section 131. Subsection (1) of section 403.757, Florida  
 3533 Statutes, is amended to read:

3534 403.757 Coordination with other state agencies.—

3535 (1) The department shall coordinate its activities and  
 3536 functions under ss. 403.75-403.769 and s. 526.01, as amended by  
 3537 chapter 84-338, Laws of Florida, with the Department of Commerce  
 3538 ~~Economic Opportunity~~ and other state agencies to avoid  
 3539 duplication in reporting and information gathering.

3540 Section 132. Paragraph (a) of subsection (2) of section  
 3541 403.941, Florida Statutes, is amended to read:

3542 403.941 Preliminary statements of issues, reports, and  
 3543 studies.—

3544 (2)(a) The affected agencies shall prepare reports as  
 3545 provided in this paragraph and shall submit them to the  
 3546 department and the applicant within 60 days after the  
 3547 application is determined sufficient:

3548 1. The department shall prepare a report as to the impact  
 3549 of each proposed natural gas transmission pipeline or corridor  
 3550 as it relates to matters within its jurisdiction.

3551           2. Each water management district in the jurisdiction of  
 3552 which a proposed natural gas transmission pipeline or corridor  
 3553 is to be located shall prepare a report as to the impact on  
 3554 water resources and other matters within its jurisdiction.

3555           3. The Department of Commerce ~~Economic Opportunity~~ shall  
 3556 prepare a report containing recommendations which address the  
 3557 impact upon the public of the proposed natural gas transmission  
 3558 pipeline or corridor, based on the degree to which the proposed  
 3559 natural gas transmission pipeline or corridor is consistent with  
 3560 the applicable portions of the state comprehensive plan and  
 3561 other matters within its jurisdiction. The Department of  
 3562 Commerce ~~Economic Opportunity~~ may also comment on the  
 3563 consistency of the proposed natural gas transmission pipeline or  
 3564 corridor with applicable strategic regional policy plans or  
 3565 local comprehensive plans and land development regulations.

3566           4. The Fish and Wildlife Conservation Commission shall  
 3567 prepare a report as to the impact of each proposed natural gas  
 3568 transmission pipeline or corridor on fish and wildlife resources  
 3569 and other matters within its jurisdiction.

3570           5. Each local government in which the natural gas  
 3571 transmission pipeline or natural gas transmission pipeline  
 3572 corridor will be located shall prepare a report as to the impact  
 3573 of each proposed natural gas transmission pipeline or corridor  
 3574 on matters within its jurisdiction, including the consistency of  
 3575 the proposed natural gas transmission pipeline or corridor with

3576 all applicable local ordinances, regulations, standards, or  
 3577 criteria that apply to the proposed natural gas transmission  
 3578 pipeline or corridor, including local comprehensive plans,  
 3579 zoning regulations, land development regulations, and any  
 3580 applicable local environmental regulations adopted pursuant to  
 3581 s. 403.182 or by other means. No change by the responsible local  
 3582 government or local agency in local comprehensive plans, zoning  
 3583 ordinances, or other regulations made after the date required  
 3584 for the filing of the local government's report required by this  
 3585 section shall be applicable to the certification of the proposed  
 3586 natural gas transmission pipeline or corridor unless the  
 3587 certification is denied or the application is withdrawn.

3588 6. The Department of Transportation shall prepare a report  
 3589 on the effect of the natural gas transmission pipeline or  
 3590 natural gas transmission pipeline corridor on matters within its  
 3591 jurisdiction, including roadway crossings by the pipeline. The  
 3592 report shall contain at a minimum:

3593 a. A report by the applicant to the department stating  
 3594 that all requirements of the department's utilities  
 3595 accommodation guide have been or will be met in regard to the  
 3596 proposed pipeline or pipeline corridor; and

3597 b. A statement by the department as to the adequacy of the  
 3598 report to the department by the applicant.

3599 7. The Department of State, Division of Historical  
 3600 Resources, shall prepare a report on the impact of the natural



3601 gas transmission pipeline or natural gas transmission pipeline  
 3602 corridor on matters within its jurisdiction.

3603 8. The commission shall prepare a report addressing  
 3604 matters within its jurisdiction. The commission's report shall  
 3605 include its determination of need issued pursuant to s.  
 3606 403.9422.

3607 Section 133. Paragraph (a) of subsection (4) of section  
 3608 403.9411, Florida Statutes, is amended to read:

3609 403.9411 Notice; proceedings; parties and participants.—

3610 (4)(a) Parties to the proceeding shall be:

3611 1. The applicant.

3612 2. The department.

3613 3. The commission.

3614 4. The Department of Commerce ~~Economic Opportunity~~.

3615 5. The Fish and Wildlife Conservation Commission.

3616 6. Each water management district in the jurisdiction of  
 3617 which the proposed natural gas transmission pipeline or corridor  
 3618 is to be located.

3619 7. The local government.

3620 8. The Department of Transportation.

3621 9. The Department of State, Division of Historical  
 3622 Resources.

3623 Section 134. Paragraphs (b) and (c) of subsection (3) and  
 3624 subsection (17) of section 403.973, Florida Statutes, are  
 3625 amended to read:

3626 403.973 Expedited permitting; amendments to comprehensive  
 3627 plans.—

3628 (3)

3629 (b) On a case-by-case basis and at the request of a county  
 3630 or municipal government, the Department of Commerce ~~Economic~~  
 3631 ~~Opportunity~~ may certify as eligible for expedited review a  
 3632 project not meeting the minimum job creation thresholds but  
 3633 creating a minimum of 10 jobs. The recommendation from the  
 3634 governing body of the county or municipality in which the  
 3635 project may be located is required in order for the Department  
 3636 of Commerce ~~Economic Opportunity~~ to certify that any project is  
 3637 eligible for expedited review under this paragraph. When  
 3638 considering projects that do not meet the minimum job creation  
 3639 thresholds but that are recommended by the governing body in  
 3640 which the project may be located, the Department of Commerce  
 3641 ~~Economic Opportunity~~ shall consider economic impact factors that  
 3642 include, but are not limited to:

3643 1. The proposed wage and skill levels relative to those  
 3644 existing in the area in which the project may be located;

3645 2. The project's potential to diversify and strengthen the  
 3646 area's economy;

3647 3. The amount of capital investment; and

3648 4. The number of jobs that will be made available for  
 3649 persons served by the welfare transition program.

3650 (c) At the request of a county or municipal government,

3651 the Department of Commerce ~~Economic Opportunity~~ or a Quick  
 3652 Permitting County may certify projects located in counties where  
 3653 the ratio of new jobs per participant in the welfare transition  
 3654 program, as determined by CareerSource Florida, Inc., is less  
 3655 than one or otherwise critical, as eligible for the expedited  
 3656 permitting process. Such projects must meet the numerical  
 3657 criteria for job creation specified in this subsection, but the  
 3658 jobs created by the project do not have to be high-wage jobs  
 3659 that diversify the state's economy.

3660 (17) The Department of Commerce ~~Economic Opportunity~~,  
 3661 working with the Rural Economic Development Initiative, shall  
 3662 provide technical assistance in preparing permit applications  
 3663 and local comprehensive plan amendments for counties having a  
 3664 population of fewer than 75,000 residents, or counties having  
 3665 fewer than 125,000 residents which are contiguous to counties  
 3666 having fewer than 75,000 residents. Additional assistance may  
 3667 include, but not be limited to, guidance in land development  
 3668 regulations and permitting processes, working cooperatively with  
 3669 state, regional, and local entities to identify areas within  
 3670 these counties which may be suitable or adaptable for  
 3671 preclearance review of specified types of land uses and other  
 3672 activities requiring permits.

3673 Section 135. Paragraph (d) of subsection (4) of section  
 3674 404.0617, Florida Statutes, is amended to read:

3675 404.0617 Siting of commercial low-level radioactive waste

3676 management facilities.—

3677 (4) The Governor and Cabinet shall consider the following  
 3678 when determining whether to grant a petition for a variance from  
 3679 local ordinances, regulations, or plans:

3680 (d) Such studies, reports, and information as the Governor  
 3681 and Cabinet may request of the Department of Commerce ~~Economic~~  
 3682 ~~Opportunity~~ addressing whether or not the proposed facility  
 3683 unreasonably interferes with the achievement of the goals and  
 3684 objectives of any adopted state or local comprehensive plan and  
 3685 any other matter within its jurisdiction.

3686 Section 136. Paragraph (c) of subsection (7) of section  
 3687 409.1451, Florida Statutes, is amended to read:

3688 409.1451 The Road-to-Independence Program.—

3689 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The  
 3690 secretary shall establish the Independent Living Services  
 3691 Advisory Council for the purpose of reviewing and making  
 3692 recommendations concerning the implementation and operation of  
 3693 s. 39.6251 and the Road-to-Independence Program.

3694 (c) Members of the advisory council shall be appointed by  
 3695 the secretary of the department. The membership of the advisory  
 3696 council must include, at a minimum, young adults who receive  
 3697 services and funding through the Road-to-Independence Program,  
 3698 representatives from the headquarters and regional offices of  
 3699 the department, community-based care lead agencies, the  
 3700 Department of Juvenile Justice, the Department of Commerce

3701 ~~Economic Opportunity~~, the Department of Education, the Agency  
 3702 for Health Care Administration, the State Youth Advisory Board,  
 3703 CareerSource Florida, Inc., the Statewide Guardian Ad Litem  
 3704 Office, foster parents, and advocates for children in care. The  
 3705 secretary shall determine the length of the term to be served by  
 3706 each member appointed to the advisory council, which may not  
 3707 exceed 4 years.

3708 Section 137. Subsection (8) of section 409.2576, Florida  
 3709 Statutes, is amended to read:

3710 409.2576 State Directory of New Hires.—

3711 (8) PROVIDING INFORMATION TO NATIONAL DIRECTORY.—The State  
 3712 Directory of New Hires must furnish information regarding newly  
 3713 hired or rehired employees and other individuals subject to  
 3714 reporting to the National Directory of New Hires for matching  
 3715 with the records of other state case registries within 3  
 3716 business days of entering such information into the State  
 3717 Directory of New Hires. The State Directory of New Hires shall  
 3718 enter into an agreement with the Department of Commerce ~~Economic~~  
 3719 ~~Opportunity~~ or its tax collection service provider for the  
 3720 quarterly reporting to the National Directory of New Hires  
 3721 information on wages and reemployment assistance taken from the  
 3722 quarterly report to the Secretary of Labor, now required by  
 3723 Title III of the Social Security Act, except that no report  
 3724 shall be filed with respect to an employee of a state or local  
 3725 agency performing intelligence or counterintelligence functions,

3726 | if the head of such agency has determined that filing such a  
 3727 | report could endanger the safety of the employee or compromise  
 3728 | an ongoing investigation or intelligence mission.

3729 |       Section 138. Section 409.25996, Florida Statutes, is  
 3730 | amended to read:

3731 |       409.25996 Organizations that assist noncustodial parents.—  
 3732 | The Department of Commerce ~~Economic Opportunity~~ shall award  
 3733 | grants to organizations that assist noncustodial parents who are  
 3734 | unemployed or underemployed and have difficulty meeting child  
 3735 | support obligations to become self-sufficient and establish a  
 3736 | successful pattern of paying child support obligations.

3737 |       Section 139. Subsections (2), (3), and (4) of section  
 3738 | 409.508, Florida Statutes, are amended to read:

3739 |       409.508 Low-income home energy assistance program.—

3740 |       (2) The Department of Commerce ~~Economic Opportunity~~ is  
 3741 | designated as the state agency to administer the Low-income Home  
 3742 | Energy Assistance Act of 1981, 42 U.S.C. ss. 8621 et seq. The  
 3743 | Department of Commerce ~~Economic Opportunity~~ is authorized to  
 3744 | provide home energy assistance benefits to eligible households  
 3745 | which may be in the form of cash, vouchers, certificates, or  
 3746 | direct payments to electric or natural gas utilities or other  
 3747 | energy suppliers and operators of low-rent, subsidized housing  
 3748 | in behalf of eligible households. Priority shall be given to  
 3749 | eligible households having at least one elderly or handicapped  
 3750 | individual and to eligible households with the lowest incomes.

3751 (3) Agreements may be established between electric or  
 3752 natural gas utility companies, other energy suppliers, the  
 3753 Department of Revenue, and the Department of Commerce ~~Economic~~  
 3754 ~~Opportunity~~ for the purpose of providing payments to energy  
 3755 suppliers in the form of a credit against sales and use taxes  
 3756 due or direct payments to energy suppliers for services rendered  
 3757 to low-income, eligible households.

3758 (4) The Department of Commerce ~~Economic Opportunity~~ shall  
 3759 adopt rules to carry out the provisions of this act.

3760 Section 140. Subsection (2) of section 409.509, Florida  
 3761 Statutes, is amended to read:

3762 409.509 Definitions; weatherization of low-income  
 3763 residences.—As used in this act, the term:

3764 (2) "Department" means the Department of Commerce ~~Economic~~  
 3765 ~~Opportunity~~.

3766 Section 141. Subsection (2) and paragraph (f) of  
 3767 subsection (3) of section 410.502, Florida Statutes, are amended  
 3768 to read:

3769 410.502 Housing and living arrangements; special needs of  
 3770 the elderly; services.—The Department of Elderly Affairs shall  
 3771 provide services related to housing and living arrangements  
 3772 which meet the special needs of the elderly. Such services shall  
 3773 include, but not be limited to:

3774 (2) Coordinating with the Department of Commerce ~~Economic~~  
 3775 ~~Opportunity~~ to gather and maintain data on living arrangements

3776 | which meet the special needs of the elderly and to disseminate  
 3777 | such information to the public. Such information shall include  
 3778 | types of facilities, cost of care, services provided, and  
 3779 | possible sources of help in meeting the cost of care for  
 3780 | indigent individuals.

3781 | (3) Promoting, through the Department of Elderly Affairs  
 3782 | staff activities and area agencies on aging, the development of  
 3783 | a variety of living arrangements through public and private  
 3784 | auspices to meet the various needs and desires of the elderly,  
 3785 | including, but not limited to:

3786 | (f) Retirement communities for independent communal  
 3787 | living, to be developed in conjunction with the Department of  
 3788 | Commerce ~~Economic Opportunity~~.

3789 |  
 3790 | Demonstration projects must be used advisedly to test the extent  
 3791 | to which these and other innovative housing and living  
 3792 | arrangements do meet the basic and special needs of the elderly.

3793 | Section 142. Paragraph (f) of subsection (4) of section  
 3794 | 413.80, Florida Statutes, is amended to read:

3795 | 413.80 Employment First Act.—

3796 | (4) INTERAGENCY COOPERATIVE AGREEMENT.—The following state  
 3797 | agencies and organizations, and others, as appropriate, shall  
 3798 | develop an interagency cooperative agreement to implement this  
 3799 | act:

3800 | (f) The Department of Commerce ~~Economic Opportunity~~.



3801 Section 143. Subsection (1) and paragraph (a) of  
 3802 subsection (2) of section 413.801, Florida Statutes, are amended  
 3803 to read:

3804 413.801 Florida Unique Abilities Partner Program.—

3805 (1) CREATION AND PURPOSE.—The Department of Commerce  
 3806 ~~Economic Opportunity~~ shall establish the Florida Unique  
 3807 Abilities Partner Program to designate a business entity as a  
 3808 Florida Unique Abilities Partner if the business entity  
 3809 demonstrates commitment, through employment or support, to the  
 3810 independence of individuals who have a disability. The  
 3811 department shall consult with the Agency for Persons with  
 3812 Disabilities, the Division of Vocational Rehabilitation of the  
 3813 Department of Education, the Division of Blind Services of the  
 3814 Department of Education, and CareerSource Florida, Inc., in  
 3815 creating the program.

3816 (2) DEFINITIONS.—As used in this section, the term:

3817 (a) "Department" means the Department of Commerce ~~Economic~~  
 3818 ~~Opportunity~~.

3819 Section 144. Section 414.24, Florida Statutes, is amended  
 3820 to read:

3821 414.24 Integrated welfare reform and child welfare  
 3822 services.—The department shall develop integrated service  
 3823 delivery strategies to better meet the needs of families subject  
 3824 to work activity requirements who are involved in the child  
 3825 welfare system or are at high risk of involvement in the child

3826 welfare system. To the extent that resources are available, the  
 3827 department and the Department of Commerce ~~Economic Opportunity~~  
 3828 shall provide funds to one or more service districts to promote  
 3829 development of integrated, nonduplicative case management within  
 3830 the department, the Department of Commerce ~~Economic Opportunity~~,  
 3831 other participating government agencies, and community partners.  
 3832 Alternative delivery systems shall be encouraged which include  
 3833 well-defined, pertinent outcome measures. Other factors to be  
 3834 considered shall include innovation regarding training,  
 3835 enhancement of existing resources, and increased private sector  
 3836 and business sector participation.

3837 Section 145. Paragraph (d) of subsection (2) of section  
 3838 414.40, Florida Statutes, is amended to read:

3839 414.40 Stop Inmate Fraud Program established; guidelines.—

3840 (2) The Department of Financial Services is directed to  
 3841 implement the Stop Inmate Fraud Program in accordance with the  
 3842 following guidelines:

3843 (d) Data obtained from correctional institutions or other  
 3844 detention facilities shall be compared with the client files of  
 3845 the Department of Children and Families, the Department of  
 3846 Commerce ~~Economic Opportunity~~, and other state or local agencies  
 3847 as needed to identify persons wrongfully obtaining benefits.  
 3848 Data comparisons shall be accomplished during periods of low  
 3849 information demand by agency personnel to minimize inconvenience  
 3850 to the agency.

3851 Section 146. Subsection (6) of section 420.0004, Florida  
 3852 Statutes, is amended to read:

3853 420.0004 Definitions.—As used in this part, unless the  
 3854 context otherwise indicates:

3855 (6) "Department" means the Department of Commerce ~~Economic~~  
 3856 ~~Opportunity~~.

3857 Section 147. Subsection (1) of section 420.0005, Florida  
 3858 Statutes, is amended to read:

3859 420.0005 State Housing Trust Fund; State Housing Fund.—

3860 (1) There is established in the State Treasury a separate  
 3861 trust fund to be named the "State Housing Trust Fund." There  
 3862 shall be deposited in the fund all moneys appropriated by the  
 3863 Legislature, or moneys received from any other source, for the  
 3864 purpose of this chapter, and all proceeds derived from the use  
 3865 of such moneys. The fund shall be administered by the Florida  
 3866 Housing Finance Corporation on behalf of the department, as  
 3867 specified in this chapter. Money deposited to the fund and  
 3868 appropriated by the Legislature must, notwithstanding the  
 3869 provisions of chapter 216 or s. 420.504(3), be transferred  
 3870 quarterly in advance, to the extent available, or, if not so  
 3871 available, as soon as received into the State Housing Trust  
 3872 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)  
 3873 by the Chief Financial Officer to the corporation upon  
 3874 certification by the Secretary of Commerce ~~Economic Opportunity~~  
 3875 that the corporation is in compliance with the requirements of

3876 s. 420.0006. The certification made by the secretary shall also  
 3877 include the split of funds among programs administered by the  
 3878 corporation and the department as specified in chapter 92-317,  
 3879 Laws of Florida, as amended. Moneys advanced by the Chief  
 3880 Financial Officer must be deposited by the corporation into a  
 3881 separate fund established with a qualified public depository  
 3882 meeting the requirements of chapter 280 to be named the "State  
 3883 Housing Fund" and used for the purposes of this chapter.  
 3884 Administrative and personnel costs incurred in implementing this  
 3885 chapter may be paid from the State Housing Fund, but such costs  
 3886 may not exceed 5 percent of the moneys deposited into such fund.  
 3887 To the State Housing Fund shall be credited all loan repayments,  
 3888 penalties, and other fees and charges accruing to such fund  
 3889 under this chapter. It is the intent of this chapter that all  
 3890 loan repayments, penalties, and other fees and charges collected  
 3891 be credited in full to the program account from which the loan  
 3892 originated. Moneys in the State Housing Fund which are not  
 3893 currently needed for the purposes of this chapter shall be  
 3894 invested in such manner as is provided for by statute. The  
 3895 interest received on any such investment shall be credited to  
 3896 the State Housing Fund.

3897 Section 148. Section 420.0006, Florida Statutes, is  
 3898 amended to read:

3899 420.0006 Authority to contract with corporation; contract  
 3900 requirements; nonperformance.—The Secretary of Commerce ~~Economic~~

3901 ~~Opportunity~~ shall contract, notwithstanding part I of chapter  
 3902 287, with the Florida Housing Finance Corporation on a multiyear  
 3903 basis to stimulate, provide, and foster affordable housing in  
 3904 the state. The contract must incorporate the performance  
 3905 measures required by s. 420.511 and be consistent with the  
 3906 corporation's strategic business plan prepared in accordance  
 3907 with s. 420.511. The contract must provide that if the  
 3908 corporation fails to comply with a performance measure required  
 3909 by s. 420.511, the secretary shall notify the Governor and refer  
 3910 the nonperformance to the department's inspector general for  
 3911 review and determination as to whether such failure is due to  
 3912 forces beyond the corporation's control or whether such failure  
 3913 is due to inadequate management of the corporation's resources.  
 3914 Advances shall continue to be made pursuant to s. 420.0005  
 3915 during the pendency of the review. If such failure is due to  
 3916 outside forces, it may not be deemed a violation of the  
 3917 contract. If such failure is due to inadequate management, the  
 3918 department's inspector general shall provide recommendations  
 3919 regarding solutions. The Governor may resolve differences of  
 3920 opinion with respect to performance under the contract and may  
 3921 request that advances continue in the event of a failure under  
 3922 the contract due to inadequate management. The Chief Financial  
 3923 Officer shall approve the request absent a finding by the Chief  
 3924 Financial Officer that continuing such advances would adversely  
 3925 impact the state; however, the Chief Financial Officer shall

3926 provide advances sufficient to meet the debt service  
 3927 requirements of the corporation and sufficient to fund contracts  
 3928 committing funds from the State Housing Trust Fund if such  
 3929 contracts are in accordance with the laws of this state.

3930 Section 149. Paragraph (d) of subsection (1) of section  
 3931 420.101, Florida Statutes, is amended to read:

3932 420.101 Housing Development Corporation of Florida;  
 3933 creation, membership, and purposes.—

3934 (1) Twenty-five or more persons, a majority of whom shall  
 3935 be residents of this state, who may desire to create a housing  
 3936 development corporation under the provisions of this part for  
 3937 the purpose of promoting and developing housing and advancing  
 3938 the prosperity and economic welfare of the state and, to that  
 3939 end, to exercise the powers and privileges hereinafter provided,  
 3940 may be incorporated by filing in the Department of State, as  
 3941 hereinafter provided, articles of incorporation. The articles of  
 3942 incorporation shall contain:

3943 (d) The names and post office addresses of the members of  
 3944 the first board of directors. The first board of directors shall  
 3945 be elected by and from the stockholders of the corporation and  
 3946 shall consist of 21 members. However, five of such members shall  
 3947 consist of the following persons, who shall be nonvoting  
 3948 members: the Secretary of Commerce ~~Economic Opportunity~~ or her  
 3949 or his designee; the head of the Department of Financial  
 3950 Services or her or his designee with expertise in banking

3951 matters; a designee of the head of the Department of Financial  
 3952 Services with expertise in insurance matters; one state senator  
 3953 appointed by the President of the Senate; and one representative  
 3954 appointed by the Speaker of the House of Representatives.

3955 Section 150. Subsection (8) of section 420.111, Florida  
 3956 Statutes, is amended to read:

3957 420.111 Housing Development Corporation of Florida;  
 3958 additional powers.—In furtherance of its purposes and in  
 3959 addition to the powers now or hereafter conferred on business  
 3960 corporations by part I of chapter 607, the corporation shall,  
 3961 subject to the restrictions and limitations contained in this  
 3962 section, have the following powers:

3963 (8) To cooperate with, and avail itself of the facilities  
 3964 of, the United States Department of Housing and Urban  
 3965 Development, the Department of Commerce ~~Economic Opportunity~~,  
 3966 and any other similar local, state, or Federal Government  
 3967 agency; and to cooperate with and assist, and otherwise  
 3968 encourage, organizations in the various communities of the state  
 3969 on the promotion, assistance, and development of the housing and  
 3970 economic welfare of such communities or of this state or any  
 3971 part thereof.

3972 Section 151. Section 420.36, Florida Statutes, is amended  
 3973 to read:

3974 420.36 Low-income Emergency Home Repair Program.—There is  
 3975 established within the Department of Commerce ~~Economic~~

3976 ~~Opportunity~~ the Low-income Emergency Home Repair Program to  
 3977 assist low-income persons, especially the elderly and physically  
 3978 disabled, in making emergency repairs which directly affect  
 3979 their health and safety.

3980 (1) As used in this section, the term:

3981 (a) "Grantee" means a local public or private nonprofit  
 3982 agency currently receiving funds from the department to conduct  
 3983 a weatherization assistance program in one or more counties or a  
 3984 public or nonprofit agency chosen as outlined in subparagraph  
 3985 (4)(c)4.

3986 (b) "Subgrantee" means a local public or private nonprofit  
 3987 agency experienced in weatherization, emergency repairs, or  
 3988 rehabilitation of housing.

3989 (2) A person is eligible to receive assistance if that  
 3990 person has an income in relation to that person's family size  
 3991 which is at or below 125 percent of the poverty level as  
 3992 specified annually in the federal Office of Management and  
 3993 Budget Poverty Guidelines. Eligible persons over 60 years of age  
 3994 and eligible persons who are physically disabled shall be given  
 3995 priority in the program.

3996 (3)(a) Allowable repairs, including materials and labor,  
 3997 which may be charged under the program include:

3998 1. Correcting deficiencies in support beams, load-bearing  
 3999 walls, and floor joists.

4000 2. Repair or replacement of unsafe or nonfunctional space



4001 heating or water heating systems.

4002 3. Egress or physically disabled accessibility repairs,

4003 improvements, or assistive devices, including wheelchair ramps,

4004 steps, porches, handrails, or other health and safety measures.

4005 4. Plumbing, pump, well, and line repairs to ensure safe

4006 drinking water and sanitary sewage.

4007 5. Electrical repairs.

4008 6. Repairs to deteriorating walls, floors, and roofs.

4009 7. Other interior and exterior repairs as necessary for

4010 the health and safety of the resident.

4011 (b) Administrative expenses may not exceed 10 percent of

4012 the total grant funds.

4013 (c) Each grantee shall be required to provide an in-kind

4014 or cash match of at least 20 percent of the funds granted.

4015 Grantees and subgrantees shall be encouraged to use community

4016 resources to provide such match, including family, church, and

4017 neighborhood volunteers and materials provided by local groups

4018 and businesses. Grantees shall coordinate with local governments

4019 through their community development block grant entitlement

4020 programs and other housing programs, local housing partnerships,

4021 and agencies under contract to a lead agency for the provisions

4022 of services under the Community Care for the Elderly Act, ss.

4023 430.201-430.207.

4024 (4) (a) Funds appropriated to the department for the

4025 program shall be deposited in the Federal Grants Trust Fund.

4026 Administrative and personnel costs incurred by the department in  
 4027 implementing the provisions of this section may be paid from the  
 4028 fund.

4029 (b) The grantee may subgrant these funds to a subgrantee  
 4030 if the grantee is unable to serve all of the county or the  
 4031 target population. Grantee and subgrantee eligibility shall be  
 4032 determined by the department.

4033 (c) Funds shall be distributed to grantees and subgrantees  
 4034 as follows:

4035 1. For each county, a base amount of at least \$3,000 shall  
 4036 be set aside from the total funds available, and such amount  
 4037 shall be deducted from the total amount appropriated by the  
 4038 Legislature.

4039 2. The balance of the funds appropriated by the  
 4040 Legislature shall be divided by the total poverty population of  
 4041 the state, and this quotient shall be multiplied by each  
 4042 county's share of the poverty population. That amount plus the  
 4043 base of at least \$3,000 constitutes each county's share. A  
 4044 grantee that serves more than one county shall receive the base  
 4045 amount plus the poverty population share for each county to be  
 4046 served. Contracts with grantees may be renewed annually.

4047 3. The funds allocated to each county shall be offered  
 4048 first to an existing weatherization assistance program grantee  
 4049 in good standing, as determined by the department, which can  
 4050 provide services to the target population of low-income persons,

4051 low-income elderly persons, and low-income physically disabled  
 4052 persons throughout the county.

4053 4. If a weatherization assistance program grantee is not  
 4054 available to serve the entire county area, the funds shall be  
 4055 distributed through the following process:

4056 a. An announcement of funding availability shall be  
 4057 provided to the county. The county may elect to administer the  
 4058 program.

4059 b. If the county elects not to administer the program, the  
 4060 department shall establish rules to address the selection of one  
 4061 or more public or private not-for-profit agencies that are  
 4062 experienced in weatherization, rehabilitation, or emergency  
 4063 repair to administer the program.

4064 5. If no eligible agency agrees to serve a county, the  
 4065 funds for that county shall be distributed to grantees having  
 4066 the best performance record as determined by department rule. At  
 4067 the end of the contract year, any uncontracted or unexpended  
 4068 funds shall be returned to the Federal Grants Trust Fund and  
 4069 reallocated under the next year's contracting cycle.

4070 (5) The department may perform all actions appropriate and  
 4071 necessary to carry out the purposes of this section, including,  
 4072 but not limited to:

4073 (a) Entering into contracts and agreements with the  
 4074 Federal Government, agencies of the state, local governments, or  
 4075 any person, association, corporation, or entity.

4076 (b) Seeking and accepting funding from any public or  
 4077 private source.

4078 (c) Adopting and enforcing rules consistent with this  
 4079 section.

4080 Section 152. Subsection (1) of section 420.424, Florida  
 4081 Statutes, is amended to read:

4082 420.424 Definitions.—As used in ss. 420.421-420.429:

4083 (1) "Department" means the Department of Commerce ~~Economic~~  
 4084 ~~Opportunity~~.

4085 Section 153. Subsections (9) and (13) of section 420.503,  
 4086 Florida Statutes, are amended to read:

4087 420.503 Definitions.—As used in this part, the term:

4088 (9) "Contract" means the contract between the Secretary of  
 4089 Commerce ~~Economic Opportunity~~ and the corporation for provision  
 4090 of housing services referenced in s. 420.0006.

4091 (13) "Department" means the Department of Commerce  
 4092 ~~Economic Opportunity~~.

4093 Section 154. Subsections (1) and (3) of section 420.504,  
 4094 Florida Statutes, are amended to read:

4095 420.504 Public corporation; creation, membership, terms,  
 4096 expenses.—

4097 (1) A public corporation and a public body corporate and  
 4098 politic, to be known as the "Florida Housing Finance  
 4099 Corporation," is created within the Department of Commerce  
 4100 ~~Economic Opportunity~~. It is declared to be the intent of and

4101 constitutional construction by the Legislature that the Florida  
 4102 Housing Finance Corporation constitutes an entrepreneurial  
 4103 public corporation organized to provide and promote the public  
 4104 welfare by administering the governmental function of financing  
 4105 or refinancing housing and related facilities in this state and  
 4106 that the corporation is not a department of the executive branch  
 4107 of state government within the scope and meaning of s. 6, Art.  
 4108 IV of the State Constitution, but is functionally related to the  
 4109 Department of Commerce ~~Economic Opportunity~~ in which it is  
 4110 placed. The executive function of state government to be  
 4111 performed by the Secretary of Commerce ~~Economic Opportunity~~ in  
 4112 the conduct of the business of the Florida Housing Finance  
 4113 Corporation must be performed pursuant to a contract to monitor  
 4114 and set performance standards for the implementation of the  
 4115 business plan for the provision of housing approved for the  
 4116 corporation as provided in s. 420.0006. This contract must  
 4117 include performance standards for the provision of affordable  
 4118 housing in this state established in the strategic business plan  
 4119 described in s. 420.511.

4120 (3) The corporation is a separate budget entity and is not  
 4121 subject to control, supervision, or direction by the department  
 4122 in any manner, including, but not limited to, personnel,  
 4123 purchasing, transactions involving real or personal property,  
 4124 and budgetary matters. The corporation shall consist of a board  
 4125 of directors composed of the Secretary of Commerce ~~Economic~~

4126 ~~Opportunity~~ as an ex officio and voting member, or a senior-  
 4127 level agency employee designated by the secretary, one member  
 4128 appointed by the President of the Senate, one member appointed  
 4129 by the Speaker of the House of Representatives, and eight  
 4130 members appointed by the Governor subject to confirmation by the  
 4131 Senate from the following:

4132 (a) One citizen actively engaged in the residential home  
 4133 building industry.

4134 (b) One citizen actively engaged in the banking or  
 4135 mortgage banking industry.

4136 (c) One citizen who is a representative of those areas of  
 4137 labor engaged in home building.

4138 (d) One citizen with experience in housing development who  
 4139 is an advocate for low-income persons.

4140 (e) One citizen actively engaged in the commercial  
 4141 building industry.

4142 (f) One citizen who is a former local government elected  
 4143 official.

4144 (g) Two citizens of the state who are not principally  
 4145 employed as members or representatives of any of the groups  
 4146 specified in paragraphs (a) - (f).

4147 Section 155. Subsection (1) of section 420.506, Florida  
 4148 Statutes, is amended to read:

4149 420.506 Executive director; agents and employees;  
 4150 inspector general.—

4151 (1) The appointment and removal of an executive director  
 4152 shall be by the Secretary of Commerce ~~Economic Opportunity~~, with  
 4153 the advice and consent of the corporation's board of directors.  
 4154 The executive director shall employ legal and technical experts  
 4155 and such other agents and employees, permanent and temporary, as  
 4156 the corporation may require, and shall communicate with and  
 4157 provide information to the Legislature with respect to the  
 4158 corporation's activities. Notwithstanding s. 216.262, the board  
 4159 may develop and implement rules regarding the employment of  
 4160 employees of the corporation and service providers, including  
 4161 legal counsel. The board is entitled to establish travel  
 4162 procedures and guidelines for employees of the corporation,  
 4163 subject to s. 112.061(6) and (7). The executive director's  
 4164 office and the corporation's files and records must be located  
 4165 in Leon County.

4166 Section 156. Subsection (30) of section 420.507, Florida  
 4167 Statutes, is amended to read:

4168 420.507 Powers of the corporation.—The corporation shall  
 4169 have all the powers necessary or convenient to carry out and  
 4170 effectuate the purposes and provisions of this part, including  
 4171 the following powers which are in addition to all other powers  
 4172 granted by other provisions of this part:

4173 (30) To prepare and submit to the Secretary of Commerce  
 4174 ~~Economic Opportunity~~ a budget request for purposes of the  
 4175 corporation, which request must, notwithstanding the provisions

4176 of chapter 216 and in accordance with s. 216.351, contain a  
 4177 request for operational expenditures and separate requests for  
 4178 other authorized corporation programs. The request must include,  
 4179 for informational purposes, the amount of state funds necessary  
 4180 to use all federal housing funds anticipated to be received by,  
 4181 or allocated to, the state in the fiscal year in order to  
 4182 maximize the production of new, affordable multifamily housing  
 4183 units in this state. The request need not contain information on  
 4184 the number of employees, salaries, or any classification  
 4185 thereof, and the approved operating budget therefor need not  
 4186 comply with s. 216.181(8)-(10). The secretary may include within  
 4187 the department's budget request the corporation's budget request  
 4188 in the form as authorized by this section.

4189 Section 157. Effective July 1, 2033, subsection (30) of  
 4190 section 420.507, Florida Statutes, as amended by section 30 of  
 4191 chapter 2023-17, Laws of Florida, is amended to read:

4192 420.507 Powers of the corporation.—The corporation shall  
 4193 have all the powers necessary or convenient to carry out and  
 4194 effectuate the purposes and provisions of this part, including  
 4195 the following powers which are in addition to all other powers  
 4196 granted by other provisions of this part:

4197 (30) To prepare and submit to the Secretary of Commerce  
 4198 ~~Economic Opportunity~~ a budget request for purposes of the  
 4199 corporation, which request shall, notwithstanding the provisions  
 4200 of chapter 216 and in accordance with s. 216.351, contain a



4201 request for operational expenditures and separate requests for  
 4202 other authorized corporation programs. The request need not  
 4203 contain information on the number of employees, salaries, or any  
 4204 classification thereof, and the approved operating budget  
 4205 therefor need not comply with s. 216.181(8)-(10). The secretary  
 4206 may include within the department's budget request the  
 4207 corporation's budget request in the form as authorized by this  
 4208 section.

4209 Section 158. Subsection (2) of section 420.511, Florida  
 4210 Statutes, is amended to read:

4211 420.511 Strategic business plan; long-range program plan;  
 4212 annual report; audited financial statements.—

4213 (2) The corporation, in coordination with the department,  
 4214 shall annually develop a long-range program plan for the  
 4215 provision of affordable housing in this state as required  
 4216 pursuant to chapter 186. In part, the plan must include  
 4217 provisions that maximize the abilities of the corporation to  
 4218 implement the state housing strategy established under s.  
 4219 420.0003, to respond to federal housing initiatives, and to  
 4220 develop programs in a manner that is more responsive to the  
 4221 needs of public and private partners. The plan shall be  
 4222 developed on a schedule consistent with that established by s.  
 4223 186.021. For purposes of this section, the Secretary of Commerce  
 4224 ~~Economic Opportunity~~ or his or her designee shall serve as the  
 4225 corporation's representative to achieve a coordinated and

4226 | integrated planning relationship with the department.

4227 | Section 159. Subsection (6) of section 420.602, Florida  
 4228 | Statutes, is amended to read:

4229 | 420.602 Definitions.—As used in this part, the following  
 4230 | terms shall have the following meanings, unless the context  
 4231 | otherwise requires:

4232 | (6) "Department" means the Department of Commerce ~~Economic~~  
 4233 | ~~Opportunity~~.

4234 | Section 160. Subsections (3) and (4) of section 420.606,  
 4235 | Florida Statutes, are amended to read:

4236 | 420.606 Training and technical assistance program.—

4237 | (3) TRAINING AND TECHNICAL ASSISTANCE PROGRAM.—The  
 4238 | Department of Commerce ~~Economic Opportunity~~ shall be responsible  
 4239 | for securing the necessary expertise to provide training and  
 4240 | technical assistance to:

4241 | (a) Staff of local governments, to staff of state  
 4242 | agencies, as appropriate, to community-based organizations, and  
 4243 | to persons forming such organizations, which are formed for the  
 4244 | purpose of developing new housing and rehabilitating existing  
 4245 | housing that is affordable for very-low-income persons, low-  
 4246 | income persons, and moderate-income persons.

4247 | 1. The training component of the program shall be designed  
 4248 | to build the housing development capacity of community-based  
 4249 | organizations and local governments as a permanent resource for  
 4250 | the benefit of communities in this state.

4251           a. The scope of training must include, but need not be  
 4252 limited to, real estate development skills related to affordable  
 4253 housing, including the construction process and property  
 4254 management and disposition, the development of public-private  
 4255 partnerships to reduce housing costs, model housing projects,  
 4256 and management and board responsibilities of community-based  
 4257 organizations.

4258           b. Training activities may include, but are not limited  
 4259 to, materials for self-instruction, workshops, seminars,  
 4260 internships, coursework, and special programs developed in  
 4261 conjunction with state universities and community colleges.

4262           2. The technical assistance component of the program shall  
 4263 be designed to assist applicants for state-administered programs  
 4264 in developing applications and in expediting project  
 4265 implementation. Technical assistance activities for the staffs  
 4266 of community-based organizations and local governments who are  
 4267 directly involved in the production of affordable housing may  
 4268 include, but are not limited to, workshops for program  
 4269 applicants, onsite visits, guidance in achieving project  
 4270 completion, and a newsletter to community-based organizations  
 4271 and local governments.

4272           (b) Designated lead agencies of homeless assistance  
 4273 continuums of care which receive funding from the Department of  
 4274 Children and Families to provide or secure housing, programs,  
 4275 and other services for homeless persons. Such training and

4276 technical assistance, subject to a specific appropriation in the  
 4277 General Appropriations Act for that purpose, must be provided by  
 4278 a nonprofit entity that meets the requirements for providing  
 4279 training and technical assistance under s. 420.531.

4280 (4) POWERS.—The Department of Commerce ~~Economic~~  
 4281 ~~Opportunity~~ may do all things necessary or appropriate to carry  
 4282 out the purposes of this section, including exercising the power  
 4283 to:

4284 (a) Enter into contracts and agreements with the Federal  
 4285 Government or with other agencies of the state, with local  
 4286 governments, or with any other person, association, corporation,  
 4287 or entity;

4288 (b) Seek and accept funding from any public or private  
 4289 source; and

4290 (c) Adopt and enforce rules consistent with this section.

4291 Section 161. Subsection (5) of section 420.609, Florida  
 4292 Statutes, is amended to read:

4293 420.609 Affordable Housing Study Commission.—Because the  
 4294 Legislature firmly supports affordable housing in Florida for  
 4295 all economic classes:

4296 (5) The commission shall review, evaluate, and make  
 4297 recommendations regarding existing and proposed housing programs  
 4298 and initiatives. The commission shall provide these and any  
 4299 other housing recommendations to the Secretary of Commerce  
 4300 ~~Economic Opportunity~~ and the executive director of the

4301 corporation.

4302 Section 162. Subsection (2) of section 420.622, Florida

4303 Statutes, is amended to read:

4304 420.622 State Office on Homelessness; Council on

4305 Homelessness.—

4306 (2) The Council on Homelessness is created to consist of

4307 19 representatives of public and private agencies who shall

4308 develop policy and advise the State Office on Homelessness. The

4309 council members shall be: the Secretary of Children and

4310 Families, or his or her designee; the Secretary of Commerce

4311 ~~Economic Opportunity~~, or his or her designee, who shall advise

4312 the council on issues related to rural development; the State

4313 Surgeon General, or his or her designee; the Executive Director

4314 of Veterans' Affairs, or his or her designee; the Secretary of

4315 Corrections, or his or her designee; the Secretary of Health

4316 Care Administration, or his or her designee; the Commissioner of

4317 Education, or his or her designee; the Executive Director of

4318 CareerSource Florida, Inc., or his or her designee; one

4319 representative of the Florida Association of Counties; one

4320 representative of the Florida League of Cities; one

4321 representative of the Florida Supportive Housing Coalition; one

4322 representative of the Florida Housing Coalition; the Executive

4323 Director of the Florida Housing Finance Corporation, or his or

4324 her designee; one representative of the Florida Coalition for

4325 the Homeless; the secretary of the Department of Elder Affairs,

4326 or his or her designee; and four members appointed by the  
 4327 Governor. The council members shall be nonpaid volunteers and  
 4328 shall be reimbursed only for travel expenses. The appointed  
 4329 members of the council shall be appointed to staggered 2-year  
 4330 terms and are encouraged to have experience in the  
 4331 administration or provision of resources, services, or housing  
 4332 that addresses the needs of persons experiencing homelessness.  
 4333 The council shall meet at least four times per year. The  
 4334 importance of minority, gender, and geographic representation  
 4335 shall be considered in appointing members to the council.

4336 Section 163. Subsection (6) of section 420.631, Florida  
 4337 Statutes, is amended to read:

4338 420.631 Definitions relating to Urban Homesteading Act.—As  
 4339 used in ss. 420.630-420.635:

4340 (6) "Office" means the Office of Urban Opportunity within  
 4341 the Department of Commerce ~~Economic Opportunity~~.

4342 Section 164. Section 420.635, Florida Statutes, is amended  
 4343 to read:

4344 420.635 Loans to qualified buyers.—Contingent upon an  
 4345 appropriation, the Department of Commerce ~~Economic Opportunity~~,  
 4346 in consultation with the Office of Urban Opportunity, shall  
 4347 provide loans to qualified buyers who are required to pay the  
 4348 pro rata portion of the bonded debt on single-family housing  
 4349 pursuant to s. 420.634. Loans provided under this section shall  
 4350 be made at a rate of interest which does not exceed the

4351 qualified loan rate. A buyer must maintain the qualifications  
 4352 specified in s. 420.633 for the full term of the loan. The loan  
 4353 agreement may contain additional terms and conditions as  
 4354 determined by the department.

4355 Section 165. Section 421.001, Florida Statutes, is amended  
 4356 to read:

4357 421.001 State role in housing and urban development.—The  
 4358 role of state government required by part I of chapter 421  
 4359 (Housing Authorities Law), chapter 422 (Housing Cooperation  
 4360 Law), and chapter 423 (Tax Exemption of Housing Authorities) is  
 4361 the responsibility of the Department of Commerce ~~Economic~~  
 4362 ~~Opportunity~~; and the department is the agency of state  
 4363 government responsible for the state's role in housing and urban  
 4364 development.

4365 Section 166. Section 422.001, Florida Statutes, is amended  
 4366 to read:

4367 422.001 State role in housing and urban development.—The  
 4368 role of state government required by part I of chapter 421  
 4369 (Housing Authorities Law), chapter 422 (Housing Cooperation  
 4370 Law), and chapter 423 (Tax Exemption of Housing Authorities) is  
 4371 the responsibility of the Department of Commerce ~~Economic~~  
 4372 ~~Opportunity~~; and the department is the agency of state  
 4373 government responsible for the state's role in housing and urban  
 4374 development.

4375 Section 167. Section 423.001, Florida Statutes, is amended

4376 to read:

4377           423.001 State role in housing and urban development.—The  
 4378 role of state government required by part I of chapter 421  
 4379 (Housing Authorities Law), chapter 422 (Housing Cooperation  
 4380 Law), and chapter 423 (Tax Exemption of Housing Authorities) is  
 4381 the responsibility of the Department of Commerce ~~Economic~~  
 4382 ~~Opportunity~~; and the department is the agency of state  
 4383 government responsible for the state's role in housing and urban  
 4384 development.

4385           Section 168. Paragraph (g) of subsection (1) of section  
 4386 427.012, Florida Statutes, is amended to read:

4387           427.012 The Commission for the Transportation  
 4388 Disadvantaged.—There is created the Commission for the  
 4389 Transportation Disadvantaged in the Department of  
 4390 Transportation.

4391           (1) The commission shall consist of seven members, all of  
 4392 whom shall be appointed by the Governor, in accordance with the  
 4393 requirements of s. 20.052.

4394           (g) The Secretary of Transportation, the Secretary of  
 4395 Children and Families, the Secretary of Commerce ~~Economic~~  
 4396 ~~Opportunity~~, the executive director of the Department of  
 4397 Veterans' Affairs, the Secretary of Elderly Affairs, the  
 4398 Secretary of Health Care Administration, the director of the  
 4399 Agency for Persons with Disabilities, and a county manager or  
 4400 administrator who is appointed by the Governor, or a senior



4401 management level representative of each, shall serve as ex  
 4402 officio, nonvoting advisors to the commission.

4403 Section 169. Subsection (2) of section 440.12, Florida  
 4404 Statutes, is amended to read:

4405 440.12 Time for commencement and limits on weekly rate of  
 4406 compensation.—

4407 (2) Compensation for disability resulting from injuries  
 4408 which occur after December 31, 1974, shall not be less than \$20  
 4409 per week. However, if the employee's wages at the time of injury  
 4410 are less than \$20 per week, he or she shall receive his or her  
 4411 full weekly wages. If the employee's wages at the time of the  
 4412 injury exceed \$20 per week, compensation shall not exceed an  
 4413 amount per week which is:

4414 (a) Equal to 100 percent of the statewide average weekly  
 4415 wage, determined as hereinafter provided for the year in which  
 4416 the injury occurred; however, the increase to 100 percent from  
 4417 66 2/3 percent of the statewide average weekly wage shall apply  
 4418 only to injuries occurring on or after August 1, 1979; and

4419 (b) Adjusted to the nearest dollar.

4420  
 4421 For the purpose of this subsection, the "statewide average  
 4422 weekly wage" means the average weekly wage paid by employers  
 4423 subject to the Florida Reemployment Assistance Program Law as  
 4424 reported to the Department of Commerce ~~Economic Opportunity~~ for  
 4425 the four calendar quarters ending each June 30, which average

4426 weekly wage shall be determined by the Department of Commerce  
 4427 ~~Economic Opportunity~~ on or before November 30 of each year and  
 4428 shall be used in determining the maximum weekly compensation  
 4429 rate with respect to injuries occurring in the calendar year  
 4430 immediately following. The statewide average weekly wage  
 4431 determined by the Department of Commerce ~~Economic Opportunity~~  
 4432 shall be reported annually to the Legislature.

4433 Section 170. Paragraph (c) of subsection (9) of section  
 4434 440.15, Florida Statutes, is amended to read:

4435 440.15 Compensation for disability.—Compensation for  
 4436 disability shall be paid to the employee, subject to the limits  
 4437 provided in s. 440.12(2), as follows:

4438 (9) EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER AND  
 4439 FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE ACT.—

4440 (c) Disability compensation benefits payable for any week,  
 4441 including those benefits provided by paragraph (1) (f), may not  
 4442 be reduced pursuant to this subsection until the Social Security  
 4443 Administration determines the amount otherwise payable to the  
 4444 employee under 42 U.S.C. ss. 402 and 423 and the employee has  
 4445 begun receiving such social security benefit payments. The  
 4446 employee shall, upon demand by the department, the employer, or  
 4447 the carrier, authorize the Social Security Administration to  
 4448 release disability information relating to her or him and  
 4449 authorize the Department of Commerce ~~Economic Opportunity~~ to  
 4450 release reemployment assistance information relating to her or

4451 him, in accordance with rules to be adopted by the department  
 4452 prescribing the procedure and manner for requesting the  
 4453 authorization and for compliance by the employee. The department  
 4454 or the employer or carrier may not make any payment of benefits  
 4455 for total disability or those additional benefits provided by  
 4456 paragraph (1)(f) for any period during which the employee  
 4457 willfully fails or refuses to authorize the release of  
 4458 information in the manner and within the time prescribed by such  
 4459 rules. The authority for release of disability information  
 4460 granted by an employee under this paragraph is effective for a  
 4461 period not to exceed 12 months and such authority may be  
 4462 renewed, as the department prescribes by rule.

4463 Section 171. Subsections (4) and (7) of section 440.381,  
 4464 Florida Statutes, are amended to read:

4465 440.381 Application for coverage; reporting payroll;  
 4466 payroll audit procedures; penalties.—

4467 (4) Each employer must submit a copy of the quarterly  
 4468 earnings report required by chapter 443 at the end of each  
 4469 quarter to the carrier and submit self-audits supported by the  
 4470 quarterly earnings reports required by chapter 443 and the rules  
 4471 adopted by the Department of Commerce ~~Economic Opportunity~~ or by  
 4472 the state agency providing reemployment assistance tax  
 4473 collection services under contract with the Department of  
 4474 Commerce ~~Economic Opportunity~~ through an interagency agreement  
 4475 pursuant to s. 443.1316. The reports must include a sworn

4476 statement by an officer or principal of the employer attesting  
 4477 to the accuracy of the information contained in the report.

4478 (7) If an employee suffering a compensable injury was not  
 4479 reported as earning wages on the last quarterly earnings report  
 4480 filed with the Department of Commerce ~~Economic Opportunity~~ or  
 4481 the state agency providing reemployment assistance tax  
 4482 collection services under contract with the Department of  
 4483 Commerce ~~Economic Opportunity~~ through an interagency agreement  
 4484 pursuant to s. 443.1316 before the accident, the employer shall  
 4485 indemnify the carrier for all workers' compensation benefits  
 4486 paid to or on behalf of the employee unless the employer  
 4487 establishes that the employee was hired after the filing of the  
 4488 quarterly report, in which case the employer and employee shall  
 4489 attest to the fact that the employee was employed by the  
 4490 employer at the time of the injury. Failure of the employer to  
 4491 indemnify the insurer within 21 days after demand by the insurer  
 4492 is grounds for the insurer to immediately cancel coverage. Any  
 4493 action for indemnification brought by the carrier is cognizable  
 4494 in the circuit court having jurisdiction where the employer or  
 4495 carrier resides or transacts business. The insurer is entitled  
 4496 to a reasonable attorney's fee if it recovers any portion of the  
 4497 benefits paid in the action.

4498 Section 172. Subsections (1), (4), and (5) of section  
 4499 443.012, Florida Statutes, are amended to read:

4500 443.012 Reemployment Assistance Appeals Commission.—

4501 (1) There is created within the Division of Workforce  
 4502 Services of the Department of Commerce ~~Economic Opportunity~~ a  
 4503 Reemployment Assistance Appeals Commission. The commission is  
 4504 composed of a chair and two other members appointed by the  
 4505 Governor, subject to confirmation by the Senate. Only one  
 4506 appointee may be a representative of employers, as demonstrated  
 4507 by his or her previous vocation, employment, or affiliation; and  
 4508 only one appointee may be a representative of employees, as  
 4509 demonstrated by his or her previous vocation, employment, or  
 4510 affiliation.

4511 (a) The chair shall devote his or her entire time to  
 4512 commission duties and is responsible for the administrative  
 4513 functions of the commission.

4514 (b) The chair has authority to appoint a general counsel  
 4515 and other personnel to carry out the duties and responsibilities  
 4516 of the commission.

4517 (c) The chair must have the qualifications required by law  
 4518 for a judge of the circuit court and may not engage in any other  
 4519 business vocation or employment. Notwithstanding any other law,  
 4520 the chair shall be paid a salary equal to that paid under state  
 4521 law to a judge of the circuit court.

4522 (d) The remaining members shall be paid a stipend of \$100  
 4523 for each day they are engaged in the work of the commission. The  
 4524 chair and other members are entitled to be reimbursed for travel  
 4525 expenses, as provided in s. 112.061.

4526 (e) The total salary and travel expenses of each member of  
 4527 the commission shall be paid from the Employment Security  
 4528 Administration Trust Fund.

4529 (4) The property, personnel, and appropriations relating  
 4530 to the specified authority, powers, duties, and responsibilities  
 4531 of the commission shall be provided to the commission by the  
 4532 Department of Commerce ~~Economic Opportunity~~.

4533 (5) The commission is not subject to control, supervision,  
 4534 or direction by the Department of Commerce ~~Economic Opportunity~~  
 4535 in performing its powers or duties under this chapter.

4536 Section 173. Subsections (9), (42), (44), and (46) of  
 4537 section 443.036, Florida Statutes, are amended to read:

4538 443.036 Definitions.—As used in this chapter, the term:

4539 (9) "Benefit year" means, for an individual, the 1-year  
 4540 period beginning with the first day of the first week for which  
 4541 the individual first files a valid claim for benefits and,  
 4542 thereafter, the 1-year period beginning with the first day of  
 4543 the first week for which the individual next files a valid claim  
 4544 for benefits after the termination of his or her last preceding  
 4545 benefit year. Each claim for benefits made in accordance with s.  
 4546 443.151(2) is a valid claim if the individual was paid wages for  
 4547 insured work in accordance with s. 443.091(1)(g) and is  
 4548 unemployed at the time of filing the claim. However, the  
 4549 Department of Commerce ~~Economic Opportunity~~ may adopt rules  
 4550 providing for the establishment of a uniform benefit year for

4551 all workers in one or more groups or classes of service or  
 4552 within a particular industry if the department determines, after  
 4553 notice to the industry and to the workers in the industry and an  
 4554 opportunity to be heard in the matter, that those groups or  
 4555 classes of workers in a particular industry periodically  
 4556 experience unemployment resulting from layoffs or shutdowns for  
 4557 limited periods of time.

4558 (42) "Tax collection service provider" or "service  
 4559 provider" means the state agency providing reemployment  
 4560 assistance tax collection services under contract with the  
 4561 Department of Commerce ~~Economic Opportunity~~ through an  
 4562 interagency agreement pursuant to s. 443.1316.

4563 (44) "Unemployment" or "unemployed" means:

4564 (a) An individual is "totally unemployed" in any week  
 4565 during which he or she does not perform any services and for  
 4566 which earned income is not payable to him or her. An individual  
 4567 is "partially unemployed" in any week of less than full-time  
 4568 work if the earned income payable to him or her for that week is  
 4569 less than his or her weekly benefit amount. The Department of  
 4570 Commerce ~~Economic Opportunity~~ may adopt rules prescribing  
 4571 distinctions in the procedures for unemployed individuals based  
 4572 on total unemployment, part-time unemployment, partial  
 4573 unemployment of individuals attached to their regular jobs, and  
 4574 other forms of short-time work.

4575 (b) An individual's week of unemployment commences only

4576 after registration with the Department of Commerce ~~Economic~~  
 4577 ~~Opportunity~~ as required in s. 443.091.

4578 (46) "Week" means a period of 7 consecutive days as  
 4579 defined in the rules of the Department of Commerce ~~Economic~~  
 4580 ~~Opportunity~~. The department may by rule prescribe that a week is  
 4581 deemed to be "in," "within," or "during" the benefit year that  
 4582 contains the greater part of the week.

4583 Section 174. Paragraph (a) of subsection (2) and  
 4584 subsection (3) of section 443.041, Florida Statutes, are amended  
 4585 to read:

4586 443.041 Waiver of rights; fees; privileged  
 4587 communications.—

4588 (2) FEES.—

4589 (a) Except as otherwise provided in this chapter, an  
 4590 individual claiming benefits may not be charged fees of any kind  
 4591 in any proceeding under this chapter by the commission or the  
 4592 Department of Commerce ~~Economic Opportunity~~, or their  
 4593 representatives, or by any court or any officer of the court. An  
 4594 individual claiming benefits in any proceeding before the  
 4595 commission or the department, or representatives of either, or a  
 4596 court may be represented by counsel or an authorized  
 4597 representative, but the counsel or representative may not charge  
 4598 or receive for those services more than an amount approved by  
 4599 the commission, the department, or the court.

4600 (3) PRIVILEGED COMMUNICATIONS.—All letters, reports,



4601 | communications, or any other matters, either oral or written,  
 4602 | between an employer and an employee or between the Department of  
 4603 | Commerce ~~Economic Opportunity~~ or its tax collection service  
 4604 | provider and any of their agents, representatives, or employees  
 4605 | which are written, sent, delivered, or made in connection with  
 4606 | this chapter, are privileged and may not be the subject matter  
 4607 | or basis for any suit for slander or libel in any court of the  
 4608 | state.

4609 |         Section 175. Paragraph (a) of subsection (3) of section  
 4610 | 443.051, Florida Statutes, is amended to read:

4611 |             443.051 Benefits not alienable; exception, child support  
 4612 | intercept.—

4613 |             (3) EXCEPTION, SUPPORT INTERCEPT.—

4614 |             (a) The Department of Revenue shall, at least biweekly,  
 4615 | provide the Department of Commerce ~~Economic Opportunity~~ with a  
 4616 | magnetic tape or other electronic data file disclosing the  
 4617 | individuals who owe support obligations and the amount of any  
 4618 | legally required deductions.

4619 |         Section 176. Subsections (3) and (4), paragraph (b) of  
 4620 | subsection (5), and subsections (6) and (8) of section 443.071,  
 4621 | Florida Statutes, are amended to read:

4622 |             443.071 Penalties.—

4623 |             (3) Any employing unit or any officer or agent of any  
 4624 | employing unit or any other person who fails to furnish any  
 4625 | reports required under this chapter or to produce or permit the

4626 inspection of or copying of records as required under this  
4627 chapter, who fails or refuses, within 6 months after written  
4628 demand by the Department of Commerce ~~Economic Opportunity~~ or its  
4629 tax collection service provider, to keep and maintain the  
4630 payroll records required by this chapter or by rule of the  
4631 department or the state agency providing tax collection  
4632 services, or who willfully fails or refuses to make any  
4633 contribution, reimbursement, or other payment required from an  
4634 employer under this chapter commits a misdemeanor of the second  
4635 degree, punishable as provided in s. 775.082 or s. 775.083.

4636 (4) Any person who establishes a fictitious employing unit  
4637 by submitting to the Department of Commerce ~~Economic Opportunity~~  
4638 or its tax collection service provider fraudulent employing unit  
4639 records or tax or wage reports by the introduction of fraudulent  
4640 records into a computer system, the intentional or deliberate  
4641 alteration or destruction of computerized information or files,  
4642 or the theft of financial instruments, data, and other assets,  
4643 for the purpose of enabling herself or himself or any other  
4644 person to receive benefits under this chapter to which such  
4645 person is not entitled, commits a felony of the third degree,  
4646 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4647 (5) In any prosecution or action under this section, the  
4648 entry into evidence of the signature of a person on a document,  
4649 letter, or other writing constitutes prima facie evidence of the  
4650 person's identity if the following conditions exist:

4651 (b) The signature of the person is witnessed by an agent  
 4652 or employee of the Department of Commerce ~~Economic Opportunity~~  
 4653 or its tax collection service provider at the time the document,  
 4654 letter, or other writing is filed.

4655 (6) The entry into evidence of an application for  
 4656 reemployment assistance benefits initiated by the use of the  
 4657 Internet claims program or the interactive voice response system  
 4658 telephone claims program of the Department of Commerce ~~Economic~~  
 4659 ~~Opportunity~~ constitutes prima facie evidence of the  
 4660 establishment of a personal benefit account by or for an  
 4661 individual if the following information is provided: the  
 4662 applicant's name, residence address, date of birth, social  
 4663 security number, and present or former place of work.

4664 (8) All records relating to investigations of reemployment  
 4665 assistance fraud in the custody of the Department of Commerce  
 4666 ~~Economic Opportunity~~ or its tax collection service provider are  
 4667 available for examination by the Department of Law Enforcement,  
 4668 the state attorneys, or the Office of the Statewide Prosecutor  
 4669 in the prosecution of offenses under s. 817.568 or in  
 4670 proceedings brought under this chapter.

4671 Section 177. Paragraph (a) of subsection (1), subsections  
 4672 (2), (6), and (7), and paragraph (a) of subsection (9) of  
 4673 section 443.101, Florida Statutes, are amended to read:

4674 443.101 Disqualification for benefits.—An individual shall  
 4675 be disqualified for benefits:

4676 (1) (a) For the week in which he or she has voluntarily  
 4677 left work without good cause attributable to his or her  
 4678 employing unit or for the week in which he or she has been  
 4679 discharged by the employing unit for misconduct connected with  
 4680 his or her work, based on a finding by the Department of  
 4681 Commerce ~~Economic Opportunity~~. As used in this paragraph, the  
 4682 term "work" means any work, whether full-time, part-time, or  
 4683 temporary.

4684 1. Disqualification for voluntarily quitting continues for  
 4685 the full period of unemployment next ensuing after the  
 4686 individual has left his or her full-time, part-time, or  
 4687 temporary work voluntarily without good cause and until the  
 4688 individual has earned income equal to or greater than 17 times  
 4689 his or her weekly benefit amount. As used in this subsection,  
 4690 the term "good cause" includes only that cause attributable to  
 4691 the employing unit which would compel a reasonable employee to  
 4692 cease working or attributable to the individual's illness or  
 4693 disability requiring separation from his or her work. Any other  
 4694 disqualification may not be imposed.

4695 2. An individual is not disqualified under this subsection  
 4696 for:

4697 a. Voluntarily leaving temporary work to return  
 4698 immediately when called to work by the permanent employing unit  
 4699 that temporarily terminated his or her work within the previous  
 4700 6 calendar months;

4701           b. Voluntarily leaving work to relocate as a result of his  
 4702 or her military-connected spouse's permanent change of station  
 4703 orders, activation orders, or unit deployment orders; or

4704           c. Voluntarily leaving work if he or she proves that his  
 4705 or her discontinued employment is a direct result of  
 4706 circumstances related to domestic violence as defined in s.  
 4707 741.28. An individual who voluntarily leaves work under this  
 4708 sub-subparagraph must:

4709           (I) Make reasonable efforts to preserve employment, unless  
 4710 the individual establishes that such remedies are likely to be  
 4711 futile or to increase the risk of future incidents of domestic  
 4712 violence. Such efforts may include seeking a protective  
 4713 injunction, relocating to a secure place, or seeking reasonable  
 4714 accommodation from the employing unit, such as a transfer or  
 4715 change of assignment;

4716           (II) Provide evidence such as an injunction, a protective  
 4717 order, or other documentation authorized by state law which  
 4718 reasonably proves that domestic violence has occurred; and

4719           (III) Reasonably believe that he or she is likely to be  
 4720 the victim of a future act of domestic violence at, in transit  
 4721 to, or departing from his or her place of employment.

4722           3. The employment record of an employing unit may not be  
 4723 charged for the payment of benefits to an individual who has  
 4724 voluntarily left work under sub-subparagraph 2.c.

4725           4. Disqualification for being discharged for misconduct

4726 connected with his or her work continues for the full period of  
4727 unemployment next ensuing after having been discharged and until  
4728 the individual is reemployed and has earned income of at least  
4729 17 times his or her weekly benefit amount and for not more than  
4730 52 weeks immediately following that week, as determined by the  
4731 department in each case according to the circumstances or the  
4732 seriousness of the misconduct, under the department's rules for  
4733 determining disqualification for benefits for misconduct.

4734 5. If an individual has provided notification to the  
4735 employing unit of his or her intent to voluntarily leave work  
4736 and the employing unit discharges the individual for reasons  
4737 other than misconduct before the date the voluntary quit was to  
4738 take effect, the individual, if otherwise entitled, shall  
4739 receive benefits from the date of the employer's discharge until  
4740 the effective date of his or her voluntary quit.

4741 6. If an individual is notified by the employing unit of  
4742 the employer's intent to discharge the individual for reasons  
4743 other than misconduct and the individual quits without good  
4744 cause before the date the discharge was to take effect, the  
4745 claimant is ineligible for benefits pursuant to s. 443.091(1)(d)  
4746 for failing to be available for work for the week or weeks of  
4747 unemployment occurring before the effective date of the  
4748 discharge.

4749 (2) If the Department of Commerce ~~Economic Opportunity~~  
4750 finds that the individual has failed without good cause to apply

4751 for available suitable work, accept suitable work when offered  
4752 to him or her, or return to the individual's customary self-  
4753 employment when directed by the department, the disqualification  
4754 continues for the full period of unemployment next ensuing after  
4755 he or she failed without good cause to apply for available  
4756 suitable work, accept suitable work, or return to his or her  
4757 customary self-employment, and until the individual has earned  
4758 income of at least 17 times his or her weekly benefit amount.  
4759 The department shall by rule adopt criteria for determining the  
4760 "suitability of work," as used in this section. In developing  
4761 these rules, the department shall consider the duration of a  
4762 claimant's unemployment in determining the suitability of work  
4763 and the suitability of proposed rates of compensation for  
4764 available work. Further, after an individual has received 25  
4765 weeks of benefits in a single year, suitable work is a job that  
4766 pays the minimum wage and is 120 percent or more of the weekly  
4767 benefit amount the individual is drawing.

4768 (a) In determining whether or not any work is suitable for  
4769 an individual, the department shall consider the degree of risk  
4770 to the individual's health, safety, and morals; the individual's  
4771 physical fitness, prior training, experience, prior earnings,  
4772 length of unemployment, and prospects for securing local work in  
4773 his or her customary occupation; and the distance of the  
4774 available work from his or her residence.

4775 (b) Notwithstanding any other provisions of this chapter,

4776 work is not deemed suitable and benefits may not be denied to  
 4777 any otherwise eligible individual for refusing to accept new  
 4778 work under any of the following conditions:

4779 1. The position offered is vacant due directly to a  
 4780 strike, lockout, or other labor dispute.

4781 2. The wages, hours, or other conditions of the work  
 4782 offered are substantially less favorable to the individual than  
 4783 those prevailing for similar work in the locality.

4784 3. As a condition of being employed, the individual is  
 4785 required to join a company union or to resign from or refrain  
 4786 from joining any bona fide labor organization.

4787 (c) If the department finds that an individual was  
 4788 rejected for offered employment as the direct result of a  
 4789 positive, confirmed drug test required as a condition of  
 4790 employment, the individual is disqualified for refusing to  
 4791 accept an offer of suitable work.

4792 (6) For making any false or fraudulent representation for  
 4793 the purpose of obtaining benefits contrary to this chapter,  
 4794 constituting a violation under s. 443.071. The disqualification  
 4795 imposed under this subsection shall begin with the week for  
 4796 which the false or fraudulent representation was made and shall  
 4797 continue for a period not to exceed 1 year after the date the  
 4798 Department of Commerce ~~Economic Opportunity~~ discovers the false  
 4799 or fraudulent representation and until any overpayment of  
 4800 benefits resulting from such representation has been repaid in



4801 full. This disqualification may be appealed in the same manner  
 4802 as any other disqualification imposed under this section. A  
 4803 conviction by any court of competent jurisdiction in this state  
 4804 of the offense prohibited or punished by s. 443.071 is  
 4805 conclusive upon the appeals referee and the commission of the  
 4806 making of the false or fraudulent representation for which  
 4807 disqualification is imposed under this section.

4808 (7) If the Department of Commerce ~~Economic Opportunity~~  
 4809 finds that the individual is an alien, unless the alien is an  
 4810 individual who has been lawfully admitted for permanent  
 4811 residence or otherwise is permanently residing in the United  
 4812 States under color of law, including an alien who is lawfully  
 4813 present in the United States as a result of the application of  
 4814 s. 203(a) (7) or s. 212(d) (5) of the Immigration and Nationality  
 4815 Act, if any modifications to s. 3304(a) (14) of the Federal  
 4816 Unemployment Tax Act, as provided by Pub. L. No. 94-566, which  
 4817 specify other conditions or other effective dates than those  
 4818 stated under federal law for the denial of benefits based on  
 4819 services performed by aliens, and which modifications are  
 4820 required to be implemented under state law as a condition for  
 4821 full tax credit against the tax imposed by the Federal  
 4822 Unemployment Tax Act, are deemed applicable under this section,  
 4823 if:

4824 (a) Any data or information required of individuals  
 4825 applying for benefits to determine whether benefits are not

4826 payable to them because of their alien status is uniformly  
 4827 required from all applicants for benefits; and

4828 (b) In the case of an individual whose application for  
 4829 benefits would otherwise be approved, a determination that  
 4830 benefits to such individual are not payable because of his or  
 4831 her alien status may not be made except by a preponderance of  
 4832 the evidence.

4833  
 4834 If the department finds that the individual has refused without  
 4835 good cause an offer of resettlement or relocation, which offer  
 4836 provides for suitable employment for the individual  
 4837 notwithstanding the distance of relocation, resettlement, or  
 4838 employment from the current location of the individual in this  
 4839 state, this disqualification continues for the week in which the  
 4840 failure occurred and for not more than 17 weeks immediately  
 4841 after that week, or a reduction by not more than 5 weeks from  
 4842 the duration of benefits, as determined by the department in  
 4843 each case.

4844 (9) If the individual was terminated from his or her work  
 4845 as follows:

4846 (a) If the Department of Commerce ~~Economic Opportunity~~ or  
 4847 the Reemployment Assistance Appeals Commission finds that the  
 4848 individual was terminated from work for violation of any  
 4849 criminal law, under any jurisdiction, which was in connection  
 4850 with his or her work, and the individual was convicted, or

4851 entered a plea of guilty or nolo contendere, the individual is  
 4852 not entitled to reemployment assistance benefits for up to 52  
 4853 weeks, pursuant to rules adopted by the department, and until he  
 4854 or she has earned income of at least 17 times his or her weekly  
 4855 benefit amount. If, before an adjudication of guilt, an  
 4856 admission of guilt, or a plea of nolo contendere, the employer  
 4857 proves by competent substantial evidence to the department that  
 4858 the arrest was due to a crime against the employer or the  
 4859 employer's business, customers, or invitees, the individual is  
 4860 not entitled to reemployment assistance benefits.

4861  
 4862 If an individual is disqualified for benefits, the account of  
 4863 the terminating employer, if the employer is in the base period,  
 4864 is noncharged at the time the disqualification is imposed.

4865 Section 178. Subsection (1) and paragraph (a) of  
 4866 subsection (5) of section 443.111, Florida Statutes, are amended  
 4867 to read:

4868 443.111 Payment of benefits.—

4869 (1) MANNER OF PAYMENT.—Benefits are payable from the fund  
 4870 in accordance with rules adopted by the Department of Commerce  
 4871 ~~Economic Opportunity~~, subject to the following requirements:

4872 (a) Benefits are payable electronically, except that an  
 4873 individual being paid by paper warrant on July 1, 2011, may  
 4874 continue to be paid in that manner until the expiration of the  
 4875 claim. The department may develop a system for the payment of

4876 benefits by electronic funds transfer, including, but not  
 4877 limited to, debit cards, electronic payment cards, or any other  
 4878 means of electronic payment that the department deems to be  
 4879 commercially viable or cost-effective. Commodities or services  
 4880 related to the development of such a system shall be procured by  
 4881 competitive solicitation, unless they are purchased from a state  
 4882 term contract pursuant to s. 287.056. The department shall adopt  
 4883 rules necessary to administer this paragraph.

4884 (b) As required under s. 443.091(1), each claimant must  
 4885 report at least biweekly to receive reemployment assistance  
 4886 benefits and to attest to the fact that she or he is able and  
 4887 available for work, has not refused suitable work, is seeking  
 4888 work and has met the requirements of s. 443.091(1)(d), and, if  
 4889 she or he has worked, to report earnings from that work. Each  
 4890 claimant must continue to report regardless of any appeal or  
 4891 pending appeal relating to her or his eligibility or  
 4892 disqualification for benefits.

4893 (5) DURATION OF BENEFITS.—

4894 (a) As used in this section, the term "Florida average  
 4895 unemployment rate" means the average of the 3 months for the  
 4896 most recent third calendar year quarter of the seasonally  
 4897 adjusted statewide unemployment rates as published by the  
 4898 Department of Commerce ~~Economic Opportunity~~.

4899 Section 179. Subsection (1), paragraph (a) of subsection  
 4900 (4), and subsection (5) of section 443.1113, Florida Statutes,

4901 are amended to read:

4902 443.1113 Reemployment Assistance Claims and Benefits  
 4903 Information System.—

4904 (1) The Department of Commerce ~~Economic Opportunity~~ shall  
 4905 implement an integrated, modular system hosted in a cloud  
 4906 computing service, as defined in s. 282.0041, that provides for  
 4907 rapid provisioning of additional data processing when necessary.  
 4908 The system must support the efficient distribution of benefits  
 4909 and the effective operation and management of the reemployment  
 4910 assistance program. The system may be cited as the "Reemployment  
 4911 Assistance Claims and Benefits Information System" and must:

4912 (a) Be accessible through the Internet on both mobile  
 4913 devices and personal computers.

4914 (b) Process reemployment assistance claims.

4915 (c) Process benefit payments.

4916 (d) Process and manage overpayments.

4917 (e) Perform adjudication functions.

4918 (f) Process appeals and manage appeal hearings.

4919 (g) Manage and process employer charging.

4920 (4) (a) The Department of Commerce ~~Economic Opportunity~~  
 4921 shall perform an annual review of the system and identify  
 4922 enhancements or modernization efforts that improve the delivery  
 4923 of services to claimants and employers and reporting to state  
 4924 and federal entities. These improvements must include, but need  
 4925 not be limited to:

4926 | 1. Infrastructure upgrades through cloud services.  
 4927 | 2. Software improvements.  
 4928 | 3. Enhanced data analytics and reporting.  
 4929 | 4. Increased cybersecurity pursuant to s. 282.318.  
 4930 | (5) By October 1, 2023, and each year thereafter, the  
 4931 | Department of Commerce ~~Economic Opportunity~~ shall submit a  
 4932 | Reemployment Assistance Claims and Benefits Information System  
 4933 | report to the Governor, the President of the Senate, and the  
 4934 | Speaker of the House of Representatives. The report must, at a  
 4935 | minimum, include:  
 4936 | (a) A summary of maintenance, enhancement, and  
 4937 | modernization efforts over the last fiscal year.  
 4938 | (b) A 3-year outlook of recommended enhancements or  
 4939 | modernization efforts that includes projected costs and  
 4940 | timeframes for completion.  
 4941 | Section 180. Paragraph (d) of subsection (1), subsection  
 4942 | (2), paragraph (a) of subsection (3), and subsection (6) of  
 4943 | section 443.1115, Florida Statutes, are amended to read:  
 4944 | 443.1115 Extended benefits.—  
 4945 | (1) DEFINITIONS.—As used in this section, the term:  
 4946 | (d) "Rate of insured unemployment" means the percentage  
 4947 | derived by dividing the average weekly number of individuals  
 4948 | filing claims for regular compensation in this state, excluding  
 4949 | extended-benefit claimants for weeks of unemployment with  
 4950 | respect to the most recent 13-consecutive-week period, as

4951 determined by the Department of Commerce ~~Economic Opportunity~~ on  
 4952 the basis of its reports to the United States Secretary of  
 4953 Labor, by the average monthly employment covered under this  
 4954 chapter for the first four of the most recent six completed  
 4955 calendar quarters ending before the end of that 13-week period.

4956 (2) REGULAR BENEFITS ON CLAIMS FOR, AND THE PAYMENT OF,  
 4957 EXTENDED BENEFITS.—Except when the result is inconsistent with  
 4958 the other provisions of this section and as provided in the  
 4959 rules of the Department of Commerce ~~Economic Opportunity~~, the  
 4960 provisions of this chapter applying to claims for, or the  
 4961 payment of, regular benefits apply to claims for, and the  
 4962 payment of, extended benefits. These extended benefits are  
 4963 charged to the employment records of employers to the extent  
 4964 that the share of those extended benefits paid from this state's  
 4965 Unemployment Compensation Trust Fund is not eligible to be  
 4966 reimbursed from federal sources.

4967 (3) ELIGIBILITY REQUIREMENTS FOR EXTENDED BENEFITS.—

4968 (a) An individual is eligible to receive extended benefits  
 4969 for any week of unemployment in her or his eligibility period  
 4970 only if the Department of Commerce ~~Economic Opportunity~~ finds  
 4971 that, for that week:

- 4972 1. She or he is an exhaustee as defined in subsection (1).
- 4973 2. She or he satisfies the requirements of this chapter  
 4974 for the receipt of regular benefits applicable to individuals  
 4975 claiming extended benefits, including not being subject to

4976 disqualification from the receipt of benefits. An individual  
 4977 disqualified from receiving regular benefits may not receive  
 4978 extended benefits after the disqualification period terminates  
 4979 if he or she was disqualified for voluntarily leaving work,  
 4980 being discharged from work for misconduct, or refusing suitable  
 4981 work. However, if the disqualification period for regular  
 4982 benefits terminates because the individual received the required  
 4983 amount of remuneration for services rendered as a common-law  
 4984 employee, she or he may receive extended benefits.

4985 3. The individual was paid wages for insured work for the  
 4986 applicable benefit year equal to 1.5 times the high quarter  
 4987 earnings during the base period.

4988 (6) COMPUTATIONS.—The Department of Commerce ~~Economic~~  
 4989 ~~Opportunity~~ shall perform the computations required under  
 4990 paragraph (1)(d) in accordance with regulations of the United  
 4991 States Secretary of Labor.

4992 Section 181. Subsections (2), (3), and (4) and paragraph  
 4993 (a) of subsection (5) of section 443.1116, Florida Statutes, are  
 4994 amended to read:

4995 443.1116 Short-time compensation.—

4996 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer  
 4997 wishing to participate in the short-time compensation program  
 4998 must submit a signed, written, short-time plan to the Department  
 4999 of Commerce ~~Economic Opportunity~~ for approval. The Secretary of  
 5000 Commerce ~~Economic Opportunity~~ or his or her designee shall



5001 approve the plan if:

5002       (a) The plan applies to and identifies each specific

5003 affected unit;

5004       (b) The individuals in the affected unit are identified by

5005 name and social security number;

5006       (c) The normal weekly hours of work for individuals in the

5007 affected unit are reduced by at least 10 percent and by not more

5008 than 40 percent;

5009       (d) The plan includes a certified statement by the

5010 employer that the aggregate reduction in work hours is in lieu

5011 of layoffs that would affect at least 10 percent of the

5012 employees in the affected unit and that would have resulted in

5013 an equivalent reduction in work hours;

5014       (e) The plan applies to at least 10 percent of the

5015 employees in the affected unit;

5016       (f) The plan is approved in writing by the collective

5017 bargaining agent for each collective bargaining agreement

5018 covering any individual in the affected unit;

5019       (g) The plan does not serve as a subsidy to seasonal

5020 employers during the off-season or as a subsidy to employers who

5021 traditionally use part-time employees;

5022       (h) The plan certifies that, if the employer provides

5023 fringe benefits to any employee whose workweek is reduced under

5024 the program, the fringe benefits will continue to be provided to

5025 the employee participating in the short-time compensation

5026 program under the same terms and conditions as though the  
 5027 workweek of such employee had not been reduced or to the same  
 5028 extent as other employees not participating in the short-time  
 5029 compensation program. As used in this paragraph, the term  
 5030 "fringe benefits" includes, but is not limited to, health  
 5031 insurance, retirement benefits under defined benefit pension  
 5032 plans as defined in the Employee Retirement Income Security Act  
 5033 of 1974, 29 U.S.C. s. 1002(35), contributions under a defined  
 5034 contribution plan as defined in s. 414(i) of the Internal  
 5035 Revenue Code, paid vacation and holidays, and sick leave;

5036 (i) The plan describes the manner in which the  
 5037 requirements of this subsection will be implemented, including a  
 5038 plan for giving notice, if feasible, to an employee whose  
 5039 workweek is to be reduced, together with an estimate of the  
 5040 number of layoffs that would have occurred absent the ability to  
 5041 participate in short-time compensation; and

5042 (j) The terms of the employer's written plan and  
 5043 implementation are consistent with employer obligations under  
 5044 applicable federal laws and laws of this state.

5045 (3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of  
 5046 Commerce ~~Economic Opportunity~~ or his or her designee shall  
 5047 approve or disapprove a short-time compensation plan in writing  
 5048 within 15 days after its receipt. If the plan is denied, the  
 5049 secretary or his or her designee shall notify the employer of  
 5050 the reasons for disapproval.

5051 (4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION  
 5052 BENEFIT PERIOD.—A plan takes effect on the date of its approval  
 5053 by the Secretary of Commerce ~~Economic Opportunity~~ or his or her  
 5054 designee and expires at the end of the 12th full calendar month  
 5055 after its effective date.

5056 (5) ELIGIBILITY REQUIREMENTS FOR SHORT-TIME COMPENSATION  
 5057 BENEFITS.—

5058 (a) Except as provided in this subsection, an individual  
 5059 is eligible to receive short-time compensation benefits for any  
 5060 week only if she or he complies with this chapter and the  
 5061 Department of Commerce ~~Economic Opportunity~~ finds that:

5062 1. The individual is employed as a member of an affected  
 5063 unit in an approved plan that was approved before the week and  
 5064 is in effect for the week;

5065 2. The individual is able to work and is available for  
 5066 additional hours of work or for full-time work with the short-  
 5067 time employer; and

5068 3. The normal weekly hours of work of the individual are  
 5069 reduced by at least 10 percent but not by more than 40 percent,  
 5070 with a corresponding reduction in wages.

5071 Section 182. Paragraph (a) of subsection (1) of section  
 5072 443.1118, Florida Statutes, is amended to read:

5073 443.1118 Employer-assisted claims.—

5074 (1) DEFINITIONS.—For purposes of this section:

5075 (a) "Department" means the Department of Commerce ~~Economic~~

5076 ~~Opportunity.~~

5077 Section 183. Subsection (3) of section 443.1215, Florida  
5078 Statutes, is amended to read:

5079 443.1215 Employers.—

5080 (3) An employing unit that fails to keep the records of  
5081 employment required by this chapter and by the rules of the  
5082 Department of Commerce ~~Economic Opportunity~~ and the state agency  
5083 providing reemployment assistance tax collection services is  
5084 presumed to be an employer liable for the payment of  
5085 contributions under this chapter, regardless of the number of  
5086 individuals employed by the employing unit. However, the tax  
5087 collection service provider shall make written demand that the  
5088 employing unit keep and maintain required payroll records. The  
5089 demand must be made at least 6 months before assessing  
5090 contributions against an employing unit determined to be an  
5091 employer that is subject to this chapter solely by reason of  
5092 this subsection.

5093 Section 184. Paragraph (a) of subsection (1), subsection  
5094 (12), and paragraph (p) of subsection (13) of section 443.1216,  
5095 Florida Statutes, are amended to read:

5096 443.1216 Employment.—Employment, as defined in s. 443.036,  
5097 is subject to this chapter under the following conditions:

5098 (1)(a) The employment subject to this chapter includes a  
5099 service performed, including a service performed in interstate  
5100 commerce, by:

5101           1. An officer of a corporation.

5102           2. An individual who, under the usual common-law rules

5103 applicable in determining the employer-employee relationship, is

5104 an employee. However, whenever a client, as defined in s.

5105 443.036(18), which would otherwise be designated as an employing

5106 unit has contracted with an employee leasing company to supply

5107 it with workers, those workers are considered employees of the

5108 employee leasing company. An employee leasing company may lease

5109 corporate officers of the client to the client and other workers

5110 to the client, except as prohibited by regulations of the

5111 Internal Revenue Service. Employees of an employee leasing

5112 company must be reported under the employee leasing company's

5113 tax identification number and contribution rate for work

5114 performed for the employee leasing company.

5115           a. However, except for the internal employees of an

5116 employee leasing company, each employee leasing company may make

5117 a separate one-time election to report and pay contributions

5118 under the tax identification number and contribution rate for

5119 each client of the employee leasing company. Under the client

5120 method, an employee leasing company choosing this option must

5121 assign leased employees to the client company that is leasing

5122 the employees. The client method is solely a method to report

5123 and pay unemployment contributions, and, whichever method is

5124 chosen, such election may not impact any other aspect of state

5125 law. An employee leasing company that elects the client method

5126 must pay contributions at the rates assigned to each client  
 5127 company.

5128 (I) The election applies to all of the employee leasing  
 5129 company's current and future clients.

5130 (II) The employee leasing company must notify the  
 5131 Department of Revenue of its election by July 1, 2012, and such  
 5132 election applies to reports and contributions for the first  
 5133 quarter of the following calendar year. The notification must  
 5134 include:

5135 (A) A list of each client company and the unemployment  
 5136 account number or, if one has not yet been issued, the federal  
 5137 employment identification number, as established by the employee  
 5138 leasing company upon the election to file by client method;

5139 (B) A list of each client company's current and previous  
 5140 employees and their respective social security numbers for the  
 5141 prior 3 state fiscal years or, if the client company has not  
 5142 been a client for the prior 3 state fiscal years, such portion  
 5143 of the prior 3 state fiscal years that the client company has  
 5144 been a client must be supplied;

5145 (C) The wage data and benefit charges associated with each  
 5146 client company for the prior 3 state fiscal years or, if the  
 5147 client company has not been a client for the prior 3 state  
 5148 fiscal years, such portion of the prior 3 state fiscal years  
 5149 that the client company has been a client must be supplied. If  
 5150 the client company's employment record is chargeable with

5151 benefits for less than 8 calendar quarters while being a client  
5152 of the employee leasing company, the client company must pay  
5153 contributions at the initial rate of 2.7 percent; and

5154 (D) The wage data and benefit charges for the prior 3  
5155 state fiscal years that cannot be associated with a client  
5156 company must be reported and charged to the employee leasing  
5157 company.

5158 (III) Subsequent to choosing the client method, the  
5159 employee leasing company may not change its reporting method.

5160 (IV) The employee leasing company shall file a Florida  
5161 Department of Revenue Employer's Quarterly Report for each  
5162 client company by approved electronic means, and pay all  
5163 contributions by approved electronic means.

5164 (V) For the purposes of calculating experience rates when  
5165 the client method is chosen, each client's own benefit charges  
5166 and wage data experience while with the employee leasing company  
5167 determines each client's tax rate where the client has been a  
5168 client of the employee leasing company for at least 8 calendar  
5169 quarters before the election. The client company shall continue  
5170 to report the nonleased employees under its tax rate.

5171 (VI) The election is binding on each client of the  
5172 employee leasing company for as long as a written agreement is  
5173 in effect between the client and the employee leasing company  
5174 pursuant to s. 468.525(3)(a). If the relationship between the  
5175 employee leasing company and the client terminates, the client

5176 retains the wage and benefit history experienced under the  
 5177 employee leasing company.

5178 (VII) Notwithstanding which election method the employee  
 5179 leasing company chooses, the applicable client company is an  
 5180 employing unit for purposes of s. 443.071. The employee leasing  
 5181 company or any of its officers or agents are liable for any  
 5182 violation of s. 443.071 engaged in by such persons or entities.  
 5183 The applicable client company or any of its officers or agents  
 5184 are liable for any violation of s. 443.071 engaged in by such  
 5185 persons or entities. The employee leasing company or its  
 5186 applicable client company is not liable for any violation of s.  
 5187 443.071 engaged in by the other party or by the other party's  
 5188 officers or agents.

5189 (VIII) If an employee leasing company fails to select the  
 5190 client method of reporting not later than July 1, 2012, the  
 5191 entity is required to report under the employee leasing  
 5192 company's tax identification number and contribution rate.

5193 (IX) After an employee leasing company is licensed  
 5194 pursuant to part XI of chapter 468, each newly licensed entity  
 5195 has 30 days after the date the license is granted to notify the  
 5196 tax collection service provider in writing of their selection of  
 5197 the client method. A newly licensed employee leasing company  
 5198 that fails to timely select reporting pursuant to the client  
 5199 method of reporting must report under the employee leasing  
 5200 company's tax identification number and contribution rate.



5201 (X) Irrespective of the election, each transfer of trade  
 5202 or business, including workforce, or a portion thereof, between  
 5203 employee leasing companies is subject to the provisions of s.  
 5204 443.131(3)(h) if, at the time of the transfer, there is common  
 5205 ownership, management, or control between the entities.

5206 b. In addition to any other report required to be filed by  
 5207 law, an employee leasing company shall submit a report to the  
 5208 Labor Market Statistics Center within the Department of Commerce  
 5209 ~~Economic Opportunity~~ which includes each client establishment  
 5210 and each establishment of the leasing company, or as otherwise  
 5211 directed by the department. The report must include the  
 5212 following information for each establishment:

- 5213 (I) The trade or establishment name;
- 5214 (II) The former reemployment assistance account number, if  
 5215 available;
- 5216 (III) The former federal employer's identification number,  
 5217 if available;
- 5218 (IV) The industry code recognized and published by the  
 5219 United States Office of Management and Budget, if available;
- 5220 (V) A description of the client's primary business  
 5221 activity in order to verify or assign an industry code;
- 5222 (VI) The address of the physical location;
- 5223 (VII) The number of full-time and part-time employees who  
 5224 worked during, or received pay that was subject to reemployment  
 5225 assistance taxes for, the pay period including the 12th of the

5226 month for each month of the quarter;

5227 (VIII) The total wages subject to reemployment assistance

5228 taxes paid during the calendar quarter;

5229 (IX) An internal identification code to uniquely identify

5230 each establishment of each client;

5231 (X) The month and year that the client entered into the

5232 contract for services; and

5233 (XI) The month and year that the client terminated the

5234 contract for services.

5235 c. The report must be submitted electronically or in a

5236 manner otherwise prescribed by the Department of Commerce

5237 ~~Economic Opportunity~~ in the format specified by the Bureau of

5238 Labor Statistics of the United States Department of Labor for

5239 its Multiple Worksite Report for Professional Employer

5240 Organizations. The report must be provided quarterly to the

5241 Labor Market Statistics Center within the department, or as

5242 otherwise directed by the department, and must be filed by the

5243 last day of the month immediately after the end of the calendar

5244 quarter. The information required in sub-sub-subparagraphs b.(X)

5245 and (XI) need be provided only in the quarter in which the

5246 contract to which it relates was entered into or terminated. The

5247 sum of the employment data and the sum of the wage data in this

5248 report must match the employment and wages reported in the

5249 reemployment assistance quarterly tax and wage report.

5250 d. The department shall adopt rules as necessary to

5251 administer this subparagraph, and may administer, collect,  
 5252 enforce, and waive the penalty imposed by s. 443.141(1)(b) for  
 5253 the report required by this subparagraph.

5254 e. For the purposes of this subparagraph, the term  
 5255 "establishment" means any location where business is conducted  
 5256 or where services or industrial operations are performed.

5257 3. An individual other than an individual who is an  
 5258 employee under subparagraph 1. or subparagraph 2., who performs  
 5259 services for remuneration for any person:

5260 a. As an agent-driver or commission-driver engaged in  
 5261 distributing meat products, vegetable products, fruit products,  
 5262 bakery products, beverages other than milk, or laundry or  
 5263 drycleaning services for his or her principal.

5264 b. As a traveling or city salesperson engaged on a full-  
 5265 time basis in the solicitation on behalf of, and the  
 5266 transmission to, his or her principal of orders from  
 5267 wholesalers, retailers, contractors, or operators of hotels,  
 5268 restaurants, or other similar establishments for merchandise for  
 5269 resale or supplies for use in the business operations. This sub-  
 5270 subparagraph does not apply to an agent-driver or a commission-  
 5271 driver and does not apply to sideline sales activities performed  
 5272 on behalf of a person other than the salesperson's principal.

5273 4. The services described in subparagraph 3. are  
 5274 employment subject to this chapter only if:

5275 a. The contract of service contemplates that substantially

5276 | all of the services are to be performed personally by the  
 5277 | individual;

5278 |         b. The individual does not have a substantial investment  
 5279 | in facilities used in connection with the services, other than  
 5280 | facilities used for transportation; and

5281 |         c. The services are not in the nature of a single  
 5282 | transaction that is not part of a continuing relationship with  
 5283 | the person for whom the services are performed.

5284 |         (12) The employment subject to this chapter includes  
 5285 | services covered by a reciprocal arrangement under s. 443.221  
 5286 | between the Department of Commerce ~~Economic Opportunity~~ or its  
 5287 | tax collection service provider and the agency charged with the  
 5288 | administration of another state reemployment assistance or  
 5289 | unemployment compensation law or a federal reemployment  
 5290 | assistance or unemployment compensation law, under which all  
 5291 | services performed by an individual for an employing unit are  
 5292 | deemed to be performed entirely within this state, if the  
 5293 | department or its tax collection service provider approved an  
 5294 | election of the employing unit in which all of the services  
 5295 | performed by the individual during the period covered by the  
 5296 | election are deemed to be insured work.

5297 |         (13) The following are exempt from coverage under this  
 5298 | chapter:

5299 |         (p) Service covered by an arrangement between the  
 5300 | Department of Commerce ~~Economic Opportunity~~, or its tax

5301 collection service provider, and the agency charged with the  
 5302 administration of another state or federal reemployment  
 5303 assistance or unemployment compensation law under which all  
 5304 services performed by an individual for an employing unit during  
 5305 the period covered by the employing unit's duly approved  
 5306 election is deemed to be performed entirely within the other  
 5307 agency's state or under the federal law.

5308 Section 185. Subsection (1) of section 443.1217, Florida  
 5309 Statutes, is amended to read:

5310 443.1217 Wages.—

5311 (1) The wages subject to this chapter include all  
 5312 remuneration for employment, including commissions, bonuses,  
 5313 back pay awards, and the cash value of all remuneration paid in  
 5314 any medium other than cash. The reasonable cash value of  
 5315 remuneration in any medium other than cash must be estimated and  
 5316 determined in accordance with rules adopted by the Department of  
 5317 Commerce ~~Economic Opportunity~~ or the state agency providing tax  
 5318 collection services. The wages subject to this chapter include  
 5319 tips or gratuities received while performing services that  
 5320 constitute employment and are included in a written statement  
 5321 furnished to the employer under s. 6053(a) of the Internal  
 5322 Revenue Code of 1954. As used in this section only, the term  
 5323 "employment" includes services constituting employment under any  
 5324 employment security law of another state or of the Federal  
 5325 Government.

5326 Section 186. Subsection (1) and paragraphs (a), (e), (i),  
 5327 and (j) of subsection (3) of section 443.131, Florida Statutes,  
 5328 are amended to read:

5329 443.131 Contributions.—

5330 (1) PAYMENT OF CONTRIBUTIONS.—Contributions accrue and are  
 5331 payable by each employer for each calendar quarter he or she is  
 5332 subject to this chapter for wages paid during each calendar  
 5333 quarter for employment. Contributions are due and payable by  
 5334 each employer to the tax collection service provider, in  
 5335 accordance with the rules adopted by the Department of Commerce  
 5336 ~~Economic Opportunity~~ or the state agency providing tax  
 5337 collection services. This subsection does not prohibit the tax  
 5338 collection service provider from allowing, at the request of the  
 5339 employer, employers of employees performing domestic services,  
 5340 as defined in s. 443.1216(6), to pay contributions or report  
 5341 wages at intervals other than quarterly when the nonquarterly  
 5342 payment or reporting assists the service provider and when  
 5343 nonquarterly payment and reporting is authorized under federal  
 5344 law. Employers of employees performing domestic services may  
 5345 report wages and pay contributions annually, with a due date of  
 5346 no later than January 31, unless that day is a Saturday, Sunday,  
 5347 or holiday, in which event the due date is the next day that is  
 5348 not a Saturday, Sunday, or holiday. For purposes of this  
 5349 subsection, the term "holiday" means a day designated under s.  
 5350 110.117(1) and (2) or any other day when the offices of the

5351 United States Postal Service are closed. To qualify for this  
 5352 election, the employer must employ only employees performing  
 5353 domestic services, be eligible for a variation from the standard  
 5354 rate computed under subsection (3), apply to this program no  
 5355 later than December 1 of the preceding calendar year, and agree  
 5356 to provide the department or its tax collection service provider  
 5357 with any special reports that are requested, including copies of  
 5358 all federal employment tax forms. An employer who fails to  
 5359 timely furnish any wage information required by the department  
 5360 or its tax collection service provider loses the privilege to  
 5361 participate in this program, effective the calendar quarter  
 5362 immediately after the calendar quarter the failure occurred. The  
 5363 employer may reapply for annual reporting when a complete  
 5364 calendar year elapses after the employer's disqualification if  
 5365 the employer timely furnished any requested wage information  
 5366 during the period in which annual reporting was denied. An  
 5367 employer may not deduct contributions, interests, penalties,  
 5368 fines, or fees required under this chapter from any part of the  
 5369 wages of his or her employees. A fractional part of a cent less  
 5370 than one-half cent shall be disregarded from the payment of  
 5371 contributions, but a fractional part of at least one-half cent  
 5372 shall be increased to 1 cent.

5373 (3) VARIATION OF CONTRIBUTION RATES BASED ON BENEFIT  
 5374 EXPERIENCE.—

5375 (a) *Employment records.*—The regular and short-time

5376 compensation benefits paid to an eligible individual shall be  
 5377 charged to the employment record of each employer who paid the  
 5378 individual wages of at least \$100 during the individual's base  
 5379 period in proportion to the total wages paid by all employers  
 5380 who paid the individual wages during the individual's base  
 5381 period. Benefits may not be charged to the employment record of  
 5382 an employer who furnishes part-time work to an individual who,  
 5383 because of loss of employment with one or more other employers,  
 5384 is eligible for partial benefits while being furnished part-time  
 5385 work by the employer on substantially the same basis and in  
 5386 substantially the same amount as the individual's employment  
 5387 during his or her base period, regardless of whether this part-  
 5388 time work is simultaneous or successive to the individual's lost  
 5389 employment. Further, as provided in s. 443.151(3), benefits may  
 5390 not be charged to the employment record of an employer who  
 5391 furnishes the Department of Commerce ~~Economic Opportunity~~ with  
 5392 notice, as prescribed in rules of the department, that any of  
 5393 the following apply:

5394 1. If an individual leaves his or her work without good  
 5395 cause attributable to the employer or is discharged by the  
 5396 employer for misconduct connected with his or her work, benefits  
 5397 subsequently paid to the individual based on wages paid by the  
 5398 employer before the separation may not be charged to the  
 5399 employment record of the employer.

5400 2. If an individual is discharged by the employer for



5401 | unsatisfactory performance during an initial employment  
 5402 | probationary period, benefits subsequently paid to the  
 5403 | individual based on wages paid during the probationary period by  
 5404 | the employer before the separation may not be charged to the  
 5405 | employer's employment record. As used in this subparagraph, the  
 5406 | term "initial employment probationary period" means an  
 5407 | established probationary plan that applies to all employees or a  
 5408 | specific group of employees and that does not exceed 90 calendar  
 5409 | days following the first day a new employee begins work. The  
 5410 | employee must be informed of the probationary period within the  
 5411 | first 7 days of work. The employer must demonstrate by  
 5412 | conclusive evidence that the individual was separated because of  
 5413 | unsatisfactory work performance and not because of lack of work  
 5414 | due to temporary, seasonal, casual, or other similar employment  
 5415 | that is not of a regular, permanent, and year-round nature.

5416 |         3. Benefits subsequently paid to an individual after his  
 5417 | or her refusal without good cause to accept suitable work from  
 5418 | an employer may not be charged to the employment record of the  
 5419 | employer if any part of those benefits are based on wages paid  
 5420 | by the employer before the individual's refusal to accept  
 5421 | suitable work. As used in this subparagraph, the term "good  
 5422 | cause" does not include distance to employment caused by a  
 5423 | change of residence by the individual. The department shall  
 5424 | adopt rules prescribing for the payment of all benefits whether  
 5425 | this subparagraph applies regardless of whether a

5426 | disqualification under s. 443.101 applies to the claim.

5427 |         4. If an individual is separated from work as a direct  
 5428 | result of a natural disaster declared under the Robert T.  
 5429 | Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C.  
 5430 | ss. 5121 et seq., benefits subsequently paid to the individual  
 5431 | based on wages paid by the employer before the separation may  
 5432 | not be charged to the employment record of the employer.

5433 |         5. If an individual is separated from work as a direct  
 5434 | result of an oil spill, terrorist attack, or other similar  
 5435 | disaster of national significance not subject to a declaration  
 5436 | under the Robert T. Stafford Disaster Relief and Emergency  
 5437 | Assistance Act, benefits subsequently paid to the individual  
 5438 | based on wages paid by the employer before the separation may  
 5439 | not be charged to the employment record of the employer.

5440 |         6. If an individual is separated from work as a direct  
 5441 | result of domestic violence and meets all requirements in s.  
 5442 | 443.101(1)(a)2.c., benefits subsequently paid to the individual  
 5443 | based on wages paid by the employer before separation may not be  
 5444 | charged to the employment record of the employer.

5445 |         (e) *Assignment of variations from the standard rate.*—

5446 |         1. As used in this paragraph, the terms "total benefit  
 5447 | payments," "benefits paid to an individual," and "benefits  
 5448 | charged to the employment record of an employer" mean the amount  
 5449 | of benefits paid to individuals multiplied by:

5450 |             a. For benefits paid prior to July 1, 2007, 1.

5451           b. For benefits paid during the period beginning on July  
5452 1, 2007, and ending March 31, 2011, 0.90.

5453           c. For benefits paid after March 31, 2011, 1.

5454           d. For benefits paid during the period beginning April 1,  
5455 2020, and ending December 31, 2020, 0.

5456           e. For benefits paid during the period beginning January  
5457 1, 2021, and ending June 30, 2021, 1, except as otherwise  
5458 adjusted in accordance with paragraph (f).

5459           2. For the calculation of contribution rates effective  
5460 January 1, 2012, and thereafter:

5461           a. The tax collection service provider shall assign a  
5462 variation from the standard rate of contributions for each  
5463 calendar year to each eligible employer. In determining the  
5464 contribution rate, varying from the standard rate to be assigned  
5465 each employer, adjustment factors computed under sub-sub-  
5466 subparagraphs (I)-(IV) are added to the benefit ratio. This  
5467 addition shall be accomplished in two steps by adding a variable  
5468 adjustment factor and a final adjustment factor. The sum of  
5469 these adjustment factors computed under sub-sub-subparagraphs  
5470 (I)-(IV) shall first be algebraically summed. The sum of these  
5471 adjustment factors shall next be divided by a gross benefit  
5472 ratio determined as follows: Total benefit payments for the 3-  
5473 year period described in subparagraph (b)3. are charged to  
5474 employers eligible for a variation from the standard rate, minus  
5475 excess payments for the same period, divided by taxable payroll

5476 entering into the computation of individual benefit ratios for  
 5477 the calendar year for which the contribution rate is being  
 5478 computed. The ratio of the sum of the adjustment factors  
 5479 computed under sub-sub-subparagraphs (I)-(IV) to the gross  
 5480 benefit ratio is multiplied by each individual benefit ratio  
 5481 that is less than the maximum contribution rate to obtain  
 5482 variable adjustment factors; except that if the sum of an  
 5483 employer's individual benefit ratio and variable adjustment  
 5484 factor exceeds the maximum contribution rate, the variable  
 5485 adjustment factor is reduced in order for the sum to equal the  
 5486 maximum contribution rate. The variable adjustment factor for  
 5487 each of these employers is multiplied by his or her taxable  
 5488 payroll entering into the computation of his or her benefit  
 5489 ratio. The sum of these products is divided by the taxable  
 5490 payroll of the employers who entered into the computation of  
 5491 their benefit ratios. The resulting ratio is subtracted from the  
 5492 sum of the adjustment factors computed under sub-sub-  
 5493 subparagraphs (I)-(IV) to obtain the final adjustment factor.  
 5494 The variable adjustment factors and the final adjustment factor  
 5495 must be computed to five decimal places and rounded to the  
 5496 fourth decimal place. This final adjustment factor is added to  
 5497 the variable adjustment factor and benefit ratio of each  
 5498 employer to obtain each employer's contribution rate. An  
 5499 employer's contribution rate may not, however, be rounded to  
 5500 less than 0.1 percent. In determining the contribution rate,

5501 varying from the standard rate to be assigned, the computation  
 5502 shall exclude any benefit that is excluded by the multipliers  
 5503 under subparagraph (b)2. and subparagraph 1. The computation of  
 5504 the contribution rate, varying from the standard rate to be  
 5505 assigned, shall also exclude any benefit paid as a result of a  
 5506 governmental order related to COVID-19 to close or reduce  
 5507 capacity of a business. In addition, the contribution rate for  
 5508 the 2021 and 2022 calendar years shall be calculated without the  
 5509 application of the positive adjustment factor in sub-sub-  
 5510 subparagraph (III).

5511 (I) An adjustment factor for noncharge benefits is  
 5512 computed to the fifth decimal place and rounded to the fourth  
 5513 decimal place by dividing the amount of noncharge benefits  
 5514 during the 3-year period described in subparagraph (b)3. by the  
 5515 taxable payroll of employers eligible for a variation from the  
 5516 standard rate who have a benefit ratio for the current year  
 5517 which is less than the maximum contribution rate. For purposes  
 5518 of computing this adjustment factor, the taxable payroll of  
 5519 these employers is the taxable payrolls for the 3 years ending  
 5520 June 30 of the current calendar year as reported to the tax  
 5521 collection service provider by September 30 of the same calendar  
 5522 year. As used in this sub-sub-subparagraph, the term "noncharge  
 5523 benefits" means benefits paid to an individual, as adjusted  
 5524 pursuant to subparagraph (b)2. and subparagraph 1., from the  
 5525 Unemployment Compensation Trust Fund which were not charged to

5526 | the employment record of any employer, but excluding any benefit  
 5527 | paid as a result of a governmental order related to COVID-19 to  
 5528 | close or reduce capacity of a business.

5529 |       (II) An adjustment factor for excess payments is computed  
 5530 | to the fifth decimal place, and rounded to the fourth decimal  
 5531 | place by dividing the total excess payments during the 3-year  
 5532 | period described in subparagraph (b)3. by the taxable payroll of  
 5533 | employers eligible for a variation from the standard rate who  
 5534 | have a benefit ratio for the current year which is less than the  
 5535 | maximum contribution rate. For purposes of computing this  
 5536 | adjustment factor, the taxable payroll of these employers is the  
 5537 | same figure used to compute the adjustment factor for noncharge  
 5538 | benefits under sub-sub-subparagraph (I). As used in this sub-  
 5539 | subparagraph, the term "excess payments" means the amount of  
 5540 | benefits charged to the employment record of an employer, as  
 5541 | adjusted pursuant to subparagraph (b)2. and subparagraph 1.,  
 5542 | during the 3-year period described in subparagraph (b)3., but  
 5543 | excluding any benefit paid as a result of a governmental order  
 5544 | related to COVID-19 to close or reduce capacity of a business,  
 5545 | less the product of the maximum contribution rate and the  
 5546 | employer's taxable payroll for the 3 years ending June 30 of the  
 5547 | current calendar year as reported to the tax collection service  
 5548 | provider by September 30 of the same calendar year. As used in  
 5549 | this sub-sub-subparagraph, the term "total excess payments"  
 5550 | means the sum of the individual employer excess payments for

5551 those employers that were eligible for assignment of a  
 5552 contribution rate different from the standard rate.  
 5553 (III) With respect to computing a positive adjustment  
 5554 factor:  
 5555 (A) Beginning January 1, 2012, if the balance of the  
 5556 Unemployment Compensation Trust Fund on September 30 of the  
 5557 calendar year immediately preceding the calendar year for which  
 5558 the contribution rate is being computed is less than 4 percent  
 5559 of the taxable payrolls for the year ending June 30 as reported  
 5560 to the tax collection service provider by September 30 of that  
 5561 calendar year, a positive adjustment factor shall be computed.  
 5562 The positive adjustment factor is computed annually to the fifth  
 5563 decimal place and rounded to the fourth decimal place by  
 5564 dividing the sum of the total taxable payrolls for the year  
 5565 ending June 30 of the current calendar year as reported to the  
 5566 tax collection service provider by September 30 of that calendar  
 5567 year into a sum equal to one-fifth of the difference between the  
 5568 balance of the fund as of September 30 of that calendar year and  
 5569 the sum of 5 percent of the total taxable payrolls for that  
 5570 year. The positive adjustment factor remains in effect for  
 5571 subsequent years until the balance of the Unemployment  
 5572 Compensation Trust Fund as of September 30 of the year  
 5573 immediately preceding the effective date of the contribution  
 5574 rate equals or exceeds 4 percent of the taxable payrolls for the  
 5575 year ending June 30 of the current calendar year as reported to

5576 | the tax collection service provider by September 30 of that  
 5577 | calendar year.

5578 |       (B) Beginning January 1, 2018, and for each year  
 5579 | thereafter, the positive adjustment shall be computed by  
 5580 | dividing the sum of the total taxable payrolls for the year  
 5581 | ending June 30 of the current calendar year as reported to the  
 5582 | tax collection service provider by September 30 of that calendar  
 5583 | year into a sum equal to one-fourth of the difference between  
 5584 | the balance of the fund as of September 30 of that calendar year  
 5585 | and the sum of 5 percent of the total taxable payrolls for that  
 5586 | year. The positive adjustment factor remains in effect for  
 5587 | subsequent years until the balance of the Unemployment  
 5588 | Compensation Trust Fund as of September 30 of the year  
 5589 | immediately preceding the effective date of the contribution  
 5590 | rate equals or exceeds 4 percent of the taxable payrolls for the  
 5591 | year ending June 30 of the current calendar year as reported to  
 5592 | the tax collection service provider by September 30 of that  
 5593 | calendar year.

5594 |       (IV) If, beginning January 1, 2015, and each year  
 5595 | thereafter, the balance of the Unemployment Compensation Trust  
 5596 | Fund as of September 30 of the year immediately preceding the  
 5597 | calendar year for which the contribution rate is being computed  
 5598 | exceeds 5 percent of the taxable payrolls for the year ending  
 5599 | June 30 of the current calendar year as reported to the tax  
 5600 | collection service provider by September 30 of that calendar



5601 year, a negative adjustment factor must be computed. The  
 5602 negative adjustment factor shall be computed annually beginning  
 5603 on January 1, 2015, and each year thereafter, to the fifth  
 5604 decimal place and rounded to the fourth decimal place by  
 5605 dividing the sum of the total taxable payrolls for the year  
 5606 ending June 30 of the current calendar year as reported to the  
 5607 tax collection service provider by September 30 of the calendar  
 5608 year into a sum equal to one-fourth of the difference between  
 5609 the balance of the fund as of September 30 of the current  
 5610 calendar year and 5 percent of the total taxable payrolls of  
 5611 that year. The negative adjustment factor remains in effect for  
 5612 subsequent years until the balance of the Unemployment  
 5613 Compensation Trust Fund as of September 30 of the year  
 5614 immediately preceding the effective date of the contribution  
 5615 rate is less than 5 percent, but more than 4 percent of the  
 5616 taxable payrolls for the year ending June 30 of the current  
 5617 calendar year as reported to the tax collection service provider  
 5618 by September 30 of that calendar year. The negative adjustment  
 5619 authorized by this section is suspended in any calendar year in  
 5620 which repayment of the principal amount of an advance received  
 5621 from the federal Unemployment Compensation Trust Fund under 42  
 5622 U.S.C. s. 1321 is due to the Federal Government.

5623 (V) The maximum contribution rate that may be assigned to  
 5624 an employer is 5.4 percent, except employers participating in an  
 5625 approved short-time compensation plan may be assigned a maximum

5626 contribution rate that is 1 percent greater than the maximum  
 5627 contribution rate for other employers in any calendar year in  
 5628 which short-time compensation benefits are charged to the  
 5629 employer's employment record.

5630 (VI) As used in this subsection, "taxable payroll" shall  
 5631 be determined by excluding any part of the remuneration paid to  
 5632 an individual by an employer for employment during a calendar  
 5633 year in excess of the first \$7,000. Beginning January 1, 2012,  
 5634 "taxable payroll" shall be determined by excluding any part of  
 5635 the remuneration paid to an individual by an employer for  
 5636 employment during a calendar year as described in s.

5637 443.1217(2). For the purposes of the employer rate calculation  
 5638 that will take effect in January 1, 2012, and in January 1,  
 5639 2013, the tax collection service provider shall use the data  
 5640 available for taxable payroll from 2009 based on excluding any  
 5641 part of the remuneration paid to an individual by an employer  
 5642 for employment during a calendar year in excess of the first  
 5643 \$7,000, and from 2010 and 2011, the data available for taxable  
 5644 payroll based on excluding any part of the remuneration paid to  
 5645 an individual by an employer for employment during a calendar  
 5646 year in excess of the first \$8,500.

5647 b. If the transfer of an employer's employment record to  
 5648 an employing unit under paragraph (g) which, before the  
 5649 transfer, was an employer, the tax collection service provider  
 5650 shall recompute a benefit ratio for the successor employer based

5651 on the combined employment records and reassign an appropriate  
 5652 contribution rate to the successor employer effective on the  
 5653 first day of the calendar quarter immediately after the  
 5654 effective date of the transfer.

5655 3. The tax collection service provider shall reissue rates  
 5656 for the 2021 calendar year. However, an employer shall continue  
 5657 to timely file its employer's quarterly reports and pay the  
 5658 contributions due in a timely manner in accordance with the  
 5659 rules of the Department of Commerce ~~Economic Opportunity~~. The  
 5660 Department of Revenue shall post the revised rates on its  
 5661 website to enable employers to securely review the revised  
 5662 rates. For contributions for the first quarter of the 2021  
 5663 calendar year, if any employer remits to the tax collection  
 5664 service provider an amount in excess of the amount that would be  
 5665 due as calculated pursuant to this paragraph, the tax collection  
 5666 service provider shall refund the excess amount from the amount  
 5667 erroneously collected. Notwithstanding s. 443.141(6), refunds  
 5668 issued through August 31, 2021, for first quarter 2021  
 5669 contributions must be paid from the General Revenue Fund.

5670 4. The tax collection service provider shall calculate and  
 5671 assign contribution rates effective January 1, 2022, through  
 5672 December 31, 2022, excluding any benefit charge that is excluded  
 5673 by the multipliers under subparagraph (b)2. and subparagraph 1.;  
 5674 without the application of the positive adjustment factor in  
 5675 sub-sub-subparagraph 2.a.(III); and without the inclusion of any

5676 benefit charge directly related to COVID-19 as a result of a  
 5677 governmental order to close or reduce capacity of a business, as  
 5678 determined by the Department of Commerce ~~Economic Opportunity~~,  
 5679 for each employer who is eligible for a variation from the  
 5680 standard rate pursuant to paragraph (d). The Department of  
 5681 Commerce ~~Economic Opportunity~~ shall provide the tax collection  
 5682 service provider with all necessary benefit charge information  
 5683 by August 1, 2021, including specific information for  
 5684 adjustments related to COVID-19 charges resulting from a  
 5685 governmental order to close or reduce capacity of a business, to  
 5686 enable the tax collection service provider to calculate and  
 5687 issue tax rates effective January 1, 2022. The tax collection  
 5688 service provider shall calculate and post rates for the 2022  
 5689 calendar year by March 1, 2022.

5690 5. Subject to subparagraph 6., the tax collection service  
 5691 provider shall calculate and assign contribution rates effective  
 5692 January 1, 2023, through December 31, 2025, excluding any  
 5693 benefit charge that is excluded by the multipliers under  
 5694 subparagraph (b)2. and subparagraph 1.; without the application  
 5695 of the positive adjustment factor in sub-sub-subparagraph  
 5696 2.a.(III); and without the inclusion of any benefit charge  
 5697 directly related to COVID-19 as a result of a governmental order  
 5698 to close or reduce capacity of a business, as determined by the  
 5699 Department of Commerce ~~Economic Opportunity~~, for each employer  
 5700 who is eligible for a variation from the standard rate pursuant

5701 to paragraph (d). The Department of Commerce ~~Economic~~  
 5702 ~~Opportunity~~ shall provide the tax collection service provider  
 5703 with all necessary benefit charge information by August 1 of  
 5704 each year, including specific information for adjustments  
 5705 related to COVID-19 charges resulting from a governmental order  
 5706 to close or reduce capacity of a business, to enable the tax  
 5707 collection service provider to calculate and issue tax rates  
 5708 effective the following January.

5709         6. If the balance of the Unemployment Compensation Trust  
 5710 Fund on June 30 of any year exceeds \$4,071,519,600, subparagraph  
 5711 5. is repealed for rates effective the following years. The  
 5712 Office of Economic and Demographic Research shall advise the tax  
 5713 collection service provider of the balance of the trust fund on  
 5714 June 30 by August 1 of that year. After the repeal of  
 5715 subparagraph 5. and notwithstanding the dates specified in that  
 5716 subparagraph, the tax collection service provider shall  
 5717 calculate and assign contribution rates for each subsequent  
 5718 calendar year as otherwise provided in this section.

5719         (i) *Additional conditions for variation from the standard*  
 5720 *rate.*—An employer's contribution rate may not be reduced below  
 5721 the standard rate under this section unless:

5722         1. All contributions, reimbursements, interest, and  
 5723 penalties incurred by the employer for wages paid by him or her  
 5724 in all previous calendar quarters, except the 4 calendar  
 5725 quarters immediately preceding the calendar quarter or calendar

5726 | year for which the benefit ratio is computed, are paid;

5727 |         2. The employer has produced for inspection and copying

5728 | all work records in his or her possession, custody, or control

5729 | which were requested by the Department of Commerce ~~Economic~~

5730 | ~~Opportunity~~ or its tax collection service provider pursuant to

5731 | s. 443.171(5). An employer shall have at least 60 days to

5732 | provide the requested work records before the employer is

5733 | assigned the standard rate; and

5734 |         3. The employer entitled to a rate reduction has at least

5735 | one annual payroll as defined in subparagraph (b)1. unless the

5736 | employer is eligible for additional credit under the Federal

5737 | Unemployment Tax Act. If the Federal Unemployment Tax Act is

5738 | amended or repealed in a manner affecting credit under the

5739 | federal act, this section applies only to the extent that

5740 | additional credit is allowed against the payment of the tax

5741 | imposed by the act.

5742 |

5743 | The tax collection service provider shall assign an earned

5744 | contribution rate to an employer for the quarter immediately

5745 | after the quarter in which all contributions, reimbursements,

5746 | interest, and penalties are paid in full and all work records

5747 | requested pursuant to s. 443.171(5) are produced for inspection

5748 | and copying by the Department of Commerce ~~Economic Opportunity~~

5749 | or the tax collection service provider.

5750 |         (j) *Notice of determinations of contribution rates;*

5751 *redeterminations.*—The state agency providing tax collection  
 5752 services:

5753 1. Shall promptly notify each employer of his or her  
 5754 contribution rate as determined for any calendar year under this  
 5755 section. The determination is conclusive and binding on the  
 5756 employer unless within 20 days after mailing the notice of  
 5757 determination to the employer's last known address, or, in the  
 5758 absence of mailing, within 20 days after delivery of the notice,  
 5759 the employer files an application for review and redetermination  
 5760 setting forth the grounds for review. An employer may not, in  
 5761 any proceeding involving his or her contribution rate or  
 5762 liability for contributions, contest the chargeability to his or  
 5763 her employment record of any benefits paid in accordance with a  
 5764 determination, redetermination, or decision under s. 443.151,  
 5765 except on the ground that the benefits charged were not based on  
 5766 services performed in employment for him or her and then only if  
 5767 the employer was not a party to the determination,  
 5768 redetermination, or decision, or to any other proceeding under  
 5769 this chapter, in which the character of those services was  
 5770 determined.

5771 2. Shall, upon discovery of an error in computation,  
 5772 reconsider any prior determination or redetermination of a  
 5773 contribution rate after the 20-day period has expired and issue  
 5774 a revised notice of contribution rate as redetermined. A  
 5775 redetermination is subject to review, and is conclusive and

5776 binding if review is not sought, in the same manner as review of  
 5777 a determination under subparagraph 1. A reconsideration may not  
 5778 be made after March 31 of the calendar year immediately after  
 5779 the calendar year for which the contribution rate is applicable,  
 5780 and interest may not accrue on any additional contributions  
 5781 found to be due until 30 days after the employer is mailed  
 5782 notice of his or her revised contribution rate.

5783 3. May adopt rules providing for periodic notification to  
 5784 employers of benefits paid and charged to their employment  
 5785 records or of the status of those employment records. A  
 5786 notification, unless an application for redetermination is filed  
 5787 in the manner and within the time limits prescribed by the  
 5788 Department of Commerce ~~Economic Opportunity~~, is conclusive and  
 5789 binding on the employer under this chapter. The redetermination,  
 5790 and the finding of fact of the department in connection with the  
 5791 redetermination, may be introduced in any subsequent  
 5792 administrative or judicial proceeding involving the  
 5793 determination of the contribution rate of an employer for any  
 5794 calendar year. A redetermination becomes final in the same  
 5795 manner provided in this subsection for findings of fact made by  
 5796 the department in proceedings to redetermine the contribution  
 5797 rate of an employer. Pending a redetermination or an  
 5798 administrative or judicial proceeding, the employer must file  
 5799 reports and pay contributions in accordance with this section.

5800 Section 187. Paragraph (d) of subsection (2) and paragraph



5801 (d) of subsection (3) of section 443.1312, Florida Statutes, are  
 5802 amended to read:

5803 443.1312 Reimbursements; nonprofit organizations.—Benefits  
 5804 paid to employees of nonprofit organizations shall be financed  
 5805 in accordance with this section.

5806 (2) LIABILITY FOR CONTRIBUTIONS AND ELECTION OF  
 5807 REIMBURSEMENT.—A nonprofit organization that is, or becomes,  
 5808 subject to this chapter under s. 443.1215(1)(c) or s.  
 5809 443.121(3)(a) must pay contributions under s. 443.131 unless it  
 5810 elects, in accordance with this subsection, to reimburse the  
 5811 Unemployment Compensation Trust Fund for all of the regular  
 5812 benefits, short-time compensation benefits, and one-half of the  
 5813 extended benefits paid, which are attributable to service in the  
 5814 employ of the nonprofit organization, to individuals for weeks  
 5815 of unemployment which begin during the effective period of the  
 5816 election.

5817 (d) In accordance with rules adopted by the Department of  
 5818 Commerce ~~Economic Opportunity~~ or the state agency providing  
 5819 reemployment assistance tax collection services, the tax  
 5820 collection service provider shall notify each nonprofit  
 5821 organization of any determination of the organization's status  
 5822 as an employer, the effective date of any election the  
 5823 organization makes, and the effective date of any termination of  
 5824 the election. Each determination is subject to reconsideration,  
 5825 appeal, and review under s. 443.141(2)(c).

5826 (3) PAYMENT OF REIMBURSEMENTS.—Reimbursements in lieu of  
 5827 contributions must be paid in accordance with this subsection.

5828 (d) The amount due, as specified in any bill from the tax  
 5829 collection service provider, is conclusive, and the nonprofit  
 5830 organization is liable for payment of that amount unless, within  
 5831 20 days after the bill is mailed to the organization's last  
 5832 known address or otherwise delivered to the organization, the  
 5833 organization files an application for redetermination by the  
 5834 Department of Commerce ~~Economic Opportunity~~, setting forth the  
 5835 grounds for the application. The department shall promptly  
 5836 review and reconsider the amount due, as specified in the bill,  
 5837 and shall issue a redetermination in each case in which an  
 5838 application for redetermination is filed. The redetermination is  
 5839 conclusive and the nonprofit organization is liable for payment  
 5840 of the amount due, as specified in the redetermination, unless,  
 5841 within 20 days after the redetermination is mailed to the  
 5842 organization's last known address or otherwise delivered to the  
 5843 organization, the organization files a protest, setting forth  
 5844 the grounds for the appeal. Proceedings on the protest shall be  
 5845 conducted in accordance with s. 443.141(2).

5846 Section 188. Paragraph (b) of subsection (1) of section  
 5847 443.1313, Florida Statutes, is amended to read:

5848 443.1313 Public employers; reimbursements; election to pay  
 5849 contributions.—Benefits paid to employees of a public employer,  
 5850 as defined in s. 443.036, based on service described in s.

5851 443.1216(2) shall be financed in accordance with this section.  
 5852 (1) PAYMENT OF REIMBURSEMENTS.—  
 5853 (b) If a state agency is more than 120 days delinquent on  
 5854 reimbursements due to the Unemployment Compensation Trust Fund,  
 5855 the tax collection service provider shall certify to the Chief  
 5856 Financial Officer the amount due and the Chief Financial Officer  
 5857 shall transfer the amount due to the Unemployment Compensation  
 5858 Trust Fund from the funds of the agency which legally may be  
 5859 used for that purpose. If a public employer other than a state  
 5860 agency is more than 120 days delinquent on reimbursements due to  
 5861 the Unemployment Compensation Trust Fund, upon request by the  
 5862 tax collection service provider after a hearing, the Department  
 5863 of Revenue or the Department of Financial Services, as  
 5864 applicable, shall deduct the amount owed by the public employer  
 5865 from any funds to be distributed by the applicable department to  
 5866 the public employer for further distribution to the trust fund  
 5867 in accordance with this chapter. If an employer for whom the  
 5868 municipal or county tax collector collects taxes fails to make  
 5869 the reimbursements to the Unemployment Compensation Trust Fund  
 5870 required by this chapter, the tax collector after a hearing, at  
 5871 the request of the tax collection service provider and upon  
 5872 receipt of a certificate showing the amount owed by the  
 5873 employer, shall deduct the certified amount from any taxes  
 5874 collected for the employer and remit that amount to the tax  
 5875 collection service provider for further distribution to the

5876 trust fund in accordance with this chapter. This paragraph does  
 5877 not apply to amounts owed by a political subdivision of the  
 5878 state for benefits erroneously paid in which the claimant must  
 5879 repay to the Department of Commerce ~~Economic Opportunity~~ under  
 5880 s. 443.151(6)(a) or (b) any sum as benefits received.

5881 Section 189. Paragraph (b) of subsection (4) and  
 5882 subsection (7) of section 443.1315, Florida Statutes, are  
 5883 amended to read:

5884 443.1315 Treatment of Indian tribes.—

5885 (4)

5886 (b)1. Services performed for an Indian tribe or tribal  
 5887 unit that fails to make required reimbursements, including  
 5888 assessments of interest and penalty, after all collection  
 5889 activities deemed necessary by the tax collection service  
 5890 provider, subject to approval by the Department of Commerce  
 5891 ~~Economic Opportunity~~, are exhausted may not be treated as  
 5892 employment for purposes of paragraph (1)(b).

5893 2. The tax collection service provider may determine that  
 5894 any Indian tribe that loses coverage under subparagraph 1. may  
 5895 have services performed for the tribe subsequently included as  
 5896 employment for purposes of paragraph (1)(b) if all  
 5897 contributions, reimbursements, penalties, and interest are paid.

5898 (7) The Department of Commerce ~~Economic Opportunity~~ and  
 5899 the state agency providing reemployment assistance tax  
 5900 collection services shall adopt rules necessary to administer

5901 | this section.

5902 |         Section 190. Subsection (1) of section 443.1316, Florida  
5903 | Statutes, is amended to read:

5904 |         443.1316 Reemployment assistance tax collection services;  
5905 | interagency agreement.—

5906 |         (1) The Department of Commerce ~~Economic Opportunity~~ shall  
5907 | contract with the Department of Revenue, through an interagency  
5908 | agreement, to perform the duties of the tax collection service  
5909 | provider and provide other reemployment assistance tax  
5910 | collection services under this chapter. Under the interagency  
5911 | agreement, the tax collection service provider may only  
5912 | implement:

5913 |         (a) The provisions of this chapter conferring duties upon  
5914 | the tax collection service provider.

5915 |         (b) The provisions of law conferring duties upon the  
5916 | department which are specifically delegated to the tax  
5917 | collection service provider in the interagency agreement.

5918 |         Section 191. Section 443.1317, Florida Statutes, is  
5919 | amended to read:

5920 |         443.1317 Rulemaking authority; enforcement of rules.—

5921 |         (1) DEPARTMENT OF COMMERCE ~~ECONOMIC OPPORTUNITY~~.—

5922 |         (a) Except as otherwise provided in s. 443.012, the  
5923 | Department of Commerce ~~Economic Opportunity~~ has ultimate  
5924 | authority over the administration of the Reemployment Assistance  
5925 | Program.

5926 (b) The department may adopt rules under ss. 120.536(1)  
 5927 and 120.54 to administer the provisions of this chapter  
 5928 conferring duties upon either the department or its tax  
 5929 collection service provider.

5930 (2) TAX COLLECTION SERVICE PROVIDER.—The state agency  
 5931 providing reemployment assistance tax collection services under  
 5932 contract with the Department of Commerce ~~Economic Opportunity~~  
 5933 through an interagency agreement pursuant to s. 443.1316 may  
 5934 adopt rules under ss. 120.536(1) and 120.54, subject to approval  
 5935 by the department, to administer the provisions of law described  
 5936 in s. 443.1316(1) (a) and (b) which are within this chapter.  
 5937 These rules must not conflict with the rules adopted by the  
 5938 department or with the interagency agreement.

5939 (3) ENFORCEMENT OF RULES.—The Department of Commerce  
 5940 ~~Economic Opportunity~~ may enforce any rule adopted by the state  
 5941 agency providing reemployment assistance tax collection services  
 5942 to administer this chapter. The tax collection service provider  
 5943 may enforce any rule adopted by the department to administer the  
 5944 provisions of law described in s. 443.1316(1) (a) and (b).

5945 Section 192. Paragraph (b) of subsection (1), paragraph  
 5946 (a) of subsection (2), paragraphs (f) and (g) of subsection (3),  
 5947 and paragraph (c) of subsection (4) of section 443.141, Florida  
 5948 Statutes, are amended to read:

5949 443.141 Collection of contributions and reimbursements.—

5950 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,

5951 | ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

5952 |       (b) *Penalty for delinquent, erroneous, incomplete, or*  
 5953 | *insufficient reports.—*

5954 |       1. An employing unit that fails to file any report  
 5955 | required by the Department of Commerce ~~Economic Opportunity~~ or  
 5956 | its tax collection service provider, in accordance with rules  
 5957 | for administering this chapter, shall pay to the service  
 5958 | provider for each delinquent report the sum of \$25 for each 30  
 5959 | days or fraction thereof that the employing unit is delinquent,  
 5960 | unless the department or its service provider, whichever  
 5961 | required the report, finds that the employing unit has good  
 5962 | reason for failing to file the report. The department or its  
 5963 | service provider may assess penalties only through the date of  
 5964 | the issuance of the final assessment notice. However, additional  
 5965 | penalties accrue if the delinquent report is subsequently filed.

5966 |       2.a. An employing unit that files an erroneous,  
 5967 | incomplete, or insufficient report with the department or its  
 5968 | tax collection service provider shall pay a penalty. The amount  
 5969 | of the penalty is \$50 or 10 percent of any tax due, whichever is  
 5970 | greater, but no more than \$300 per report. The penalty shall be  
 5971 | added to any tax, penalty, or interest otherwise due.

5972 |       b. The department or its tax collection service provider  
 5973 | shall waive the penalty if the employing unit files an accurate,  
 5974 | complete, and sufficient report within 30 days after a penalty  
 5975 | notice is issued to the employing unit. The penalty may not be

5976 | waived pursuant to this subparagraph more than one time during a  
 5977 | 12-month period.

5978 |       c. As used in this subsection, the term "erroneous,  
 5979 | incomplete, or insufficient report" means a report so lacking in  
 5980 | information, completeness, or arrangement that the report cannot  
 5981 | be readily understood, verified, or reviewed. Such reports  
 5982 | include, but are not limited to, reports having missing wage or  
 5983 | employee information, missing or incorrect social security  
 5984 | numbers, or illegible entries; reports submitted in a format  
 5985 | that is not approved by the department or its tax collection  
 5986 | service provider; and reports showing gross wages that do not  
 5987 | equal the total of the wages of each employee. However, the term  
 5988 | does not include a report that merely contains inaccurate data  
 5989 | that was supplied to the employer by the employee, if the  
 5990 | employer was unaware of the inaccuracy.

5991 |       3. Penalties imposed pursuant to this paragraph shall be  
 5992 | deposited in the Special Employment Security Administration  
 5993 | Trust Fund.

5994 |       4. The penalty and interest for a delinquent, erroneous,  
 5995 | incomplete, or insufficient report may be waived if the penalty  
 5996 | or interest is inequitable. The provisions of s. 213.24(1) apply  
 5997 | to any penalty or interest that is imposed under this section.

5998 |       (2) REPORTS, CONTRIBUTIONS, APPEALS.—

5999 |       (a) *Failure to make reports and pay contributions.*—If an  
 6000 | employing unit determined by the tax collection service provider



6001 to be an employer subject to this chapter fails to make and file  
 6002 any report as and when required by this chapter or by any rule  
 6003 of the Department of Commerce ~~Economic Opportunity~~ or the state  
 6004 agency providing tax collection services, for the purpose of  
 6005 determining the amount of contributions due by the employer  
 6006 under this chapter, or if any filed report is found by the  
 6007 service provider to be incorrect or insufficient, and the  
 6008 employer, after being notified in writing by the service  
 6009 provider to file the report, or a corrected or sufficient  
 6010 report, as applicable, fails to file the report within 15 days  
 6011 after the date of the mailing of the notice, the tax collection  
 6012 service provider may:

6013 1. Determine the amount of contributions due from the  
 6014 employer based on the information readily available to it, which  
 6015 determination is deemed to be prima facie correct;

6016 2. Assess the employer the amount of contributions  
 6017 determined to be due; and

6018 3. Immediately notify the employer by mail of the  
 6019 determination and assessment including penalties as provided in  
 6020 this chapter, if any, added and assessed, and demand payment  
 6021 together with interest on the amount of contributions from the  
 6022 date that amount was due and payable.

6023 (3) COLLECTION PROCEEDINGS.—

6024 (f) *Reproductions.*—In any proceedings in any court under  
 6025 this chapter, reproductions of the original records of the

6026 Department of Commerce ~~Economic Opportunity~~, its tax collection  
 6027 service provider, the former Agency for Workforce Innovation,  
 6028 the former Department of Labor and Employment Security, or the  
 6029 commission, including, but not limited to, photocopies or  
 6030 microfilm, are primary evidence in lieu of the original records  
 6031 or of the documents that were transcribed into those records.

6032 (g) *Jeopardy assessment and warrant.*—If the tax collection  
 6033 service provider reasonably believes that the collection of  
 6034 contributions or reimbursements from an employer will be  
 6035 jeopardized by delay, the service provider may assess the  
 6036 contributions or reimbursements immediately, together with  
 6037 interest or penalties when due, regardless of whether the  
 6038 contributions or reimbursements accrued are due, and may  
 6039 immediately issue a notice of lien and jeopardy warrant upon  
 6040 which proceedings may be conducted as provided in this section  
 6041 for notice of lien and warrant of the service provider. Within  
 6042 15 days after mailing the notice of lien by registered mail, the  
 6043 employer may protest the issuance of the lien in the same manner  
 6044 provided in paragraph (2) (a). The protest does not operate as a  
 6045 supersedeas or stay of enforcement unless the employer files  
 6046 with the sheriff seeking to enforce the warrant a good and  
 6047 sufficient surety bond in twice the amount demanded by the  
 6048 notice of lien or warrant. The bond must be conditioned upon  
 6049 payment of the amount subsequently found to be due from the  
 6050 employer to the tax collection service provider in the final

6051 order of the Department of Commerce ~~Economic Opportunity~~ upon  
 6052 protest of assessment. The jeopardy warrant and notice of lien  
 6053 are satisfied in the manner provided in this section upon  
 6054 payment of the amount finally determined to be due from the  
 6055 employer. If enforcement of the jeopardy warrant is not  
 6056 superseded as provided in this section, the employer is entitled  
 6057 to a refund from the fund of all amounts paid as contributions  
 6058 or reimbursements in excess of the amount finally determined to  
 6059 be due by the employer upon application being made as provided  
 6060 in this chapter.

6061 (4) MISCELLANEOUS PROVISIONS FOR COLLECTION OF  
 6062 CONTRIBUTIONS AND REIMBURSEMENTS.—

6063 (c) Any agent or employee designated by the Department of  
 6064 Commerce ~~Economic Opportunity~~ or its tax collection service  
 6065 provider may administer an oath to any person for any return or  
 6066 report required by this chapter or by the rules of the  
 6067 department or the state agency providing reemployment assistance  
 6068 tax collection services, and an oath made before the department  
 6069 or its service provider or any authorized agent or employee has  
 6070 the same effect as an oath made before any judicial officer or  
 6071 notary public of the state.

6072 Section 193. Paragraph (a) of subsection (1), paragraph  
 6073 (a) of subsection (2), paragraph (a) of subsection (3),  
 6074 paragraph (a) of subsection (4), paragraph (a) of subsection  
 6075 (5), paragraph (a) of subsection (6), and paragraph (a) of

6076 subsection (8) of section 443.151, Florida Statutes, are amended  
 6077 to read:

6078 443.151 Procedure concerning claims.—

6079 (1) POSTING OF INFORMATION.—

6080 (a) Each employer must post and maintain in places readily  
 6081 accessible to individuals in her or his employ printed  
 6082 statements concerning benefit rights, claims for benefits, and  
 6083 other matters relating to the administration of this chapter as  
 6084 the Department of Commerce ~~Economic Opportunity~~ may by rule  
 6085 prescribe. Each employer must supply to individuals copies of  
 6086 printed statements or other materials relating to claims for  
 6087 benefits as directed by the rules of the department. The  
 6088 department shall supply these printed statements and other  
 6089 materials to each employer without cost to the employer.

6090 (2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF  
 6091 CLAIMANTS AND EMPLOYERS.—

6092 (a) *In general.*—Initial and continued claims for benefits  
 6093 must be made by approved electronic or alternate means and in  
 6094 accordance with rules adopted by the Department of Commerce  
 6095 ~~Economic Opportunity~~. The department shall provide alternative  
 6096 means, such as by telephone, for filing initial and continued  
 6097 claims if the department determines access to the approved  
 6098 electronic means is or will be unavailable and also must provide  
 6099 public notice of such unavailability. The department must notify  
 6100 claimants and employers regarding monetary and nonmonetary

6101 determinations of eligibility. Investigations of issues raised  
 6102 in connection with a claimant which may affect a claimant's  
 6103 eligibility for benefits or charges to an employer's employment  
 6104 record shall be conducted by the department through written,  
 6105 telephonic, or electronic means as prescribed by rule.

6106 (3) DETERMINATION OF ELIGIBILITY.—

6107 (a) *Notices of claim.*—The Department of Commerce ~~Economic~~  
 6108 ~~Opportunity~~ shall promptly provide a notice of claim to the  
 6109 claimant's most recent employing unit and all employers whose  
 6110 employment records are liable for benefits under the monetary  
 6111 determination. The employer must respond to the notice of claim  
 6112 within 14 days after the mailing date of the notice, or in lieu  
 6113 of mailing, within 14 days after the delivery of the notice. If  
 6114 a contributing employer or its agent fails to timely or  
 6115 adequately respond to the notice of claim or request for  
 6116 information, the employer's account may not be relieved of  
 6117 benefit charges as provided in s. 443.131(3)(a), notwithstanding  
 6118 paragraph (5)(b). The department may adopt rules as necessary to  
 6119 implement the processes described in this paragraph relating to  
 6120 notices of claim.

6121 (4) APPEALS.—

6122 (a) *Appeals referees.*—

6123 1. The Department of Commerce ~~Economic Opportunity~~ shall  
 6124 appoint one or more impartial salaried appeals referees in  
 6125 accordance with s. 443.171(3) to hear and decide appealed

6126 | claims.

6127 |         2. A person may not participate on behalf of the  
6128 | department as an appeals referee in any case in which she or he  
6129 | is an interested party.

6130 |         3. The department may designate alternates to serve in the  
6131 | absence or disqualification of any appeals referee on a  
6132 | temporary basis. These alternates must have the same  
6133 | qualifications required of appeals referees.

6134 |         4. The department shall provide the commission and the  
6135 | appeals referees with proper facilities and assistance for the  
6136 | execution of their functions.

6137 |         (5) PAYMENT OF BENEFITS.—

6138 |         (a) The Department of Commerce ~~Economic Opportunity~~ shall  
6139 | promptly pay benefits in accordance with a determination or  
6140 | redetermination regardless of any appeal or pending appeal.  
6141 | Before payment of benefits to the claimant, however, each  
6142 | employer who is liable for reimbursements in lieu of  
6143 | contributions for payment of the benefits must be notified, at  
6144 | the address on file with the department or its tax collection  
6145 | service provider, of the initial determination of the claim and  
6146 | must be given 10 days to respond.

6147 |         (6) RECOVERY AND RECOUPMENT.—

6148 |         (a) Any person who, by reason of her or his fraud,  
6149 | receives benefits under this chapter to which she or he is not  
6150 | entitled is liable for repaying those benefits to the Department

6151 of Commerce ~~Economic Opportunity~~ on behalf of the trust fund or,  
 6152 in the discretion of the department, to have those benefits  
 6153 deducted from future benefits payable to her or him under this  
 6154 chapter. In addition, the department shall impose upon the  
 6155 claimant a penalty equal to 15 percent of the amount overpaid.  
 6156 To enforce this paragraph, the department must find the  
 6157 existence of fraud through a redetermination or decision under  
 6158 this section within 2 years after the fraud was committed. Any  
 6159 recovery or recoupment of benefits must be commenced within 7  
 6160 years after the redetermination or decision.

6161 (8) BILINGUAL REQUIREMENTS.—

6162 (a) The Department of Commerce ~~Economic Opportunity~~ shall  
 6163 provide printed bilingual instructional and educational  
 6164 materials in the appropriate language in those counties in which  
 6165 5 percent or more of the households in the county are classified  
 6166 as a single-language minority.

6167 Section 194. Subsection (1), paragraph (a) of subsection  
 6168 (3), and subsection (4) of section 443.163, Florida Statutes,  
 6169 are amended to read:

6170 443.163 Electronic reporting and remitting of  
 6171 contributions and reimbursements.—

6172 (1) An employer may file any report and remit any  
 6173 contributions or reimbursements required under this chapter by  
 6174 electronic means. The Department of Commerce ~~Economic~~  
 6175 ~~Opportunity~~ or the state agency providing reemployment

6176 assistance tax collection services shall adopt rules prescribing  
 6177 the format and instructions necessary for electronically filing  
 6178 reports and remitting contributions and reimbursements to ensure  
 6179 a full collection of contributions and reimbursements due. The  
 6180 acceptable method of transfer, the method, form, and content of  
 6181 the electronic means, and the method, if any, by which the  
 6182 employer will be provided with an acknowledgment shall be  
 6183 prescribed by the department or its tax collection service  
 6184 provider. However, any employer who employed 10 or more  
 6185 employees in any quarter during the preceding state fiscal year  
 6186 must file the Employers Quarterly Reports, including any  
 6187 corrections, for the current calendar year and remit the  
 6188 contributions and reimbursements due by electronic means  
 6189 approved by the tax collection service provider.

6190 (3) The tax collection service provider may waive the  
 6191 requirement to file an Employers Quarterly Report by electronic  
 6192 means for employers that are unable to comply despite good faith  
 6193 efforts or due to circumstances beyond the employer's reasonable  
 6194 control.

6195 (a) As prescribed by the Department of Commerce ~~Economic~~  
 6196 ~~Opportunity~~ or its tax collection service provider, grounds for  
 6197 approving the waiver include, but are not limited to,  
 6198 circumstances in which the employer does not:

6199 1. Currently file information or data electronically with  
 6200 any business or government agency; or



6201           2. Have a compatible computer that meets or exceeds the  
 6202 standards prescribed by the department or its tax collection  
 6203 service provider.

6204           (4) As used in this section, the term "electronic means"  
 6205 includes, but is not limited to, electronic data interchange;  
 6206 electronic funds transfer; and use of the Internet, telephone,  
 6207 or other technology specified by the Department of Commerce  
 6208 ~~Economic Opportunity~~ or its tax collection service provider.

6209           Section 195. Section 443.171, Florida Statutes, is amended  
 6210 to read:

6211           443.171 Department of Commerce ~~Economic Opportunity~~ and  
 6212 commission; powers and duties; records and reports; proceedings;  
 6213 state-federal cooperation.—

6214           (1) POWERS AND DUTIES.—The Department of Commerce ~~Economic~~  
 6215 ~~Opportunity~~ shall administer this chapter. The department may  
 6216 employ persons, make expenditures, require reports, conduct  
 6217 investigations, and take other action necessary or suitable to  
 6218 administer this chapter. The department shall annually submit  
 6219 information to the state board as defined in s. 445.002 covering  
 6220 the administration and operation of this chapter during the  
 6221 preceding calendar year for inclusion in the strategic plan  
 6222 under s. 445.006 and may make recommendations for amendment to  
 6223 this chapter.

6224           (2) PUBLICATION OF ACTS AND RULES.—The Department of  
 6225 Commerce ~~Economic Opportunity~~ shall cause to be printed and

6226 distributed to the public, or otherwise distributed to the  
 6227 public through the Internet or similar electronic means, the  
 6228 text of this chapter and of the rules for administering this  
 6229 chapter adopted by the department or the state agency providing  
 6230 reemployment assistance tax collection services and any other  
 6231 matter relevant and suitable. The department shall furnish this  
 6232 information to any person upon request. However, any pamphlet,  
 6233 rules, circulars, or reports required by this chapter may not  
 6234 contain any matter except the actual data necessary to complete  
 6235 them or the actual language of the rule, together with the  
 6236 proper notices.

6237 (3) PERSONNEL.—Subject to chapter 110 and the other  
 6238 provisions of this chapter, the Department of Commerce ~~Economic~~  
 6239 ~~Opportunity~~ may appoint, set the compensation of, and prescribe  
 6240 the duties and powers of employees, accountants, attorneys,  
 6241 experts, and other persons as necessary for the performance of  
 6242 the duties of the department under this chapter. The department  
 6243 may delegate to any person its power and authority under this  
 6244 chapter as necessary for the effective administration of this  
 6245 chapter and may bond any person handling moneys or signing  
 6246 checks under this chapter. The cost of these bonds must be paid  
 6247 from the Employment Security Administration Trust Fund.

6248 (4) EMPLOYMENT STABILIZATION.—The Department of Commerce  
 6249 ~~Economic Opportunity~~, under the direction of the state board as  
 6250 defined in s. 445.002, shall take all appropriate steps to

6251 reduce and prevent unemployment; to encourage and assist in the  
 6252 adoption of practical methods of career training, retraining,  
 6253 and career guidance; to investigate, recommend, advise, and  
 6254 assist municipalities, counties, school districts, and the state  
 6255 in the establishment and operation of reserves for public works  
 6256 to be used in times of business depression and unemployment; to  
 6257 promote the reemployment of unemployed workers throughout the  
 6258 state in every other way that may be feasible; to refer a  
 6259 claimant entitled to extended benefits to suitable work that  
 6260 meets the criteria of this chapter; and, to these ends, to carry  
 6261 on and publish the results of investigations and research  
 6262 studies.

6263 (5) RECORDS AND REPORTS.—Each employing unit shall keep  
 6264 true and accurate work records, containing the information  
 6265 required by the Department of Commerce ~~Economic Opportunity~~ or  
 6266 its tax collection service provider. These records must be open  
 6267 to inspection and are subject to being copied by the department  
 6268 or its tax collection service provider at any reasonable time  
 6269 and as often as necessary. The department or its tax collection  
 6270 service provider may require from any employing unit any sworn  
 6271 or unsworn reports, for persons employed by the employing unit,  
 6272 necessary for the effective administration of this chapter.  
 6273 However, a state or local governmental agency performing  
 6274 intelligence or counterintelligence functions need not report an  
 6275 employee if the head of that agency determines that reporting

6276 | the employee could endanger the safety of the employee or  
 6277 | compromise an ongoing investigation or intelligence mission.

6278 |         (6) OATHS AND WITNESSES.—In the discharge of the duties  
 6279 | imposed by this chapter, the Department of Commerce ~~Economic~~  
 6280 | ~~Opportunity~~, its tax collection service provider, the members of  
 6281 | the commission, and any authorized representative of any of  
 6282 | these entities may administer oaths and affirmations, take  
 6283 | depositions, certify to official acts, and issue subpoenas to  
 6284 | compel the attendance of witnesses and the production of books,  
 6285 | papers, correspondence, memoranda, and other records deemed  
 6286 | necessary as evidence in connection with the administration of  
 6287 | this chapter.

6288 |         (7) SUBPOENAS.—If a person refuses to obey a subpoena  
 6289 | issued to that person, any court of this state within the  
 6290 | jurisdiction of which the inquiry is carried on, or within the  
 6291 | jurisdiction of which the person is found, resides, or transacts  
 6292 | business, upon application by the Department of Commerce  
 6293 | ~~Economic Opportunity~~, its tax collection service provider, the  
 6294 | commission, or any authorized representative of any of these  
 6295 | entities has jurisdiction to order the person to appear before  
 6296 | the entity to produce evidence or give testimony on the matter  
 6297 | under investigation or in question. Failure to obey the order of  
 6298 | the court may be punished by the court as contempt. Any person  
 6299 | who fails or refuses without just cause to appear or testify; to  
 6300 | answer any lawful inquiry; or to produce books, papers,

6301 correspondence, memoranda, and other records within her or his  
 6302 control as commanded in a subpoena of the department, its tax  
 6303 collection service provider, the commission, or any authorized  
 6304 representative of any of these entities commits a misdemeanor of  
 6305 the second degree, punishable as provided in s. 775.082 or s.  
 6306 775.083. Each day that a violation continues is a separate  
 6307 offense.

6308 (8) PROTECTION AGAINST SELF-INCRIMINATION.—A person is not  
 6309 excused from appearing or testifying, or from producing books,  
 6310 papers, correspondence, memoranda, or other records, before the  
 6311 Department of Commerce Economic Opportunity, its tax collection  
 6312 service provider, the commission, or any authorized  
 6313 representative of any of these entities or as commanded in a  
 6314 subpoena of any of these entities in any proceeding before the  
 6315 department, the commission, an appeals referee, or a special  
 6316 deputy on the ground that the testimony or evidence, documentary  
 6317 or otherwise, required of the person may incriminate her or him  
 6318 or subject her or him to a penalty or forfeiture. That person  
 6319 may not be prosecuted or subjected to any penalty or forfeiture  
 6320 for or on account of any transaction, matter, or thing  
 6321 concerning which she or he is compelled, after having claimed  
 6322 her or his privilege against self-incrimination, to testify or  
 6323 produce evidence, documentary or otherwise, except that the  
 6324 person testifying is not exempt from prosecution and punishment  
 6325 for perjury committed while testifying.

6326 (9) STATE-FEDERAL COOPERATION.—

6327 (a)1. In the administration of this chapter, the  
 6328 Department of Commerce ~~Economic Opportunity~~ and its tax  
 6329 collection service provider shall cooperate with the United  
 6330 States Department of Labor to the fullest extent consistent with  
 6331 this chapter and shall take those actions, through the adoption  
 6332 of appropriate rules, administrative methods, and standards,  
 6333 necessary to secure for this state all advantages available  
 6334 under the provisions of federal law relating to reemployment  
 6335 assistance.

6336 2. In the administration of the provisions in s. 443.1115,  
 6337 which are enacted to conform with the Federal-State Extended  
 6338 Unemployment Compensation Act of 1970, the department shall take  
 6339 those actions necessary to ensure that those provisions are  
 6340 interpreted and applied to meet the requirements of the federal  
 6341 act as interpreted by the United States Department of Labor and  
 6342 to secure for this state the full reimbursement of the federal  
 6343 share of extended benefits paid under this chapter which is  
 6344 reimbursable under the federal act.

6345 3. The department and its tax collection service provider  
 6346 shall comply with the regulations of the United States  
 6347 Department of Labor relating to the receipt or expenditure by  
 6348 this state of funds granted under federal law; shall submit the  
 6349 reports in the form and containing the information the United  
 6350 States Department of Labor requires; and shall comply with

6351 | directions of the United States Department of Labor necessary to  
 6352 | assure the correctness and verification of these reports.

6353 |         (b) The department and its tax collection service provider  
 6354 | may cooperate with every agency of the United States charged  
 6355 | with administration of any unemployment insurance law.

6356 |         (c) The department and its tax collection service provider  
 6357 | shall cooperate with the agencies of other states, and shall  
 6358 | make every proper effort within their means, to oppose and  
 6359 | prevent any further action leading to the complete or  
 6360 | substantial federalization of state reemployment assistance  
 6361 | funds or state employment security programs. The department and  
 6362 | its tax collection service provider may make, and may cooperate  
 6363 | with other appropriate agencies in making, studies as to the  
 6364 | practicability and probable cost of possible new state-  
 6365 | administered social security programs and the relative  
 6366 | desirability of state, rather than federal, action in that field  
 6367 | of study.

6368 |         (10) EVIDENCE OF MAILING.—A mailing date on any notice,  
 6369 | determination, decision, order, or other document mailed by the  
 6370 | department or its tax collection service provider pursuant to  
 6371 | this chapter creates a rebuttable presumption that such notice,  
 6372 | determination, order, or other document was mailed on the date  
 6373 | indicated.

6374 |         Section 196. Subsection (1) and paragraph (a) of  
 6375 | subsection (2) of section 443.1715, Florida Statutes, are

6376 amended to read:

6377 443.1715 Disclosure of information; confidentiality.—

6378 (1) RECORDS AND REPORTS.—Information revealing an  
 6379 employing unit's or individual's identity obtained from the  
 6380 employing unit or any individual under the administration of  
 6381 this chapter, and any determination revealing that information,  
 6382 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.  
 6383 I of the State Constitution. This confidential information may  
 6384 be released in accordance with the provisions in 20 C.F.R. part  
 6385 603. A person receiving confidential information who violates  
 6386 this subsection commits a misdemeanor of the second degree,  
 6387 punishable as provided in s. 775.082 or s. 775.083. The  
 6388 Department of Commerce ~~Economic Opportunity~~ or its tax  
 6389 collection service provider may, however, furnish to any  
 6390 employer copies of any report submitted by that employer upon  
 6391 the request of the employer and may furnish to any claimant  
 6392 copies of any report submitted by that claimant upon the request  
 6393 of the claimant. The department or its tax collection service  
 6394 provider may charge a reasonable fee for copies of these reports  
 6395 as prescribed by rule, which may not exceed the actual  
 6396 reasonable cost of the preparation of the copies. Fees received  
 6397 for copies under this subsection must be deposited in the  
 6398 Employment Security Administration Trust Fund.

6399 (2) DISCLOSURE OF INFORMATION.—

6400 (a) Subject to restrictions the Department of Commerce



6401 ~~Economic Opportunity~~ or the state agency providing reemployment  
 6402 assistance tax collection services adopts by rule, information  
 6403 declared confidential under this section is available to any  
 6404 agency of this or any other state, or any federal agency,  
 6405 charged with the administration of any reemployment assistance  
 6406 or unemployment compensation law or the maintenance of the one-  
 6407 stop delivery system, or the Bureau of Internal Revenue of the  
 6408 United States Department of the Treasury, or the Florida  
 6409 Department of Revenue. Information obtained in connection with  
 6410 the administration of the one-stop delivery system may be made  
 6411 available to persons or agencies for purposes appropriate to the  
 6412 operation of a public employment service or a job-preparatory or  
 6413 career education or training program. The department shall, on a  
 6414 quarterly basis, furnish the National Directory of New Hires  
 6415 with information concerning the wages and reemployment  
 6416 assistance benefits paid to individuals, by the dates, in the  
 6417 format, and containing the information specified in the  
 6418 regulations of the United States Secretary of Health and Human  
 6419 Services. Upon request, the department shall furnish any agency  
 6420 of the United States charged with the administration of public  
 6421 works or assistance through public employment, and may furnish  
 6422 to any state agency similarly charged, the name, address,  
 6423 ordinary occupation, and employment status of each recipient of  
 6424 benefits and the recipient's rights to further benefits under  
 6425 this chapter. Except as otherwise provided by law, the receiving

6426 agency must retain the confidentiality of this information as  
 6427 provided in this section. The tax collection service provider  
 6428 may request the Comptroller of the Currency of the United States  
 6429 to examine the correctness of any return or report of any  
 6430 national banking association rendered under this chapter and may  
 6431 in connection with that request transmit any report or return  
 6432 for examination to the Comptroller of the Currency of the United  
 6433 States as provided in s. 3305(c) of the federal Internal Revenue  
 6434 Code.

6435 Section 197. Subsection (1), paragraph (c) of subsection  
 6436 (2), and subsections (4), (5), (6), and (7) of section  
 6437 443.17161, Florida Statutes, are amended to read:

6438 443.17161 Authorized electronic access to employer  
 6439 information.—

6440 (1) Notwithstanding any other provision of this chapter,  
 6441 the Department of Commerce ~~Economic Opportunity~~ shall contract  
 6442 with one or more consumer reporting agencies to provide users  
 6443 with secured electronic access to employer-provided information  
 6444 relating to the quarterly wages report submitted in accordance  
 6445 with the state's reemployment assistance law. The access is  
 6446 limited to the wage reports for the appropriate amount of time  
 6447 for the purpose the information is requested.

6448 (2) Users must obtain consent in writing or by electronic  
 6449 signature from an applicant for credit, employment, or other  
 6450 permitted purposes. Any written or electronic signature consent

6451 from an applicant must be signed and must include the following:

6452 (c) Notice that the files of the Department of Commerce  
 6453 ~~Economic Opportunity~~ or its tax collection service provider  
 6454 containing information concerning wage and employment history  
 6455 which is submitted by the applicant or his or her employers may  
 6456 be accessed; and

6457 (4) If a consumer reporting agency or user violates this  
 6458 section, the Department of Commerce ~~Economic Opportunity~~ shall,  
 6459 upon 30 days' written notice to the consumer reporting agency,  
 6460 terminate the contract established between the Department of  
 6461 Commerce ~~Economic Opportunity~~ and the consumer reporting agency  
 6462 or require the consumer reporting agency to terminate the  
 6463 contract established between the consumer reporting agency and  
 6464 the user under this section.

6465 (5) The Department of Commerce ~~Economic Opportunity~~ shall  
 6466 establish minimum audit, security, net worth, and liability  
 6467 insurance standards, technical requirements, and any other terms  
 6468 and conditions considered necessary in the discretion of the  
 6469 state agency to safeguard the confidentiality of the information  
 6470 released under this section and to otherwise serve the public  
 6471 interest. The Department of Commerce ~~Economic Opportunity~~ shall  
 6472 also include, in coordination with any necessary state agencies,  
 6473 necessary audit procedures to ensure that these rules are  
 6474 followed.

6475 (6) In contracting with one or more consumer reporting

6476 agencies under this section, any revenues generated by the  
 6477 contract must be used to pay the entire cost of providing access  
 6478 to the information. Further, in accordance with federal  
 6479 regulations, any additional revenues generated by the Department  
 6480 of Commerce ~~Economic Opportunity~~ or the state under this section  
 6481 must be paid into the Administrative Trust Fund of the  
 6482 Department of Commerce ~~Economic Opportunity~~ for the  
 6483 administration of the unemployment compensation system or be  
 6484 used as program income.

6485 (7) The Department of Commerce ~~Economic Opportunity~~ may  
 6486 not provide wage and employment history information to any  
 6487 consumer reporting agency before the consumer reporting agency  
 6488 or agencies under contract with the Department of Commerce  
 6489 ~~Economic Opportunity~~ pay all development and other startup costs  
 6490 incurred by the state in connection with the design,  
 6491 installation, and administration of technological systems and  
 6492 procedures for the electronic access program.

6493 Section 198. Section 443.181, Florida Statutes, is amended  
 6494 to read:

6495 443.181 Public employment service.—

6496 (1) The one-stop delivery system established under s.  
 6497 445.009 is this state's public employment service as part of the  
 6498 national system of public employment offices established under  
 6499 29 U.S.C. s. 49. The Department of Commerce ~~Economic~~  
 6500 ~~Opportunity~~, under policy direction from the state board as

6501 defined in s. 445.002, shall cooperate with any official or  
 6502 agency of the United States having power or duties under 29  
 6503 U.S.C. ss. 49-491-1 and shall perform those duties necessary to  
 6504 secure to this state the funds provided under federal law for  
 6505 the promotion and maintenance of the state's public employment  
 6506 service. In accordance with 29 U.S.C. s. 49c, this state accepts  
 6507 29 U.S.C. ss. 49-491-1. The department is designated the state  
 6508 agency responsible for cooperating with the United States  
 6509 Secretary of Labor under 29 U.S.C. s. 49c. The department shall  
 6510 appoint sufficient employees to administer this section. The  
 6511 department may cooperate with or enter into agreements with the  
 6512 Railroad Retirement Board for the establishment, maintenance,  
 6513 and use of one-stop career centers.

6514 (2) All funds received by this state under 29 U.S.C. ss.  
 6515 49-491-1 must be paid into the Employment Security  
 6516 Administration Trust Fund, and these funds are available to the  
 6517 Department of Commerce ~~Economic Opportunity~~ for expenditure as  
 6518 provided by this chapter or by federal law. For the purpose of  
 6519 establishing and maintaining one-stop career centers, the  
 6520 department may enter into agreements with the Railroad  
 6521 Retirement Board or any other agency of the United States  
 6522 charged with the administration of a reemployment assistance or  
 6523 unemployment compensation law, with any political subdivision of  
 6524 this state, or with any private, nonprofit organization. As a  
 6525 part of any such agreement, the department may accept moneys,

6526 | services, or quarters as a contribution to the Employment  
 6527 | Security Administration Trust Fund.  
 6528 |         Section 199. Subsections (2), (3), and (4) of section  
 6529 | 443.191, Florida Statutes, are amended to read:  
 6530 |         443.191 Unemployment Compensation Trust Fund;  
 6531 | establishment and control.—  
 6532 |         (2) The Chief Financial Officer is the ex officio  
 6533 | treasurer and custodian of the fund and shall administer the  
 6534 | fund in accordance with the directions of the Department of  
 6535 | Commerce ~~Economic Opportunity~~. All payments from the fund must  
 6536 | be approved by the department or by an authorized agent. The  
 6537 | Chief Financial Officer shall maintain within the fund three  
 6538 | separate accounts:  
 6539 |         (a) A clearing account;  
 6540 |         (b) An Unemployment Compensation Trust Fund account; and  
 6541 |         (c) A benefit account.  
 6542 |  
 6543 | All moneys payable to the fund, including moneys received from  
 6544 | the United States as reimbursement for extended benefits paid by  
 6545 | the Department of Commerce ~~Economic Opportunity~~, must be  
 6546 | forwarded to the Chief Financial Officer, who shall immediately  
 6547 | deposit them in the clearing account. Refunds payable under s.  
 6548 | 443.141 may be paid from the clearing account. After clearance,  
 6549 | all other moneys in the clearing account must be immediately  
 6550 | deposited with the Secretary of the Treasury of the United

6551 States to the credit of this state's account in the federal  
 6552 Unemployment Compensation Trust Fund notwithstanding any state  
 6553 law relating to the deposit, administration, release, or  
 6554 disbursement of moneys in the possession or custody of this  
 6555 state. The benefit account consists of all moneys requisitioned  
 6556 from this state's account in the federal Unemployment  
 6557 Compensation Trust Fund. Except as otherwise provided by law,  
 6558 moneys in the clearing and benefit accounts may be deposited by  
 6559 the Chief Financial Officer, under the direction of the  
 6560 Department of Commerce ~~Economic Opportunity~~, in any bank or  
 6561 public depository in which general funds of the state are  
 6562 deposited, but a public deposit insurance charge or premium may  
 6563 not be paid out of the fund. If any warrant issued against the  
 6564 clearing account or the benefit account is not presented for  
 6565 payment within 1 year after issuance, the Chief Financial  
 6566 Officer must cancel the warrant and credit without restriction  
 6567 the amount of the warrant to the account upon which it is drawn.  
 6568 When the payee or person entitled to a canceled warrant requests  
 6569 payment of the warrant, the Chief Financial Officer, upon  
 6570 direction of the Department of Commerce ~~Economic Opportunity~~,  
 6571 must issue a new warrant, payable from the account against which  
 6572 the canceled warrant was drawn.

6573 (3) Moneys may only be requisitioned from the state's  
 6574 account in the federal Unemployment Compensation Trust Fund  
 6575 solely for the payment of benefits and extended benefits and for

6576 | payment in accordance with rules prescribed by the Department of  
 6577 | Commerce Economic Opportunity, or for the repayment of advances  
 6578 | made pursuant to 42 U.S.C. s. 1321, as authorized by the  
 6579 | Governor or the Governor's designee, except that money credited  
 6580 | to this state's account under 42 U.S.C. s. 1103 may only be used  
 6581 | exclusively as provided in subsection (5). The Department of  
 6582 | Commerce Economic Opportunity, through the Chief Financial  
 6583 | Officer, shall requisition from the federal Unemployment  
 6584 | Compensation Trust Fund amounts, not exceeding the amounts  
 6585 | credited to this state's account in the fund, as necessary for  
 6586 | the payment of benefits and extended benefits for a reasonable  
 6587 | future period. Upon receipt of these amounts, the Chief  
 6588 | Financial Officer shall deposit the moneys in the benefit  
 6589 | account in the State Treasury and warrants for the payment of  
 6590 | benefits and extended benefits shall be drawn upon the order of  
 6591 | the Department of Commerce Economic Opportunity against the  
 6592 | account. All warrants for benefits and extended benefits are  
 6593 | payable directly to the ultimate beneficiary. Expenditures of  
 6594 | these moneys in the benefit account and refunds from the  
 6595 | clearing account are not subject to any law requiring specific  
 6596 | appropriations or other formal release by state officers of  
 6597 | money in their custody. All warrants issued for the payment of  
 6598 | benefits and refunds must bear the signature of the Chief  
 6599 | Financial Officer. Any balance of moneys requisitioned from this  
 6600 | state's account in the federal Unemployment Compensation Trust



6601 Fund which remains unclaimed or unpaid in the benefit account  
 6602 after the period for which the moneys were requisitioned shall  
 6603 be deducted from estimates for, and may be used for the payment  
 6604 of, benefits and extended benefits during succeeding periods,  
 6605 or, in the discretion of the Department of Commerce ~~Economic~~  
 6606 ~~Opportunity~~, shall be redeposited with the Secretary of the  
 6607 Treasury of the United States, to the credit of this state's  
 6608 account in the federal Unemployment Compensation Trust Fund, as  
 6609 provided in subsection (2).

6610 (4) Subsections (1), (2), and (3), to the extent they  
 6611 relate to the federal Unemployment Compensation Trust Fund,  
 6612 apply only while the fund continues to exist and while the  
 6613 Secretary of the Treasury of the United States continues to  
 6614 maintain for this state a separate account of all funds  
 6615 deposited by this state for the payment of benefits, together  
 6616 with this state's proportionate share of the earnings of the  
 6617 federal Unemployment Compensation Trust Fund, from which no  
 6618 other state is permitted to make withdrawals. If the federal  
 6619 Unemployment Compensation Trust Fund ceases to exist, or the  
 6620 separate account is no longer maintained, all moneys,  
 6621 properties, or securities belonging to this state's account in  
 6622 the federal Unemployment Compensation Trust Fund must be  
 6623 transferred to the treasurer of the Unemployment Compensation  
 6624 Trust Fund, who must hold, invest, transfer, sell, deposit, and  
 6625 release those moneys, properties, or securities in a manner

6626 approved by the Department of Commerce ~~Economic Opportunity~~ in  
 6627 accordance with this chapter. These moneys must, however, be  
 6628 invested in the following readily marketable classes of  
 6629 securities: bonds or other interest-bearing obligations of the  
 6630 United States or of the state. Further, the investment must at  
 6631 all times be made in a manner that allows all the assets of the  
 6632 fund to always be readily convertible into cash when needed for  
 6633 the payment of benefits. The treasurer may only dispose of  
 6634 securities or other properties belonging to the Unemployment  
 6635 Compensation Trust Fund under the direction of the Department of  
 6636 Commerce ~~Economic Opportunity~~.

6637 Section 200. Section 443.211, Florida Statutes, is amended  
 6638 to read:

6639 443.211 Employment Security Administration Trust Fund;  
 6640 appropriation; reimbursement.—

6641 (1) EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND.—There  
 6642 is created in the State Treasury the "Employment Security  
 6643 Administration Trust Fund." All moneys deposited into this fund  
 6644 remain continuously available to the Department of Commerce  
 6645 ~~Economic Opportunity~~ for expenditure in accordance with this  
 6646 chapter and do not revert at any time and may not be transferred  
 6647 to any other fund. All moneys in this fund which are received  
 6648 from the Federal Government or any federal agency or which are  
 6649 appropriated by this state under ss. 443.171 and 443.181, except  
 6650 money received under s. 443.191(5)(c), must be expended solely

6651 | for the purposes and in the amounts found necessary by the  
 6652 | authorized cooperating federal agencies for the proper and  
 6653 | efficient administration of this chapter. The fund consists of:  
 6654 | all moneys appropriated by this state; all moneys received from  
 6655 | the United States or any federal agency; all moneys received  
 6656 | from any other source for the administration of this chapter;  
 6657 | any funds collected for enhanced, specialized, or value-added  
 6658 | labor market information services; any moneys received from any  
 6659 | agency of the United States or any other state as compensation  
 6660 | for services or facilities supplied to that agency; any amounts  
 6661 | received from any surety bond or insurance policy or from other  
 6662 | sources for losses sustained by the Employment Security  
 6663 | Administration Trust Fund or by reason of damage to equipment or  
 6664 | supplies purchased from moneys in the fund; and any proceeds  
 6665 | from the sale or disposition of such equipment or supplies. All  
 6666 | money requisitioned and deposited in this fund under s.  
 6667 | 443.191(5)(c) remains part of the Unemployment Compensation  
 6668 | Trust Fund and must be used only in accordance with s.  
 6669 | 443.191(5). All moneys in this fund must be deposited,  
 6670 | administered, and disbursed in the same manner and under the  
 6671 | same conditions and requirements as provided by law for other  
 6672 | trust funds in the State Treasury. These moneys must be secured  
 6673 | by the depositary in which they are held to the same extent and  
 6674 | in the same manner as required by the general depositary law of  
 6675 | the state, and collateral pledged must be maintained in a

6676 separate custody account. All payments from the Employment  
 6677 Security Administration Trust Fund must be approved by the  
 6678 Department of Commerce ~~Economic Opportunity~~ or by an authorized  
 6679 agent and must be made by the Chief Financial Officer. Any  
 6680 balances in this fund do not revert at any time and must remain  
 6681 continuously available to the Department of Commerce ~~Economic~~  
 6682 ~~Opportunity~~ for expenditure consistent with this chapter.

6683 (2) SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST  
 6684 FUND.—There is created in the State Treasury the "Special  
 6685 Employment Security Administration Trust Fund," into which shall  
 6686 be deposited or transferred all interest on contributions and  
 6687 reimbursements, penalties, and fines or fees collected under  
 6688 this chapter. Interest on contributions and reimbursements,  
 6689 penalties, and fines or fees deposited during any calendar  
 6690 quarter in the clearing account in the Unemployment Compensation  
 6691 Trust Fund shall, as soon as practicable after the close of that  
 6692 calendar quarter and upon certification of the Department of  
 6693 Commerce ~~Economic Opportunity~~, be transferred to the Special  
 6694 Employment Security Administration Trust Fund. The amount  
 6695 certified by the Department of Commerce ~~Economic Opportunity~~ as  
 6696 required under this chapter to pay refunds of interest on  
 6697 contributions and reimbursements, penalties, and fines or fees  
 6698 collected and erroneously deposited into the clearing account in  
 6699 the Unemployment Compensation Trust Fund shall, however, be  
 6700 withheld from this transfer. The interest and penalties

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6701 certified for transfer are deemed as being erroneously deposited  
6702 in the clearing account, and their transfer to the Special  
6703 Employment Security Administration Trust Fund is deemed to be a  
6704 refund of the erroneous deposits. All moneys in this fund shall  
6705 be deposited, administered, and disbursed in the same manner and  
6706 under the same requirements as provided by law for other trust  
6707 funds in the State Treasury. These moneys may not be expended or  
6708 be available for expenditure in any manner that would permit  
6709 their substitution for, or permit a corresponding reduction in,  
6710 federal funds that would, in the absence of these moneys, be  
6711 available to finance expenditures for the administration of this  
6712 chapter. This section does not prevent these moneys from being  
6713 used as a revolving fund to cover lawful expenditures for which  
6714 federal funds are requested but not yet received, subject to the  
6715 charging of the expenditures against the funds when received.  
6716 The moneys in this fund, with the approval of the Executive  
6717 Office of the Governor, shall be used by the Department of  
6718 Commerce ~~Economic Opportunity~~ for paying administrative costs  
6719 that are not chargeable against funds obtained from federal  
6720 sources. All moneys in the Special Employment Security  
6721 Administration Trust Fund shall be continuously available to the  
6722 Department of Commerce ~~Economic Opportunity~~ for expenditure in  
6723 accordance with this chapter and do not revert at any time. All  
6724 payments from the Special Employment Security Administration  
6725 Trust Fund must be approved by the Department of Commerce

6726 ~~Economic Opportunity~~ or by an authorized agent and shall be made  
 6727 by the Chief Financial Officer. The moneys in this fund are  
 6728 available to replace, as contemplated by subsection (3),  
 6729 expenditures from the Employment Security Administration Trust  
 6730 Fund which the United States Secretary of Labor, or other  
 6731 authorized federal agency or authority, finds are lost or  
 6732 improperly expended because of any action or contingency. The  
 6733 Chief Financial Officer is liable on her or his official bond  
 6734 for the faithful performance of her or his duties in connection  
 6735 with the Special Employment Security Administration Trust Fund.

6736 (3) REIMBURSEMENT OF FUND.—If any moneys received from the  
 6737 United States Secretary of Labor under 42 U.S.C. ss. 501-504,  
 6738 any unencumbered balances in the Employment Security  
 6739 Administration Trust Fund, any moneys granted to this state  
 6740 under the Wagner-Peyser Act, or any moneys made available by  
 6741 this state or its political subdivisions and matched by the  
 6742 moneys granted to this state under the Wagner-Peyser Act, are  
 6743 after reasonable notice and opportunity for hearing, found by  
 6744 the United States Secretary of Labor, because of any action or  
 6745 contingency, to be lost or expended for purposes other than, or  
 6746 in amounts in excess of, those allowed by the United States  
 6747 Secretary of Labor for the administration of this chapter, these  
 6748 moneys shall be replaced by moneys appropriated for that purpose  
 6749 from the General Revenue Fund to the Employment Security  
 6750 Administration Trust Fund for expenditure as provided in

6751 subsection (1). Upon receipt of notice of such a finding by the  
 6752 United States Secretary of Labor, the Department of Commerce  
 6753 ~~Economic Opportunity~~ shall promptly report the amount required  
 6754 for replacement to the Governor. The Governor shall, at the  
 6755 earliest opportunity, submit to the Legislature a request for  
 6756 the appropriation of the replacement funds.

6757 (4) RESPONSIBILITY FOR TRUST FUNDS.—In connection with its  
 6758 duties under s. 443.181, the Department of Commerce ~~Economic~~  
 6759 ~~Opportunity~~ is responsible for the deposit, requisition,  
 6760 expenditure, approval of payment, reimbursement, and reporting  
 6761 in regard to the trust funds established by this section.

6762 Section 201. Paragraph (a) of subsection (1) and  
 6763 subsections (2), (3), and (4) of section 443.221, Florida  
 6764 Statutes, are amended to read:

6765 443.221 Reciprocal arrangements.—

6766 (1)(a) The Department of Commerce ~~Economic Opportunity~~ or  
 6767 its tax collection service provider may enter into reciprocal  
 6768 arrangements with other states or with the Federal Government,  
 6769 or both, for considering services performed by an individual for  
 6770 a single employing unit for which services are performed by the  
 6771 individual in more than one state as services performed entirely  
 6772 within any one of the states:

6773 1. In which any part of the individual's service is  
 6774 performed;

6775 2. In which the individual has her or his residence; or

6776 3. In which the employing unit maintains a place of  
 6777 business.

6778 (2) The Department of Commerce ~~Economic Opportunity~~ or its  
 6779 tax collection service provider may make to other state or  
 6780 federal agencies and receive from these other state or federal  
 6781 agencies reimbursements from or to the fund, in accordance with  
 6782 arrangements entered into under subsection (1).

6783 (3) The Department of Commerce ~~Economic Opportunity~~ or its  
 6784 tax collection service provider may enter into reciprocal  
 6785 arrangements with other states or the Federal Government, or  
 6786 both, for exchanging services, determining and enforcing payment  
 6787 obligations, and making available facilities and information.  
 6788 The department or its tax collection service provider may  
 6789 conduct investigations, secure and transmit information, make  
 6790 available services and facilities, and exercise other powers  
 6791 provided under this chapter to facilitate the administration of  
 6792 any reemployment assistance or unemployment compensation or  
 6793 public employment service law and, in a similar manner, accept  
 6794 and use information, services, and facilities made available to  
 6795 this state by the agency charged with the administration of any  
 6796 other unemployment compensation or public employment service  
 6797 law.

6798 (4) To the extent permissible under federal law, the  
 6799 Department of Commerce ~~Economic Opportunity~~ may enter into or  
 6800 cooperate in arrangements whereby facilities and services



6801 provided under this chapter and facilities and services provided  
 6802 under the reemployment assistance or unemployment compensation  
 6803 law of any foreign government may be used for the taking of  
 6804 claims and the payment of benefits under the employment security  
 6805 law of the state or under a similar law of that government.

6806 Section 202. Subsection (1) of section 445.002, Florida  
 6807 Statutes, is amended to read:

6808 445.002 Definitions.—As used in this chapter, the term:

6809 (1) "Department" means the Department of Commerce ~~Economic~~  
 6810 ~~Opportunity~~.

6811 Section 203. Paragraph (b) of subsection (7) of section  
 6812 445.003, Florida Statutes, is amended to read:

6813 445.003 Implementation of the federal Workforce Innovation  
 6814 and Opportunity Act.—

6815 (7) DUTIES OF THE DEPARTMENT.—The department shall adopt  
 6816 rules to implement the requirements of this chapter, including:

6817 (b) Initial and subsequent eligibility criteria, based on  
 6818 input from the state board, local workforce development boards,  
 6819 the Department of Education, and other stakeholders, for the  
 6820 Workforce Innovation and Opportunity Act eligible training  
 6821 provider list. This list directs training resources to programs  
 6822 leading to employment in high-demand and high-priority  
 6823 occupations that provide economic security, particularly those  
 6824 occupations facing a shortage of skilled workers. A training  
 6825 provider who offers training to obtain a credential on the

6826 Master Credentials List under s. 445.004(4) (h) may not be  
 6827 included on a state or local eligible training provider list if  
 6828 the provider fails to submit the required information or fails  
 6829 to meet initial or subsequent eligibility criteria. Subsequent  
 6830 eligibility criteria must use the performance and outcome  
 6831 measures defined and reported under s. 1008.40, to determine  
 6832 whether each program offered by a training provider is qualified  
 6833 to remain on the list. The Department of Commerce ~~Economic~~  
 6834 ~~Opportunity~~ and the Department of Education shall establish the  
 6835 minimum criteria a training provider must achieve for  
 6836 completion, earnings, and employment rates of eligible  
 6837 participants. A provider must meet at least two of the minimum  
 6838 criteria for subsequent eligibility. The minimum program  
 6839 criteria may not exceed the threshold at which more than 20  
 6840 percent of all eligible training providers in the state would  
 6841 fall below.

6842 Section 204. Paragraph (h) of subsection (4) of section  
 6843 445.004, Florida Statutes, is amended to read:

6844 445.004 CareerSource Florida, Inc., and the state board;  
 6845 creation; purpose; membership; duties and powers.—

6846 (4)

6847 (h)1. The state board shall appoint a Credentials Review  
 6848 Committee to identify nondegree credentials and degree  
 6849 credentials of value for approval by the state board and  
 6850 inclusion in the Master Credentials List. Such credentials must

6851 include registered apprenticeship programs; industry  
 6852 certifications, including industry certifications for  
 6853 agricultural occupations submitted pursuant to s. 570.07(43);  
 6854 licenses; advanced technical certificates; college credit  
 6855 certificates; career certificates; applied technology diplomas;  
 6856 associate degrees; baccalaureate degrees; and graduate degrees.  
 6857 The Credentials Review Committee must include:

- 6858 a. The Chancellor of the Division of Public Schools.
- 6859 b. The Chancellor of the Division of Career and Adult  
 6860 Education.
- 6861 c. The Chancellor of the Florida College System.
- 6862 d. The Chancellor of the State University System.
- 6863 e. The director of the Office of Reimagining Education and  
 6864 Career Help, who shall serve as chair of the committee.
- 6865 f. Four members from local workforce development boards,  
 6866 with equal representation from urban and rural regions.
- 6867 g. Two members from nonpublic postsecondary institutions.
- 6868 h. Two members from industry associations.
- 6869 i. Two members from Florida-based businesses.
- 6870 j. Two members from the Department of Commerce ~~Economic~~  
 6871 ~~Opportunity~~.
- 6872 k. One member from the Department of Agriculture and  
 6873 Consumer Services.

6874 2. All information pertaining to the Credentials Review  
 6875 Committee, the process for the approval of credentials of value,

6876 and the Master Credentials List must be made available and be  
6877 easily accessible to the public on all relevant state agency  
6878 websites.

6879 3. The Credentials Review Committee shall establish a  
6880 definition for credentials of value and create a framework of  
6881 quality. The framework must align with federally funded  
6882 workforce accountability requirements and undergo biennial  
6883 review.

6884 4. The criteria to determine value for nondegree  
6885 credentials should, at a minimum, require:

6886 a. Evidence that the credential meets labor market demand  
6887 as identified by the Labor Market Statistics Center within the  
6888 Department of Commerce ~~Economic Opportunity~~ or the Labor Market  
6889 Estimating Conference created in s. 216.136, or meets local  
6890 demand as identified in the criteria adopted by the Credentials  
6891 Review Committee. The Credentials Review Committee may consider  
6892 additional evidence to determine labor market demand for  
6893 credentials for agricultural occupations. Evidence to be  
6894 considered by the Credentials Review Committee must include  
6895 employer information on present credential use or emerging  
6896 opportunities.

6897 b. Evidence that the competencies mastered upon completion  
6898 of the credential are aligned with labor market demand.

6899 c. Evidence of the employment and earnings outcomes for  
6900 individuals after obtaining the credential. Earnings outcomes

6901 must provide middle-level to high-level wages with preference  
 6902 given to credentials generating high-level wages. Credentials  
 6903 that do not meet the earnings outcomes criteria must be part of  
 6904 a sequence of credentials that are required for the next level  
 6905 occupation that does meet the earnings outcomes criteria in  
 6906 order to be identified as a credential of value. For new  
 6907 credentials, this criteria may be met with conditional  
 6908 eligibility until measurable labor market outcomes are obtained.

6909         5. The Credentials Review Committee shall establish the  
 6910 criteria to determine value for degree programs. This criteria  
 6911 must include evidence that the program meets statewide or  
 6912 regional labor market demand as identified by the Labor Market  
 6913 Statistics Center within the Department of Commerce ~~Economic~~  
 6914 ~~Opportunity~~ or the Labor Market Estimating Conference created in  
 6915 s. 216.136, or meets local demand as determined by the  
 6916 committee. The Credentials Review Committee may consider  
 6917 additional evidence to determine labor market demand for  
 6918 credentials for agricultural occupations. Such criteria, once  
 6919 available and applicable to baccalaureate degrees and graduate  
 6920 degrees, must be used to designate programs of emphasis under s.  
 6921 1001.706 and to guide the development of program standards and  
 6922 benchmarks under s. 1004.92.

6923         6. The Credentials Review Committee shall establish a  
 6924 process for prioritizing nondegree credentials and degree  
 6925 programs based on critical statewide or regional shortages.

6926           7. The Credentials Review Committee shall establish a  
 6927 process for:  
 6928           a. At a minimum, quarterly review and approval of  
 6929 credential applications. Approved credentials of value shall be  
 6930 used by the committee to develop the Master Credentials List.  
 6931           b. Annual review of the Master Credentials List.  
 6932           c. Phasing out credentials on the Master Credentials List  
 6933 that no longer meet the framework of quality. Credentials must  
 6934 remain on the list for at least 1 year after identification for  
 6935 removal.  
 6936           d. Designating performance funding eligibility under ss.  
 6937 1011.80 and 1011.81, based upon the highest available  
 6938 certification for postsecondary students.  
 6939           e. Upon approval, the state board shall submit the Master  
 6940 Credentials List to the State Board of Education. The list must,  
 6941 at a minimum, identify nondegree credentials and degree programs  
 6942 determined to be of value for purposes of the CAPE Industry  
 6943 Certification Funding List adopted under ss. 1008.44 and  
 6944 1011.62(1); if the credential or degree program meets statewide,  
 6945 regional, or local level demand; the type of certificate,  
 6946 credential, or degree; and the primary standard occupation  
 6947 classification code.  
 6948           f. If an application submitted to the Credentials Review  
 6949 Committee does not meet the required standards, the Credentials  
 6950 Review Committee must provide a notice of deficiency to the

6951 applicant and the provider who was identified as the point of  
 6952 contact provided on the application by the end of the next  
 6953 quarter after receipt of the application. The notice must  
 6954 include the basis for denial and the procedure to appeal the  
 6955 denial.

6956 8. The Credentials Review Committee shall establish a  
 6957 process for linking Classifications of Instructional Programs  
 6958 (CIP) to Standard Occupational Classifications (SOC) for all new  
 6959 credentials of value identified on the Master Credentials List.  
 6960 The CIP code aligns instructional programs to occupations. A CIP  
 6961 to SOC link indicates that programs classified in the CIP code  
 6962 category prepare individuals for jobs classified in the SOC code  
 6963 category. The state board shall submit approved CIP to SOC  
 6964 linkages to the State Board of Education with each credential  
 6965 that is added to the Master Credentials List.

6966 9. The Credentials Review Committee shall identify all  
 6967 data elements necessary to collect information on credentials by  
 6968 the Florida Education and Training Placement Program automated  
 6969 system under s. 1008.39.

6970 Section 205. Paragraph (a) of subsection (8) of section  
 6971 445.009, Florida Statutes, is amended to read:

6972 445.009 One-stop delivery system.—

6973 (8)(a) Individual Training Accounts must be expended on  
 6974 programs that prepare people to enter occupations identified by  
 6975 the Labor Market Statistics Center within the Department of

6976 Commerce ~~Economic Opportunity~~ and the Labor Market Estimating  
 6977 Conference created by s. 216.136, and on other programs  
 6978 recommended and approved by the state board following a review  
 6979 by the department to determine the program's compliance with  
 6980 federal law.

6981 Section 206. Subsection (5) of section 445.016, Florida  
 6982 Statutes, is amended to read:

6983 445.016 Untried Worker Placement and Employment Incentive  
 6984 Act.—

6985 (5) Incentives must be paid according to the incentive  
 6986 schedule developed by CareerSource Florida, Inc., the Department  
 6987 of Commerce ~~Economic Opportunity~~, and the Department of Children  
 6988 and Families which costs the state less per placement than the  
 6989 state's 12-month expenditure on a welfare recipient.

6990 Section 207. Subsection (1) of section 445.024, Florida  
 6991 Statutes, is amended to read:

6992 445.024 Work requirements.—

6993 (1) WORK ACTIVITIES.—The Department of Commerce ~~Economic~~  
 6994 ~~Opportunity~~ may develop activities under each of the following  
 6995 categories of work activities. The following categories of work  
 6996 activities, based on federal law and regulations, may be used  
 6997 individually or in combination to satisfy the work requirements  
 6998 for a participant in the temporary cash assistance program:

6999 (a) Unsubsidized employment.

7000 (b) Subsidized private sector employment.



- 7001 (c) Subsidized public sector employment.
- 7002 (d) On-the-job training.
- 7003 (e) Community service programs.
- 7004 (f) Work experience.
- 7005 (g) Job search and job readiness assistance.
- 7006 (h) Vocational educational training.
- 7007 (i) Job skills training directly related to employment.
- 7008 (j) Education directly related to employment.
- 7009 (k) Satisfactory attendance at a secondary school or in a
- 7010 course of study leading to a high school equivalency diploma.
- 7011 (l) Providing child care services.

7012 Section 208. Subsection (1) of section 445.0325, Florida  
 7013 Statutes, is amended to read:

7014 445.0325 Welfare Transition Trust Fund.—

7015 (1) The Welfare Transition Trust Fund is created in the  
 7016 State Treasury, to be administered by the Department of Commerce  
 7017 ~~Economic Opportunity~~. Funds shall be credited to the trust fund  
 7018 to be used for the purposes of the welfare transition program  
 7019 set forth in ss. 445.017-445.032.

7020 Section 209. Section 445.038, Florida Statutes, is amended  
 7021 to read:

7022 445.038 Digital media; job training.—CareerSource Florida,  
 7023 Inc., through the Department of Commerce ~~Economic Opportunity~~,  
 7024 may use funds dedicated for incumbent worker training for the  
 7025 digital media industry. Training may be provided by public or

7026 private training providers for broadband digital media jobs  
 7027 listed on the occupations list developed by the Labor Market  
 7028 Estimating Conference or the Labor Market Statistics Center  
 7029 within the Department of Commerce ~~Economic Opportunity~~ and on  
 7030 other programs recommended and approved by the state board  
 7031 following a review by the department to determine the program's  
 7032 compliance with federal law. Programs that operate outside the  
 7033 normal semester time periods and coordinate the use of industry  
 7034 and public resources must be given priority status for funding.

7035 Section 210. Subsection (2), paragraph (b) of subsection  
 7036 (4), and subsection (6) of section 445.045, Florida Statutes,  
 7037 are amended to read:

7038 445.045 Development of an Internet-based system for  
 7039 information technology industry promotion and workforce  
 7040 recruitment.—

7041 (2) CareerSource Florida, Inc., shall coordinate with the  
 7042 Department of Management Services and the Department of Commerce  
 7043 ~~Economic Opportunity~~ to ensure links, as feasible and  
 7044 appropriate, to existing job information websites maintained by  
 7045 the state and state agencies and to ensure that information  
 7046 technology positions offered by the state and state agencies are  
 7047 posted on the information technology website.

7048 (4)

7049 (b) CareerSource Florida, Inc., may enter into an  
 7050 agreement with the Department of Commerce ~~Economic Opportunity~~

7051 or any other public agency with the requisite information  
 7052 technology expertise for the provision of design, operating, or  
 7053 other technological services necessary to develop and maintain  
 7054 the website.

7055 (6) In fulfilling its responsibilities under this section,  
 7056 CareerSource Florida, Inc., may enlist the assistance of and act  
 7057 through the Department of Commerce ~~Economic Opportunity~~. The  
 7058 department is authorized and directed to provide the services  
 7059 that CareerSource Florida, Inc., and the department consider  
 7060 necessary to implement this section.

7061 Section 211. Section 445.056, Florida Statutes, is amended  
 7062 to read:

7063 445.056 Citizen Soldier Matching Grant Program.—The  
 7064 Department of Commerce ~~Economic Opportunity~~ shall implement the  
 7065 matching grant program established by the former Agency for  
 7066 Workforce Innovation to award matching grants to private sector  
 7067 employers in this state which provide wages to employees serving  
 7068 in the United States Armed Forces Reserves or the Florida  
 7069 National Guard while those employees are on federal active duty.  
 7070 A grant may not be provided for federal active duty served  
 7071 before January 1, 2005. Each grant shall be awarded to reimburse  
 7072 the employer for not more than one-half of the monthly wages  
 7073 paid to an employee who is a resident of this state for the  
 7074 actual period of federal active duty. The monthly grant per  
 7075 employee may not exceed one-half of the difference between the

7076 amount of monthly wages paid by the employer to the employee at  
 7077 the level paid before the date the employee was called to  
 7078 federal active duty and the amount of the employee's active duty  
 7079 base pay, housing and variable allowances, and subsistence  
 7080 allowance. The Department of Commerce ~~Economic Opportunity~~ shall  
 7081 implement the plan administered by the former Agency for  
 7082 Workforce Innovation.

7083 Section 212. Subsection (2), paragraph (a) of subsection  
 7084 (3), and subsection (5) of section 445.06, Florida Statutes, are  
 7085 amended to read:

7086 445.06 Florida Ready to Work Credential Program.—

7087 (2) Training required to be eligible for a credential  
 7088 under the program may be conducted in public middle and high  
 7089 schools, Florida College System institutions, technical centers,  
 7090 one-stop career centers, vocational rehabilitation centers,  
 7091 Department of Corrections facilities, and Department of Juvenile  
 7092 Justice educational facilities. Such training may also be made  
 7093 available at other entities that provide job training. The  
 7094 Department of Commerce ~~Economic Opportunity~~, in coordination  
 7095 with the Department of Education, shall establish institutional  
 7096 readiness criteria for program implementation.

7097 (3) The program shall be composed of:

7098 (a) A comprehensive identification by the Department of  
 7099 Commerce ~~Economic Opportunity~~ and the Department of Education of  
 7100 employability skills currently in demand by employers,

7101 including, but not limited to, professionalism, time management,  
 7102 communication, problem solving, collaboration, resilience,  
 7103 digital literacy skills, and academic skills such as mathematics  
 7104 and reading.

7105 (5) The Department of Commerce ~~Economic Opportunity~~, in  
 7106 consultation with the Department of Education, shall adopt rules  
 7107 pursuant to ss. 120.536(1) and 120.54 to implement the  
 7108 provisions of this section.

7109 Section 213. Subsection (1) of section 445.07, Florida  
 7110 Statutes, is amended to read:

7111 445.07 Economic security report of employment and earning  
 7112 outcomes.—

7113 (1) Beginning December 31, 2013, and annually thereafter,  
 7114 the Department of Commerce ~~Economic Opportunity~~, in consultation  
 7115 with the Department of Education, shall prepare, or contract  
 7116 with an entity to prepare, an economic security report of  
 7117 employment and earning outcomes for degrees or certificates  
 7118 earned at public postsecondary educational institutions.

7119 Section 214. Section 446.41, Florida Statutes, is amended  
 7120 to read:

7121 446.41 Legislative intent with respect to rural workforce  
 7122 training and development; establishment of Rural Workforce  
 7123 Services Program.—In order that the state may achieve its full  
 7124 economic and social potential, consideration must be given to  
 7125 rural workforce training and development to enable those living

7126 | in rural areas to develop their maximum capacities and  
 7127 | participate productively in society. It is, therefore, the  
 7128 | policy of the state to make available those services needed to  
 7129 | assist individuals and communities in rural areas to improve  
 7130 | their quality of life. It is with a great sense of urgency that  
 7131 | a Rural Workforce Services Program is established within the  
 7132 | Department of Commerce ~~Economic Opportunity~~, under the direction  
 7133 | of CareerSource Florida, Inc., to provide equal access to all  
 7134 | manpower training programs available to rural as well as urban  
 7135 | areas.

7136 |         Section 215. Paragraph (a) of subsection (1) and paragraph  
 7137 | (d) of subsection (2) of section 446.53, Florida Statutes, are  
 7138 | amended to read:

7139 |             446.53 Concrete masonry education.—

7140 |             (1) (a) The Florida Concrete Masonry Education Council,  
 7141 | Inc., is created as a nonprofit corporation organized under the  
 7142 | laws of this state and operating as a direct-support  
 7143 | organization of the Department of Commerce ~~Economic Opportunity~~.

7144 |             (2)

7145 |             (d) In addition to the 13 voting members described in  
 7146 | paragraph (a), the Secretary of Commerce ~~Economic Opportunity~~,  
 7147 | or his or her designee, shall serve ex officio as a nonvoting  
 7148 | member of the board of directors of the council.

7149 |         Section 216. Subsections (1), (4), (5), (6), and (8) of  
 7150 | section 446.71, Florida Statutes, are amended to read:

7151 446.71 Everglades Restoration Agricultural Community  
 7152 Employment Training Program.—

7153 (1) The Department of Commerce ~~Economic Opportunity~~, in  
 7154 cooperation with the state board as defined in s. 445.002, shall  
 7155 establish the Everglades Restoration Agricultural Community  
 7156 Employment Training Program within the Department of Commerce  
 7157 ~~Economic Opportunity~~. The Department of Commerce ~~Economic~~  
 7158 ~~Opportunity~~ shall use funds appropriated to the program by the  
 7159 Legislature to provide grants to stimulate and support training  
 7160 and employment programs that seek to match persons who complete  
 7161 such training programs to nonagricultural employment  
 7162 opportunities in areas of high agricultural unemployment, and to  
 7163 provide other training, educational, and information services  
 7164 necessary to stimulate the creation of jobs in the areas of high  
 7165 agricultural unemployment. In determining whether to provide  
 7166 funds to a particular program, the Department of Commerce  
 7167 ~~Economic Opportunity~~ shall consider the location of the program  
 7168 in proximity to the program's intended participants.

7169 (4) The Department of Commerce ~~Economic Opportunity~~ may  
 7170 not award a grant to any given training program which exceeds 50  
 7171 percent of the total cost of the program, unless the training  
 7172 program is located within a rural area of opportunity, in which  
 7173 case the grant may exceed 50 percent of the total cost of the  
 7174 program and up to 100 percent. Matching contributions may  
 7175 include in-kind services, including, but not limited to, the

7176 provision of training instructors, equipment, and training  
 7177 facilities.

7178 (5) Before granting a request for funds made in accordance  
 7179 with this section, the Department of Commerce ~~Economic~~  
 7180 ~~Opportunity~~ shall enter into a grant agreement with the  
 7181 requester of funds and the institution receiving funding through  
 7182 the program. Such agreement must include all of the following  
 7183 information:

7184 (a) An identification of the personnel necessary to  
 7185 conduct the instructional program, the qualifications of such  
 7186 personnel, and the respective responsibilities of the parties  
 7187 for paying costs associated with the employment of such  
 7188 personnel.

7189 (b) An identification of the estimated length of the  
 7190 instructional program.

7191 (c) An identification of all direct, training-related  
 7192 costs, including tuition and fees, curriculum development, books  
 7193 and classroom materials, and overhead or indirect costs.

7194 (d) An identification of special program requirements that  
 7195 are not otherwise addressed in the agreement.

7196 (6) The Department of Commerce ~~Economic Opportunity~~ may  
 7197 grant up to 100 percent of the tuition for a training program  
 7198 participant who currently resides, and has resided for at least  
 7199 3 of the 5 immediately preceding years, within the Everglades  
 7200 Agricultural Area as described in s. 373.4592 and in counties



7201 that provide for water storage and dispersed water storage that  
 7202 are located in rural areas of opportunity as described in s.  
 7203 288.0656.

7204 (8) The Department of Commerce ~~Economic Opportunity~~ shall  
 7205 adopt rules to implement this section.

7206 Section 217. Effective July 1, 2024, subsection (2) of  
 7207 section 448.09, Florida Statutes, as amended by section 6 of  
 7208 chapter 2023-40, Laws of Florida, is amended to read:

7209 448.09 Unauthorized aliens; employment prohibited.—

7210 (2) If the Department of Commerce ~~Economic Opportunity~~  
 7211 finds or is notified by an entity specified in s. 448.095(3) (a)  
 7212 that an employer has knowingly employed an unauthorized alien  
 7213 without verifying the employment eligibility of such person, the  
 7214 department must enter an order pursuant to chapter 120 making  
 7215 such determination and require repayment of any economic  
 7216 development incentive pursuant to s. 288.061(6).

7217 Section 218. Paragraph (a) of subsection (3) and  
 7218 paragraphs (a) and (b) of subsection (6) of section 448.095,  
 7219 Florida Statutes, are amended to read:

7220 448.095 Employment eligibility.—

7221 (3) ENFORCEMENT.—

7222 (a) For the purpose of enforcement of this section, any of  
 7223 the following persons or entities may request, and an employer  
 7224 must provide, copies of any documentation relied upon by the  
 7225 employer for the verification of a new employee's employment

7226 | eligibility:

7227 |       1. The Department of Law Enforcement;

7228 |       2. The Attorney General;

7229 |       3. The state attorney in the circuit in which the new

7230 | employee works;

7231 |       4. The statewide prosecutor; or

7232 |       5. The Department of Commerce ~~Economic Opportunity~~.

7233 |       (6) COMPLIANCE.—

7234 |       (a) In addition to the requirements under s. 288.061(6),

7235 | beginning on July 1, 2024, if the Department of Commerce

7236 | ~~Economic Opportunity~~ determines that an employer failed to use

7237 | the E-Verify system to verify the employment eligibility of

7238 | employees as required under this section, the department must

7239 | notify the employer of the department's determination of

7240 | noncompliance and provide the employer with 30 days to cure the

7241 | noncompliance.

7242 |       (b) If the Department of Commerce ~~Economic Opportunity~~

7243 | determines that an employer failed to use the E-Verify system as

7244 | required under this section three times in any 24-month period,

7245 | the department must impose a fine of \$1,000 per day until the

7246 | employer provides sufficient proof to the department that the

7247 | noncompliance is cured. Noncompliance constitutes grounds for

7248 | the suspension of all licenses issued by a licensing agency

7249 | subject to chapter 120 until the noncompliance is cured.

7250 |       Section 219. Paragraph (a) of subsection (3) of section

7251 448.109, Florida Statutes, is amended to read:  
 7252 448.109 Notification of the state minimum wage.—  
 7253 (3)(a) Each year the Department of Commerce ~~Economic~~  
 7254 ~~Opportunity~~ shall, on or before December 1, create and make  
 7255 available to employers a poster in English and in Spanish which  
 7256 reads substantially as follows:

7257  
 7258 NOTICE TO EMPLOYEES  
 7259

7260 The Florida minimum wage is \$ ...(amount)... per hour,  
 7261 with a minimum wage of at least \$ ...(amount)... per  
 7262 hour for tipped employees, in addition to tips, for  
 7263 January 1, ...(year)..., through December 31,  
 7264 ...(year)....  
 7265

7266 The rate of the minimum wage is recalculated yearly on  
 7267 September 30, based on the Consumer Price Index. Every  
 7268 year on January 1 the new Florida minimum wage takes  
 7269 effect.  
 7270

7271 An employer may not retaliate against an employee for  
 7272 exercising his or her right to receive the minimum  
 7273 wage. Rights protected by the State Constitution  
 7274 include the right to:

- 7275 1. File a complaint about an employer's alleged

7276 noncompliance with lawful minimum wage requirements.  
 7277 2. Inform any person about an employer's alleged  
 7278 noncompliance with lawful minimum wage requirements.  
 7279 3. Inform any person of his or her potential rights  
 7280 under Section 24, Article X of the State Constitution  
 7281 and to assist him or her in asserting such rights.  
 7282  
 7283 An employee who has not received the lawful minimum  
 7284 wage after notifying his or her employer and giving  
 7285 the employer 15 days to resolve any claims for unpaid  
 7286 wages may bring a civil action in a court of law  
 7287 against an employer to recover back wages plus damages  
 7288 and attorney's fees.  
 7289  
 7290 An employer found liable for intentionally violating  
 7291 minimum wage requirements is subject to a fine of  
 7292 \$1,000 per violation, payable to the state.  
 7293  
 7294 The Attorney General or other official designated by  
 7295 the Legislature may bring a civil action to enforce  
 7296 the minimum wage.  
 7297  
 7298 For details see Section 24, Article X of the State  
 7299 Constitution.  
 7300 Section 220. Subsections (2), (4), and (11) of section

7301 448.110, Florida Statutes, are amended to read:

7302 448.110 State minimum wage; annual wage adjustment;  
7303 enforcement.—

7304 (2) The purpose of this section is to provide measures  
7305 appropriate for the implementation of s. 24, Art. X of the State  
7306 Constitution, in accordance with authority granted to the  
7307 Legislature pursuant to s. 24(f), Art. X of the State  
7308 Constitution. To implement s. 24, Art. X of the State  
7309 Constitution, the Department of Commerce ~~Economic Opportunity~~ is  
7310 designated as the state Agency for Workforce Innovation.

7311 (4) (a) Beginning September 30, 2005, and annually on  
7312 September 30 thereafter, the Department of Commerce ~~Economic~~  
7313 ~~Opportunity~~ shall calculate an adjusted state minimum wage rate  
7314 by increasing the state minimum wage by the rate of inflation  
7315 for the 12 months prior to September 1. In calculating the  
7316 adjusted state minimum wage, the Department of Commerce ~~Economic~~  
7317 ~~Opportunity~~ shall use the Consumer Price Index for Urban Wage  
7318 Earners and Clerical Workers, not seasonally adjusted, for the  
7319 South Region or a successor index as calculated by the United  
7320 States Department of Labor. Each adjusted state minimum wage  
7321 rate shall take effect on the following January 1, with the  
7322 initial adjusted minimum wage rate to take effect on January 1,  
7323 2006.

7324 (b) The Department of Revenue and the Department of  
7325 Commerce ~~Economic Opportunity~~ shall annually publish the amount

7326 of the adjusted state minimum wage and the effective date.  
 7327 Publication shall occur by posting the adjusted state minimum  
 7328 wage rate and the effective date on the Internet home pages of  
 7329 the Department of Commerce ~~Economic Opportunity~~ and the  
 7330 Department of Revenue by October 15 of each year. In addition,  
 7331 to the extent funded in the General Appropriations Act, the  
 7332 Department of Commerce ~~Economic Opportunity~~ shall provide  
 7333 written notice of the adjusted rate and the effective date of  
 7334 the adjusted state minimum wage to all employers registered in  
 7335 the most current reemployment assistance database. Such notice  
 7336 shall be mailed by November 15 of each year using the addresses  
 7337 included in the database. Employers are responsible for  
 7338 maintaining current address information in the reemployment  
 7339 assistance database. The Department of Commerce ~~Economic~~  
 7340 ~~Opportunity~~ is not responsible for failure to provide notice due  
 7341 to incorrect or incomplete address information in the database.  
 7342 The Department of Commerce ~~Economic Opportunity~~ shall provide  
 7343 the Department of Revenue with the adjusted state minimum wage  
 7344 rate information and effective date in a timely manner.

7345 (11) Except for calculating the adjusted state minimum  
 7346 wage and publishing the initial state minimum wage and any  
 7347 annual adjustments thereto, the authority of the Department of  
 7348 Commerce ~~Economic Opportunity~~ in implementing s. 24, Art. X of  
 7349 the State Constitution, pursuant to this section, shall be  
 7350 limited to that authority expressly granted by the Legislature.

7351 Section 221. Section 450.161, Florida Statutes, as amended  
 7352 by section 400 of chapter 2011-142, Laws of Florida, is amended  
 7353 to read:

7354 450.161 Chapter not to affect career education of  
 7355 children; other exceptions.—Nothing in this chapter shall  
 7356 prevent minors of any age from receiving career education  
 7357 furnished by the United States, this state, or any county or  
 7358 other political subdivision of this state and duly approved by  
 7359 the Department of Education or other duly constituted authority,  
 7360 nor any apprentice indentured under a plan approved by the  
 7361 Department of Commerce ~~Economic Opportunity~~, or prevent the  
 7362 employment of any minor 14 years of age or older when such  
 7363 employment is authorized as an integral part of, or supplement  
 7364 to, such a course in career education and is authorized by  
 7365 regulations of the district school board of the district in  
 7366 which such minor is employed, provided the employment is in  
 7367 compliance with the provisions of ss. 450.021(4) and 450.061.  
 7368 Exemptions for the employment of student learners 16 to 18 years  
 7369 of age are provided in s. 450.061. Such an exemption shall apply  
 7370 when:

7371 (1) The student learner is enrolled in a youth vocational  
 7372 training program under a recognized state or local educational  
 7373 authority.

7374 (2) Such student learner is employed under a written  
 7375 agreement that provides:

7376 (a) That the work of the student learner in the occupation  
 7377 declared particularly hazardous shall be incidental to the  
 7378 training.

7379 (b) That such work shall be intermittent and for short  
 7380 periods of time and under the direct and close supervision of a  
 7381 qualified and experienced person.

7382 (c) That safety instructions shall be given by the school  
 7383 and correlated by the employer with on-the-job training.

7384 (d) That a schedule of organized and progressive work  
 7385 processes to be performed on the job shall have been prepared.

7386  
 7387 Each such written agreement shall contain the name of the  
 7388 student learner and shall be signed by the employer, the school  
 7389 coordinator and principal, and the parent or legal guardian.  
 7390 Copies of each agreement shall be kept on file by both the  
 7391 school and the employer. This exemption for the employment of  
 7392 student learners may be revoked in any individual situation when  
 7393 it is found that reasonable precautions have not been observed  
 7394 for the safety of minors employed thereunder. A high school  
 7395 graduate may be employed in an occupation in which he or she has  
 7396 completed training as a student learner, as provided in this  
 7397 section, even though he or she is not yet 18 years of age.

7398 Section 222. Paragraph (j) of subsection (1) of section  
 7399 450.191, Florida Statutes, is amended to read:

7400 450.191 Executive Office of the Governor; powers and



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ORIGINAL

2024

7401 duties.—

7402 (1) The Executive Office of the Governor is authorized and  
7403 directed to:

7404 (j) Cooperate with the Department of Commerce ~~Economic~~  
7405 ~~Opportunity~~ in the recruitment and referral of migrant laborers  
7406 and other persons for the planting, cultivation, and harvesting  
7407 of agricultural crops in Florida.

7408 Section 223. Section 450.261, Florida Statutes, is amended  
7409 to read:

7410 450.261 Interstate Migrant Labor Commission; Florida  
7411 membership.—In selecting the Florida membership of the  
7412 Interstate Migrant Labor Commission, the Governor may designate  
7413 the Secretary of Commerce ~~Economic Opportunity~~ as his or her  
7414 representative.

7415 Section 224. Paragraph (e) of subsection (2) of section  
7416 450.31, Florida Statutes, is amended to read:

7417 450.31 Issuance, revocation, and suspension of, and  
7418 refusal to issue or renew, certificate of registration.—

7419 (2) The department may revoke, suspend, or refuse to issue  
7420 or renew any certificate of registration when it is shown that  
7421 the farm labor contractor has:

7422 (e) Failed to pay reemployment assistance taxes as  
7423 determined by the Department of Commerce ~~Economic Opportunity~~;  
7424 or

7425 Section 225. Subsection (3) of section 468.529, Florida

7426 Statutes, is amended to read:

7427       468.529 Licensee's insurance; employment tax; benefit  
7428 plans.-

7429       (3) A licensed employee leasing company shall within 30  
7430 days after initiation or termination notify its workers'  
7431 compensation insurance carrier, the Division of Workers'  
7432 Compensation of the Department of Financial Services, and the  
7433 state agency providing reemployment assistance tax collection  
7434 services under contract with the Department of Commerce ~~Economic~~  
7435 ~~Opportunity~~ through an interagency agreement pursuant to s.  
7436 443.1316 of both the initiation or the termination of the  
7437 company's relationship with any client company.

7438       Section 226. Paragraph (i) of subsection (4) of section  
7439 551.104, Florida Statutes, is amended to read:

7440       551.104 License to conduct slot machine gaming.-

7441       (4) As a condition of licensure and to maintain continued  
7442 authority for the conduct of slot machine gaming, the slot  
7443 machine licensee shall:

7444       (i) Create and file with the commission a written policy  
7445 for:

7446       1. Creating opportunities to purchase from vendors in this  
7447 state, including minority vendors.

7448       2. Creating opportunities for employment of residents of  
7449 this state, including minority residents.

7450       3. Ensuring opportunities for construction services from

7451 minority contractors.

7452 4. Ensuring that opportunities for employment are offered  
7453 on an equal, nondiscriminatory basis.

7454 5. Training for employees on responsible gaming and  
7455 working with a compulsive or addictive gambling prevention  
7456 program to further its purposes as provided for in s. 551.118.

7457 6. The implementation of a drug-testing program that  
7458 includes, but is not limited to, requiring each employee to sign  
7459 an agreement that he or she understands that the slot machine  
7460 facility is a drug-free workplace.

7461  
7462 The slot machine licensee shall use the Internet-based job-  
7463 listing system of the Department of Commerce ~~Economic~~  
7464 ~~Opportunity~~ in advertising employment opportunities. Each slot  
7465 machine licensee shall provide an annual report to the Florida  
7466 Gaming Control Commission containing information indicating  
7467 compliance with this paragraph in regard to minority persons.

7468 Section 227. Paragraph (e) of subsection (16) of section  
7469 553.79, Florida Statutes, is amended to read:

7470 553.79 Permits; applications; issuance; inspections.—

7471 (16) Except as provided in paragraph (e), a building  
7472 permit for a single-family residential dwelling must be issued  
7473 within 30 business days after receiving the permit application  
7474 unless the permit application fails to satisfy the Florida  
7475 Building Code or the enforcing agency's laws or ordinances.

7476 (e) A building permit for a single-family residential  
 7477 dwelling applied for by a contractor licensed in this state on  
 7478 behalf of a property owner who participates in a Community  
 7479 Development Block Grant-Disaster Recovery program administered  
 7480 by the Department of Commerce ~~Economic Opportunity~~ must be  
 7481 issued within 15 working days after receipt of the application  
 7482 unless the permit application fails to satisfy the Florida  
 7483 Building Code or the enforcing agency's laws or ordinances.

7484 Section 228. Subsection (10) of section 570.71, Florida  
 7485 Statutes, is amended to read:

7486 570.71 Conservation easements and agreements.—

7487 (10) The department, in consultation with the Department  
 7488 of Environmental Protection, the water management districts, the  
 7489 Department of Commerce ~~Economic Opportunity~~, and the Florida  
 7490 Fish and Wildlife Conservation Commission, shall adopt rules  
 7491 that establish an application process; a process and criteria  
 7492 for setting priorities for use of funds consistent with the  
 7493 purposes specified in subsection (1) and giving preference to  
 7494 ranch and timber lands managed using sustainable practices,  
 7495 lands in imminent danger of development or degradation, or lands  
 7496 within the Florida wildlife corridor as defined in s.

7497 259.1055(4); an appraisal process; and a process for title  
 7498 review and compliance and approval of the rules by the Board of  
 7499 Trustees of the Internal Improvement Trust Fund.

7500 Section 229. Paragraph (d) of subsection (1), paragraph

7501 (e) of subsection (2), subsection (3), and paragraph (a) of  
 7502 subsection (4) of section 624.5105, Florida Statutes, are  
 7503 amended to read:

7504 624.5105 Community contribution tax credit; authorization;  
 7505 limitations; eligibility and application requirements;  
 7506 administration; definitions; expiration.—

7507 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

7508 (d) Each proposal for the granting of such tax credit  
 7509 requires the prior approval of the Secretary of Commerce  
 7510 ~~Economic Opportunity~~.

7511 (2) ELIGIBILITY REQUIREMENTS.—

7512 (e)1. If, during the first 10 business days of the state  
 7513 fiscal year, eligible tax credit applications for projects that  
 7514 provide housing opportunities for persons with special needs as  
 7515 defined in s. 420.0004 or homeownership opportunities for low-  
 7516 income or very-low-income households as defined in s.  
 7517 420.9071(20) and (30) are received for less than the annual tax  
 7518 credits available for those projects, the Department of Commerce  
 7519 ~~Economic Opportunity~~ shall grant tax credits for those  
 7520 applications and shall grant remaining tax credits on a first-  
 7521 come, first-served basis for any subsequent eligible  
 7522 applications received before the end of the state fiscal year.  
 7523 If, during the first 10 business days of the state fiscal year,  
 7524 eligible tax credit applications for projects that provide  
 7525 housing opportunities for persons with special needs as defined

7526 in s. 420.0004 or homeownership opportunities for low-income or  
 7527 very-low-income households as defined in s. 420.9071(20) and  
 7528 (30) are received for more than the annual tax credits available  
 7529 for those projects, the Department of Commerce ~~Economic~~  
 7530 ~~Opportunity~~ shall grant the tax credits for those applications  
 7531 as follows:

7532 a. If tax credit applications submitted for approved  
 7533 projects of an eligible sponsor do not exceed \$200,000 in total,  
 7534 the credits shall be granted in full if the tax credit  
 7535 applications are approved.

7536 b. If tax credit applications submitted for approved  
 7537 projects of an eligible sponsor exceed \$200,000 in total, the  
 7538 amount of tax credits granted under sub-subparagraph a. shall be  
 7539 subtracted from the amount of available tax credits, and the  
 7540 remaining credits shall be granted to each approved tax credit  
 7541 application on a pro rata basis.

7542 2. If, during the first 10 business days of the state  
 7543 fiscal year, eligible tax credit applications for projects other  
 7544 than those that provide housing opportunities for persons with  
 7545 special needs as defined in s. 420.0004 or homeownership  
 7546 opportunities for low-income or very-low-income households as  
 7547 defined in s. 420.9071(20) and (30) are received for less than  
 7548 the annual tax credits available for those projects, the  
 7549 Department of Commerce ~~Economic Opportunity~~ shall grant tax  
 7550 credits for those applications and shall grant remaining tax

7551 credits on a first-come, first-served basis for any subsequent  
 7552 eligible applications received before the end of the state  
 7553 fiscal year. If, during the first 10 business days of the state  
 7554 fiscal year, eligible tax credit applications for projects other  
 7555 than those that provide housing opportunities for persons with  
 7556 special needs as defined in s. 420.0004 or homeownership  
 7557 opportunities for low-income or very-low-income households as  
 7558 defined in s. 420.9071(20) and (30) are received for more than  
 7559 the annual tax credits available for those projects, the  
 7560 Department of Commerce ~~Economic Opportunity~~ shall grant the tax  
 7561 credits for those applications on a pro rata basis.

7562 (3) APPLICATION REQUIREMENTS.—

7563 (a) Any eligible sponsor wishing to participate in this  
 7564 program must submit a proposal to the Department of Commerce  
 7565 ~~Economic Opportunity~~ which sets forth the sponsor, the project,  
 7566 the area in which the project is located, and such supporting  
 7567 information as may be prescribed by rule. The proposal shall  
 7568 also contain a resolution from the local governmental unit in  
 7569 which the proposed project is located certifying that the  
 7570 project is consistent with local plans and regulations.

7571 (b)1. Any insurer wishing to participate in this program  
 7572 must submit an application for tax credit to the Department of  
 7573 Commerce ~~Economic Opportunity~~ which sets forth the sponsor; the  
 7574 project; and the type, value, and purpose of the contribution.  
 7575 The sponsor must verify, in writing, the terms of the

7576 application and indicate its willingness to receive the  
 7577 contribution, which verification must accompany the application  
 7578 for tax credit.

7579 2. The insurer must submit a separate application for tax  
 7580 credit for each individual contribution which it proposes to  
 7581 contribute to each individual project.

7582 (4) ADMINISTRATION.—

7583 (a)1. The Department of Commerce ~~Economic Opportunity~~ may  
 7584 adopt rules to administer this section, including rules for the  
 7585 approval or disapproval of proposals by insurers.

7586 2. The decision of the Secretary of Commerce ~~Economic~~  
 7587 ~~Opportunity~~ shall be in writing, and, if approved, the proposal  
 7588 shall state the maximum credit allowable to the insurer. A copy  
 7589 of the decision shall be transmitted to the executive director  
 7590 of the Department of Revenue, who shall apply such credit to the  
 7591 tax liability of the insurer.

7592 3. The Department of Commerce ~~Economic Opportunity~~ shall  
 7593 monitor all projects periodically, in a manner consistent with  
 7594 available resources to ensure that resources are utilized in  
 7595 accordance with this section; however, each project shall be  
 7596 reviewed no less frequently than once every 2 years.

7597 4. The Department of Commerce ~~Economic Opportunity~~ shall,  
 7598 in consultation with the Florida Housing Finance Corporation and  
 7599 the statewide and regional housing and financial intermediaries,  
 7600 market the availability of the community contribution tax credit



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7601 program to community-based organizations.

7602 Section 230. Paragraph (c) of subsection (1) of section

7603 627.42397, Florida Statutes, is amended to read:

7604 627.42397 Coverage for air ambulance services.—

7605 (1) As used in this section, the term:

7606 (c) "Reasonable reimbursement" means reimbursement that

7607 considers the direct cost to provide the air ambulance

7608 transportation service to the insured, the operation of an air

7609 ambulance service by a county which operates entirely within a

7610 designated area of critical state concern as determined by the

7611 Department of Commerce ~~Economic Opportunity~~, and in-network

7612 reimbursement established by the health insurer for the specific

7613 policy. The term does not include the amount of billed charges

7614 for the cost of services rendered.

7615 Section 231. Paragraph (c) of subsection (1) of section

7616 641.514, Florida Statutes, is amended to read:

7617 641.514 Coverage for air ambulance services.—

7618 (1) As used in this section, the term:

7619 (c) "Reasonable reimbursement" means reimbursement that

7620 considers the direct cost to provide the air ambulance

7621 transportation service to the subscriber, the operation of an

7622 air ambulance service by a county which operates entirely within

7623 a designated area of critical state concern as determined by the

7624 Department of Commerce ~~Economic Opportunity~~, and in-network

7625 reimbursement established by the health maintenance organization

7626 for the specific contract. The term does not include the amount  
 7627 of billed charges for the cost of services rendered.

7628 Section 232. Paragraph (a) of subsection (3), paragraph  
 7629 (b) of subsection (7), and subsection (10) of section 692.203,  
 7630 Florida Statutes, are amended to read:

7631 692.203 Purchase of real property on or around military  
 7632 installations or critical infrastructure facilities by foreign  
 7633 principals prohibited.—

7634 (3)(a) A foreign principal must register with the  
 7635 Department of Commerce ~~Economic Opportunity~~ if the foreign  
 7636 principal owns or acquires real property on or within 10 miles  
 7637 of any military installation or critical infrastructure facility  
 7638 in this state as authorized under subsection (4) or if the  
 7639 foreign principal owned or acquired an interest, other than a de  
 7640 minimus indirect interest, in such property before July 1, 2023.  
 7641 The department must establish a form for such registration  
 7642 which, at a minimum, must include all of the following:

- 7643 1. The name of the owner of the real property.
- 7644 2. The address of the real property, the property  
 7645 appraiser's parcel identification number, and the property's  
 7646 legal description.

7647 (7)

7648 (b) The Department of Commerce ~~Economic Opportunity~~ may  
 7649 initiate a civil action in the circuit court of the county in  
 7650 which the property lies for the forfeiture of the real property

7651 or any interest therein.

7652 (10) The Department of Commerce ~~Economic Opportunity~~ shall  
7653 adopt rules to implement this section.

7654 Section 233. Paragraph (a) of subsection (4), paragraph  
7655 (b) of subsection (7), and subsection (10) of section 692.204,  
7656 Florida Statutes, are amended to read:

7657 692.204 Purchase or acquisition of real property by the  
7658 People's Republic of China prohibited.—

7659 (4)(a) A person or entity described in paragraph (1)(a),  
7660 subsection (2), or subsection (5) must register with the  
7661 Department of Commerce ~~Economic Opportunity~~ if the person or  
7662 entity owns or acquires more than a de minimus indirect interest  
7663 in real property in this state. The department must establish a  
7664 form for such registration which, at a minimum, must include all  
7665 of the following:

- 7666 1. The name of the owner of the real property.
- 7667 2. The address of the real property, the property  
7668 appraiser's parcel identification number, and the property's  
7669 legal description.

7670 (7)

7671 (b) The Department of Commerce ~~Economic Opportunity~~ may  
7672 initiate a civil action in the circuit court of the county in  
7673 which the property lies for the forfeiture of the real property  
7674 or any interest therein.

7675 (10) The Department of Commerce ~~Economic Opportunity~~ shall

7676 adopt rules to implement this section.

7677 Section 234. Subsection (2) of section 720.403, Florida  
7678 Statutes, is amended to read:

7679 720.403 Preservation of communities; revival of  
7680 declaration of covenants.—

7681 (2) In order to preserve a community and the associated  
7682 infrastructure and common areas for the purposes described in  
7683 this section, the parcel owners in a community that was  
7684 previously subject to a declaration of covenants that has ceased  
7685 to govern one or more parcels in the community may revive the  
7686 declaration and the association for the community upon approval  
7687 by the parcel owners to be governed thereby as provided in this  
7688 act, and upon approval of the declaration and the other  
7689 governing documents for the association by the Department of  
7690 Commerce ~~Economic Opportunity~~ in a manner consistent with this  
7691 act.

7692 Section 235. Section 720.404, Florida Statutes, is amended  
7693 to read:

7694 720.404 Eligible communities; requirements for revival of  
7695 declaration.—Parcel owners in a community are eligible to seek  
7696 approval from the Department of Commerce ~~Economic Opportunity~~ to  
7697 revive a declaration of covenants under this act if all of the  
7698 following requirements are met:

7699 (1) All parcels to be governed by the revived declaration  
7700 must have been once governed by a previous declaration that has

7701 | ceased to govern some or all of the parcels in the community;  
 7702 |       (2) The revived declaration must be approved in the manner  
 7703 | provided in s. 720.405(6); and  
 7704 |       (3) The revived declaration may not contain covenants that  
 7705 | are more restrictive on the parcel owners than the covenants  
 7706 | contained in the previous declaration, except that the  
 7707 | declaration may:  
 7708 |       (a) Have an effective term of longer duration than the  
 7709 | term of the previous declaration;  
 7710 |       (b) Omit restrictions contained in the previous  
 7711 | declaration;  
 7712 |       (c) Govern fewer than all of the parcels governed by the  
 7713 | previous declaration;  
 7714 |       (d) Provide for amendments to the declaration and other  
 7715 | governing documents; and  
 7716 |       (e) Contain provisions required by this chapter for new  
 7717 | declarations that were not contained in the previous  
 7718 | declaration.  
 7719 |       Section 236. Section 720.406, Florida Statutes, is amended  
 7720 | to read:  
 7721 |       720.406 Department of Commerce ~~Economic Opportunity~~;  
 7722 | submission; review and determination.—  
 7723 |       (1) No later than 60 days after the date the proposed  
 7724 | revived declaration and other governing documents are approved  
 7725 | by the affected parcel owners, the organizing committee or its

7726 | designee must submit the proposed revived governing documents  
 7727 | and supporting materials to the Department of Commerce ~~Economic~~  
 7728 | ~~Opportunity~~ to review and determine whether to approve or  
 7729 | disapprove of the proposal to preserve the residential  
 7730 | community. The submission to the department must include:  
 7731 |       (a) The full text of the proposed revived declaration of  
 7732 | covenants and articles of incorporation and bylaws of the  
 7733 | homeowners' association;  
 7734 |       (b) A verified copy of the previous declaration of  
 7735 | covenants and other previous governing documents for the  
 7736 | community, including any amendments thereto;  
 7737 |       (c) The legal description of each parcel to be subject to  
 7738 | the revived declaration and other governing documents and a plat  
 7739 | or other graphic depiction of the affected properties in the  
 7740 | community;  
 7741 |       (d) A verified copy of the written consents of the  
 7742 | requisite number of the affected parcel owners approving the  
 7743 | revived declaration and other governing documents or, if  
 7744 | approval was obtained by a vote at a meeting of affected parcel  
 7745 | owners, verified copies of the notice of the meeting,  
 7746 | attendance, and voting results;  
 7747 |       (e) An affidavit by a current or former officer of the  
 7748 | association or by a member of the organizing committee verifying  
 7749 | that the requirements for the revived declaration set forth in  
 7750 | s. 720.404 have been satisfied; and

7751 (f) Such other documentation that the organizing committee  
 7752 believes is supportive of the policy of preserving the  
 7753 residential community and operating, managing, and maintaining  
 7754 the infrastructure, aesthetic character, and common areas  
 7755 serving the residential community.

7756 (2) No later than 60 days after receiving the submission,  
 7757 the department must determine whether the proposed revived  
 7758 declaration of covenants and other governing documents comply  
 7759 with the requirements of this act.

7760 (a) If the department determines that the proposed revived  
 7761 declaration and other governing documents comply with the act  
 7762 and have been approved by the parcel owners as required by this  
 7763 act, the department shall notify the organizing committee in  
 7764 writing of its approval.

7765 (b) If the department determines that the proposed revived  
 7766 declaration and other governing documents do not comply with  
 7767 this act or have not been approved as required by this act, the  
 7768 department shall notify the organizing committee in writing that  
 7769 it does not approve the governing documents and shall state the  
 7770 reasons for the disapproval.

7771 Section 237. Subsections (2) and (8) of section 943.0311,  
 7772 Florida Statutes, are amended to read:

7773 943.0311 Chief of Domestic Security; duties of the  
 7774 department with respect to domestic security.—

7775 (2) The chief shall regularly coordinate random audits

7776 pursuant to s. 448.095 to ensure compliance and enforcement and  
 7777 shall notify the Department of Commerce ~~Economic Opportunity~~ of  
 7778 any violations.

7779 (8) As used in this section, the term "state agency"  
 7780 includes the Agency for Health Care Administration, the  
 7781 Department of Agriculture and Consumer Services, the Department  
 7782 of Business and Professional Regulation, the Department of  
 7783 Children and Families, the Department of Citrus, the Department  
 7784 of Commerce ~~Economic Opportunity~~, the Department of Corrections,  
 7785 the Department of Education, the Department of Elderly Affairs,  
 7786 the Division of Emergency Management, the Department of  
 7787 Environmental Protection, the Department of Financial Services,  
 7788 the Department of Health, the Department of Highway Safety and  
 7789 Motor Vehicles, the Department of Juvenile Justice, the  
 7790 Department of Law Enforcement, the Department of Legal Affairs,  
 7791 the Department of Management Services, the Department of  
 7792 Military Affairs, the Department of Revenue, the Department of  
 7793 State, the Department of the Lottery, the Department of  
 7794 Transportation, the Department of Veterans' Affairs, the Fish  
 7795 and Wildlife Conservation Commission, the Florida Commission on  
 7796 Offender Review, the State Board of Administration, and the  
 7797 Executive Office of the Governor.

7798 Section 238. Paragraph (h) of subsection (3) of section  
 7799 944.801, Florida Statutes, is amended to read:

7800 944.801 Education for state prisoners.—



7801 (3) The responsibilities of the Correctional Education  
 7802 Program shall be to:

7803 (h) Develop a written procedure for selecting programs to  
 7804 add to or delete from the vocational curriculum. The procedure  
 7805 shall include labor market analyses that demonstrate the  
 7806 projected demand for certain occupations and the projected  
 7807 supply of potential employees. In conducting these analyses, the  
 7808 department shall evaluate the feasibility of adding vocational  
 7809 education programs that have been identified by the Department  
 7810 of Commerce ~~Economic Opportunity~~, the Department of Education,  
 7811 or a regional coordinating council as being in undersupply in  
 7812 this state. The department shall periodically reevaluate the  
 7813 vocational education programs in major institutions to determine  
 7814 which of the programs support and provide relevant skills to  
 7815 inmates who could be assigned to a correctional work program  
 7816 that is operated as a Prison Industry Enhancement Program.

7817 Section 239. Paragraph (d) of subsection (3) of section  
 7818 945.10, Florida Statutes, is amended to read:

7819 945.10 Confidential information.—

7820 (3) Due to substantial concerns regarding institutional  
 7821 security and unreasonable and excessive demands on personnel and  
 7822 resources if an inmate or an offender has unlimited or routine  
 7823 access to records of the Department of Corrections, an inmate or  
 7824 an offender who is under the jurisdiction of the department may  
 7825 not have unrestricted access to the department's records or to

7826 information contained in the department's records. However,  
 7827 except as to another inmate's or offender's records, the  
 7828 department may permit limited access to its records if an inmate  
 7829 or an offender makes a written request and demonstrates an  
 7830 exceptional need for information contained in the department's  
 7831 records and the information is otherwise unavailable.

7832 Exceptional circumstances include, but are not limited to:

7833 (d) The requested records contain information required to  
 7834 process an application or claim by the inmate or offender with  
 7835 the Internal Revenue Service, the Social Security  
 7836 Administration, the Department of Commerce ~~Economic Opportunity~~,  
 7837 or any other similar application or claim with a state agency or  
 7838 federal agency.

7839 Section 240. Subsection (4) of section 985.601, Florida  
 7840 Statutes, is amended to read:

7841 985.601 Administering the juvenile justice continuum.—

7842 (4) The department shall maintain continuing cooperation  
 7843 with the Department of Education, the Department of Children and  
 7844 Families, the Department of Commerce ~~Economic Opportunity~~, and  
 7845 the Department of Corrections for the purpose of participating  
 7846 in agreements with respect to dropout prevention and the  
 7847 reduction of suspensions, expulsions, and truancy; increased  
 7848 access to and participation in high school equivalency diploma,  
 7849 vocational, and alternative education programs; and employment  
 7850 training and placement assistance. The cooperative agreements

7851 between the departments shall include an interdepartmental plan  
 7852 to cooperate in accomplishing the reduction of inappropriate  
 7853 transfers of children into the adult criminal justice and  
 7854 correctional systems. As part of its continuing cooperation, the  
 7855 department shall participate in the planning process for  
 7856 promoting a coordinated system of care for children and  
 7857 adolescents pursuant to s. 394.4955.

7858 Section 241. Paragraph (w) of subsection (2) of section  
 7859 1001.02, Florida Statutes, is amended to read:

7860 1001.02 General powers of State Board of Education.—

7861 (2) The State Board of Education has the following duties:

7862 (w) Beginning in the 2014-2015 academic year and annually  
 7863 thereafter, to require each Florida College System institution  
 7864 prior to registration to provide each enrolled student  
 7865 electronic access to the economic security report of employment  
 7866 and earning outcomes prepared by the Department of Commerce  
 7867 ~~Economic Opportunity~~ pursuant to s. 445.07.

7868 Section 242. Subsection (18) of section 1001.03, Florida  
 7869 Statutes, is amended to read:

7870 1001.03 Specific powers of State Board of Education.—

7871 (18) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,  
 7872 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of  
 7873 Education, in consultation with the Board of Governors and the  
 7874 Department of Commerce ~~Economic Opportunity~~, shall adopt a  
 7875 unified state plan to improve K-20 STEM education and prepare

7876 students for high-skill, high-wage, and high-demand employment  
 7877 in STEM and STEM-related fields.

7878 Section 243. Paragraphs (b), (d), and (i) of subsection  
 7879 (5) of section 1001.706, Florida Statutes, are amended to read:  
 7880 1001.706 Powers and duties of the Board of Governors.—

7881 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

7882 (b) The Board of Governors shall develop a strategic plan  
 7883 specifying goals and objectives for the State University System  
 7884 and each constituent university, including each university's  
 7885 contribution to overall system goals and objectives. The  
 7886 strategic plan must:

7887 1. Include performance metrics and standards common for  
 7888 all institutions and metrics and standards unique to  
 7889 institutions depending on institutional core missions,  
 7890 including, but not limited to, student admission requirements,  
 7891 retention, graduation, percentage of graduates who have attained  
 7892 employment, percentage of graduates enrolled in continued  
 7893 education, licensure passage, nondegree credential attainment,  
 7894 average wages of employed graduates, average cost per graduate,  
 7895 excess hours, student loan burden and default rates, faculty  
 7896 awards, total annual research expenditures, patents, licenses  
 7897 and royalties, intellectual property, startup companies, annual  
 7898 giving, endowments, and well-known, highly respected national  
 7899 rankings for institutional and program achievements.

7900 2. Consider reports and recommendations of the Florida

7901 Talent Development Council under s. 1004.015 and the  
 7902 Articulation Coordinating Committee under s. 1007.01, and the  
 7903 information provided by the Labor Market Statistics Center  
 7904 within the Department of Commerce ~~Economic Opportunity~~ and the  
 7905 Labor Market Estimating Conference.

7906 3. Include student enrollment and performance data  
 7907 delineated by method of instruction, including, but not limited  
 7908 to, traditional, online, and distance learning instruction.

7909 4. Include criteria for designating baccalaureate degree  
 7910 and master's degree programs at specified universities as high-  
 7911 demand programs of emphasis. Once the criteria are available and  
 7912 applicable to baccalaureate degrees and graduate degrees, the  
 7913 Board of Governors shall adopt the criteria to determine value  
 7914 for and prioritization of degree credentials and degree programs  
 7915 established by the Credentials Review Committee under s. 445.004  
 7916 for designating high-demand programs of emphasis. The Board of  
 7917 Governors must review designated programs of emphasis, at a  
 7918 minimum, every 3 years to ensure alignment with the  
 7919 prioritization of degree credentials and degree programs  
 7920 identified by the Credentials Review Committee.

7921 5. Include criteria for nondegree credentials.

7922 (d) The Board of Governors shall annually require a state  
 7923 university prior to registration to provide each enrolled  
 7924 student electronic access to the economic security report of  
 7925 employment and earning outcomes prepared by the Department of

7926 Commerce Economic Opportunity pursuant to s. 445.07. In  
 7927 addition, the Board of Governors shall require a state  
 7928 university to provide each student electronic access to the  
 7929 following information each year prior to registration using the  
 7930 data described in s. 1008.39:

7931 1. The top 25 percent of degrees reported by the  
 7932 university in terms of highest full-time job placement and  
 7933 highest average annualized earnings in the year after earning  
 7934 the degree.

7935 2. The bottom 10 percent of degrees reported by the  
 7936 university in terms of lowest full-time job placement and lowest  
 7937 average annualized earnings in the year after earning the  
 7938 degree.

7939 (i) The Board of Governors shall match individual student  
 7940 information with information in the files of state and federal  
 7941 agencies that maintain educational and employment records. The  
 7942 board must enter into an agreement with the Department of  
 7943 Commerce Economic Opportunity that allows access to the  
 7944 individual reemployment assistance wage records maintained by  
 7945 the department. The agreement must protect individual privacy  
 7946 and provide that student information may be used only for the  
 7947 purposes of auditing or evaluating higher education programs  
 7948 offered by state universities.

7949 Section 244. Subsection (24) of section 1002.20, Florida  
 7950 Statutes, is amended to read:

7951 1002.20 K-12 student and parent rights.—Parents of public  
 7952 school students must receive accurate and timely information  
 7953 regarding their child's academic progress and must be informed  
 7954 of ways they can help their child to succeed in school. K-12  
 7955 students and their parents are afforded numerous statutory  
 7956 rights including, but not limited to, the following:

7957 (24) ECONOMIC SECURITY REPORT.—Beginning in the 2014-2015  
 7958 school year and annually thereafter, each middle school and high  
 7959 school student or the student's parent prior to registration  
 7960 shall be provided a two-page summary of the Department of  
 7961 Commerce's ~~Economic Opportunity's~~ economic security report of  
 7962 employment and earning outcomes prepared pursuant to s. 445.07  
 7963 and electronic access to the report.

7964 Section 245. Paragraph (a) of subsection (7) of section  
 7965 1002.395, Florida Statutes, is amended to read:

7966 1002.395 Florida Tax Credit Scholarship Program.—

7967 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
 7968 PARTICIPATION.—

7969 (a) A parent whose student will be enrolled full time in a  
 7970 private school must:

7971 1. Select an eligible private school and apply for the  
 7972 admission of his or her child.

7973 2. Inform the child's school district when the parent  
 7974 withdraws his or her child to attend an eligible private school.

7975 3. Require his or her student participating in the program

7976 to remain in attendance throughout the school year unless  
 7977 excused by the school for illness or other good cause and comply  
 7978 with the private school's published policies.

7979 4. Meet with the private school's principal or the  
 7980 principal's designee to review the school's academic programs  
 7981 and policies, specialized services, code of student conduct, and  
 7982 attendance policies before enrollment in the private school.

7983 5. Require his or her student participating in the program  
 7984 to take the norm-referenced assessment offered by the private  
 7985 school. The parent may also choose to have the student  
 7986 participate in the statewide assessments pursuant to s. 1008.22.  
 7987 If the parent requests that the student participating in the  
 7988 scholarship program take statewide assessments pursuant to s.  
 7989 1008.22 and the private school has not chosen to offer and  
 7990 administer the statewide assessments, the parent is responsible  
 7991 for transporting the student to the assessment site designated  
 7992 by the school district.

7993 6. Approve each payment before the scholarship funds may  
 7994 be deposited by funds transfer. The parent may not designate any  
 7995 entity or individual associated with the participating private  
 7996 school as the parent's attorney in fact to approve a funds  
 7997 transfer. A participant who fails to comply with this paragraph  
 7998 forfeits the scholarship.

7999 7. Authorize the nonprofit scholarship-funding  
 8000 organization to access information needed for income eligibility



8001 determination and verification held by other state or federal  
 8002 agencies, including the Department of Revenue, the Department of  
 8003 Children and Families, the Department of Education, the  
 8004 Department of Commerce ~~Economic Opportunity~~, and the Agency for  
 8005 Health Care Administration.

8006 8. Agree to have the organization commit scholarship funds  
 8007 on behalf of his or her student for tuition and fees for which  
 8008 the parent is responsible for payment at the private school  
 8009 before using empowerment account funds for additional authorized  
 8010 uses under paragraph (6)(d). A parent is responsible for all  
 8011 eligible expenses in excess of the amount of the scholarship.

8012  
 8013 An eligible nonprofit scholarship-funding organization may not  
 8014 further regulate, exercise control over, or require  
 8015 documentation beyond the requirements of this subsection unless  
 8016 the regulation, control, or documentation is necessary for  
 8017 participation in the program.

8018 Section 246. Paragraph (a) of subsection (6) of section  
 8019 1002.895, Florida Statutes, is amended to read:

8020 1002.895 Market rate schedule.—The school readiness  
 8021 program market rate schedule shall be implemented as follows:

8022 (6) The department shall establish procedures to annually  
 8023 collect data regarding the cost of care to include, but not be  
 8024 limited to:

8025 (a) Data from the Department of Commerce's ~~Economic~~

8026 ~~Opportunity's~~ Bureau of Workforce Statistics and Economic  
 8027 Research on the average salary for child care personnel to  
 8028 include, at a minimum, child care instructors and child care  
 8029 directors.

8030 Section 247. Paragraph (e) of subsection (1) of section  
 8031 1003.4156, Florida Statutes, is amended to read:

8032 1003.4156 General requirements for middle grades  
 8033 promotion.—

8034 (1) In order for a student to be promoted to high school  
 8035 from a school that includes middle grades 6, 7, and 8, the  
 8036 student must successfully complete the following courses:

8037 (e) One course in career and education planning to be  
 8038 completed in grades 6, 7, or 8, which may be taught by any  
 8039 member of the instructional staff. The course must be Internet-  
 8040 based, customizable to each student, and include research-based  
 8041 assessments to assist students in determining educational and  
 8042 career options and goals. In addition, the course must result in  
 8043 a completed personalized academic and career plan for the  
 8044 student, which must use, when available, Florida's online career  
 8045 planning and work-based learning coordination system. The course  
 8046 must teach each student how to access and update the plan and  
 8047 encourage the student to access and update the plan at least  
 8048 annually as the student progresses through middle school and  
 8049 high school. The personalized academic and career plan must  
 8050 emphasize the importance of entrepreneurship and employability

8051 skills and must include information from the Department of  
 8052 Commerce's Economic Opportunity's economic security report under  
 8053 s. 445.07 and other state career planning resources. The  
 8054 required personalized academic and career plan must inform  
 8055 students of high school graduation requirements, including a  
 8056 detailed explanation of the requirements for earning a high  
 8057 school diploma designation under s. 1003.4285 and the career and  
 8058 technical education pathway to earn a standard high school  
 8059 diploma under s. 1003.4282(10); the requirements for each  
 8060 scholarship in the Florida Bright Futures Scholarship Program;  
 8061 state university and Florida College System institution  
 8062 admission requirements; available opportunities to earn college  
 8063 credit in high school, including Advanced Placement courses; the  
 8064 International Baccalaureate Program; the Advanced International  
 8065 Certificate of Education Program; dual enrollment, including  
 8066 career dual enrollment; work-based learning opportunities,  
 8067 including internships and preapprenticeship and apprenticeship  
 8068 programs; and career education courses, including career-themed  
 8069 courses and course sequences that lead to industry certification  
 8070 pursuant to s. 1003.492 or s. 1008.44. The course may be  
 8071 implemented as a stand-alone course or integrated into another  
 8072 course or courses.

8073 Section 248. Subsection (2), paragraphs (a) and (b) of  
 8074 subsection (3), and subsection (4) of section 1003.491, Florida  
 8075 Statutes, are amended to read:

8076 1003.491 Florida Career and Professional Education Act.—  
 8077 The Florida Career and Professional Education Act is created to  
 8078 provide a statewide planning partnership between the business  
 8079 and education communities in order to attract, expand, and  
 8080 retain targeted, high-value industry and to sustain a strong,  
 8081 knowledge-based economy.

8082 (2) Each district school board shall develop, in  
 8083 collaboration with local workforce development boards, economic  
 8084 development agencies, and postsecondary institutions approved to  
 8085 operate in the state, a strategic 3-year plan to address and  
 8086 meet local and regional workforce demands. If involvement of a  
 8087 local workforce development board or an economic development  
 8088 agency in the strategic plan development is not feasible, the  
 8089 local school board, with the approval of the Department of  
 8090 Commerce ~~Economic Opportunity~~, shall collaborate with the most  
 8091 appropriate regional business leadership board. Two or more  
 8092 school districts may collaborate in the development of the  
 8093 strategic plan and offer career-themed courses, as defined in s.  
 8094 1003.493(1)(b), or a career and professional academy as a joint  
 8095 venture. The strategic plan must describe in detail provisions  
 8096 for the efficient transportation of students, the maximum use of  
 8097 shared resources, access to courses aligned to state curriculum  
 8098 standards through virtual education providers legislatively  
 8099 authorized to provide part-time instruction to middle school  
 8100 students, and an objective review of proposed career and

8101 professional academy courses and other career-themed courses to  
 8102 determine if the courses will lead to the attainment of industry  
 8103 certifications included on the Industry Certified Funding List  
 8104 pursuant to rules adopted by the State Board of Education. Each  
 8105 strategic plan shall be reviewed, updated, and jointly approved  
 8106 every 3 years by the local school district, local workforce  
 8107 development boards, economic development agencies, and state-  
 8108 approved postsecondary institutions.

8109 (3) The strategic 3-year plan developed jointly by the  
 8110 local school district, local workforce development boards,  
 8111 economic development agencies, and state-approved postsecondary  
 8112 institutions must be constructed and based on:

8113 (a) Research conducted to objectively determine local and  
 8114 regional workforce needs for the ensuing 3 years, using labor  
 8115 projections as identified by the Labor Market Statistics Center  
 8116 within the Department of Commerce ~~Economic Opportunity~~ and the  
 8117 Labor Market Estimating Conference as factors in the criteria  
 8118 for the plan;

8119 (b) Strategies to develop and implement career academies  
 8120 or career-themed courses based on occupations identified by the  
 8121 Labor Market Statistics Center within the Department of Commerce  
 8122 ~~Economic Opportunity~~ and the Labor Market Estimating Conference;

8123 (4) The State Board of Education shall establish a process  
 8124 for the continual and uninterrupted review of newly proposed  
 8125 core secondary courses and existing courses requested to be

8126 considered as core courses to ensure that sufficient rigor and  
 8127 relevance is provided for workforce skills and postsecondary  
 8128 education and aligned to state curriculum standards.

8129 (a) The review of newly proposed core secondary courses  
 8130 shall be the responsibility of a curriculum review committee  
 8131 whose membership is approved by CareerSource Florida, Inc. The  
 8132 membership of the committee shall include:

8133 1. Three certified high school counselors recommended by  
 8134 the Florida Association of Student Services Administrators.

8135 2. Three assistant superintendents for curriculum and  
 8136 instruction, recommended by the Florida Association of District  
 8137 School Superintendents, who serve in districts that operate  
 8138 successful career and professional academies pursuant to s.  
 8139 1003.492 or a successful series of courses that lead to industry  
 8140 certification. Committee members in this category shall employ  
 8141 the expertise of appropriate subject area specialists in the  
 8142 review of proposed courses.

8143 3. Three workforce representatives recommended by the  
 8144 Department of Commerce ~~Economic Opportunity~~.

8145 4. Three admissions directors of postsecondary  
 8146 institutions accredited by an accrediting agency or association  
 8147 recognized by the database created and maintained by the United  
 8148 States Department of Education, representing both public and  
 8149 private institutions.

8150 5. The Commissioner of Education, or his or her designee,

8151 | who is responsible for K-12 curriculum and instruction and shall  
 8152 | employ the expertise of appropriate subject area specialists in  
 8153 | the review of proposed courses.

8154 |         (b) The curriculum review committee shall review newly  
 8155 | proposed core courses electronically. Each proposed core course  
 8156 | shall be approved or denied within 30 days after submission by a  
 8157 | district school board or local workforce development board. All  
 8158 | courses approved as core courses for purposes of middle school  
 8159 | promotion and high school graduation shall be immediately added  
 8160 | to the Course Code Directory. Approved core courses shall also  
 8161 | be reviewed and considered for approval for dual enrollment  
 8162 | credit. The Board of Governors and the Commissioner of Education  
 8163 | shall jointly recommend an annual deadline for approval of new  
 8164 | core courses to be included for purposes of postsecondary  
 8165 | admissions and dual enrollment credit the following academic  
 8166 | year. The State Board of Education shall establish an appeals  
 8167 | process in the event that a proposed course is denied which  
 8168 | shall require a consensus ruling by the Department of Commerce  
 8169 | ~~Economic Opportunity~~ and the Commissioner of Education within 15  
 8170 | days.

8171 |         Section 249. Subsection (1) and paragraph (d) of  
 8172 | subsection (4) of section 1003.493, Florida Statutes, are  
 8173 | amended to read:

8174 |         1003.493 Career and professional academies and career-  
 8175 | themed courses.—

8176 (1) (a) A "career and professional academy" is a research-  
 8177 based program that integrates a rigorous academic curriculum  
 8178 with an industry-specific curriculum aligned directly to  
 8179 priority workforce needs established by the local workforce  
 8180 development board or the Department of Commerce ~~Economic~~  
 8181 ~~Opportunity~~. Career and professional academies shall be offered  
 8182 by public schools and school districts. Career and professional  
 8183 academies may be offered by charter schools. The Florida Virtual  
 8184 School is encouraged to develop and offer rigorous career and  
 8185 professional courses as appropriate. Students completing career  
 8186 and professional academy programs must receive a standard high  
 8187 school diploma, the highest available industry certification,  
 8188 and opportunities to earn postsecondary credit if the academy  
 8189 partners with a postsecondary institution approved to operate in  
 8190 the state.

8191 (b) A "career-themed course" is a course, or a course in a  
 8192 series of courses, that leads to an industry certification  
 8193 identified in the CAPE Industry Certification Funding List  
 8194 pursuant to rules adopted by the State Board of Education.  
 8195 Career-themed courses have industry-specific curriculum aligned  
 8196 directly to priority workforce needs established by the local  
 8197 workforce development board or the Department of Commerce  
 8198 ~~Economic Opportunity~~. School districts shall offer at least two  
 8199 career-themed courses, and each secondary school is encouraged  
 8200 to offer at least one career-themed course. The Florida Virtual



8201 School is encouraged to develop and offer rigorous career-themed  
 8202 courses as appropriate. Students completing a career-themed  
 8203 course must be provided opportunities to earn postsecondary  
 8204 credit if the credit for the career-themed course can be  
 8205 articulated to a postsecondary institution approved to operate  
 8206 in the state.

8207 (4) Each career and professional academy and secondary  
 8208 school providing a career-themed course must:

8209 (d) Provide instruction in careers designated as high-  
 8210 skill, high-wage, and high-demand by the local workforce  
 8211 development board, the chamber of commerce, economic development  
 8212 agencies, or the Department of Commerce ~~Economic Opportunity~~.

8213 Section 250. Paragraph (e) of subsection (2) and  
 8214 subsections (5) and (6) of section 1004.015, Florida Statutes,  
 8215 are amended to read:

8216 1004.015 Florida Talent Development Council.—

8217 (2) Members of the council shall include:

8218 (e) The Secretary of Commerce ~~Economic Opportunity~~.

8219 (5) The Department of Commerce ~~Economic Opportunity~~ shall  
 8220 provide administrative support for the council.

8221 (6) The council shall coordinate, facilitate, and  
 8222 communicate statewide efforts to meet supply and demand needs  
 8223 for the state's health care workforce. Annually, by December 1,  
 8224 the council shall report on the implementation of this  
 8225 subsection and any other relevant information on the Florida

8226 Talent Development Council's web page located on the Department  
 8227 of Commerce's Economic Opportunity's website. To support the  
 8228 efforts of the council, the Board of Governors and the State  
 8229 Board of Education shall:

8230 (a) Provide 10-year trend information on nursing education  
 8231 programs subject to the requirements of s. 464.019. The  
 8232 Department of Health, the Board of Governors, the State Board of  
 8233 Education, the Commission for Independent Education, the  
 8234 Independent Colleges and Universities of Florida, the Florida  
 8235 Center for Nursing, and postsecondary institutions participating  
 8236 in a state grant, fund, or performance-based incentive program  
 8237 under s. 1009.89, s. 1009.8962, or s. 1009.897 shall provide  
 8238 data, by institution and program, on:

- 8239 1. The number of student slots available.
- 8240 2. The number of student applications submitted, the  
 8241 number of qualified student applicants, the number of students  
 8242 accepted, and the number of students enrolled.
- 8243 3. The number of program graduates.
- 8244 4. Program retention rates of students tracked from  
 8245 program entry to graduation.
- 8246 5. Graduate passage rates, as defined in s. 464.003, on  
 8247 and the number of times each graduate took the National Council  
 8248 of State Boards of Nursing Licensing Examination.
- 8249 6. The number of graduates who become employed as  
 8250 practical or professional nurses in the state.

8251           7. The educational advancement of nurses through career  
8252 pathways by comparing their initial degree to the highest degree  
8253 they obtained for the preceding 10 years.

8254           8. The outcomes of students enrolled at institutions  
8255 participating in the Linking Industry to Nursing Education  
8256 (LINE) Fund under s. 1009.8962 or the Prepping Institutions,  
8257 Programs, Employers, and Learners through Incentives for Nursing  
8258 Education (PIPELINE) Fund under s. 1009.897.

8259           9. The outcomes of graduates who have received a nursing  
8260 student loan forgiveness repayment under s. 1009.66. Such data  
8261 must include, for the previous 4 fiscal years, the number of  
8262 graduates who have received a repayment, the amount repaid on  
8263 behalf of each graduate, each graduate's employer of record for  
8264 each repayment and the length of employment at each employer,  
8265 and the level or levels of nursing licensure earned by each  
8266 graduate.

8267           (b) Develop definitions for data elements and a uniform  
8268 survey for use by the Department of Health, the Commission for  
8269 Independent Education, the Independent Colleges and Universities  
8270 of Florida, and postsecondary institutions participating in a  
8271 state loan forgiveness program, grant, fund, or performance-  
8272 based incentive program under s. 1009.66, s. 1009.89, s.  
8273 1009.8962, or s. 1009.897 to collect data required under  
8274 paragraph (a). The survey must include, but is not limited to, a  
8275 student's age, gender, race, ethnicity, veteran status, wage,

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8276 employer information, loan debt, and retirement expectations.

8277 Section 251. Paragraph (g) of subsection (1) of section  
8278 1004.46, Florida Statutes, is amended to read:

8279 1004.46 Multidisciplinary Center for Affordable Housing.—

8280 (1) The Multidisciplinary Center for Affordable Housing is  
8281 established within the School of Building Construction of the  
8282 College of Architecture of the University of Florida with the  
8283 collaboration of other related disciplines such as agriculture,  
8284 business administration, engineering, law, and medicine. The  
8285 center shall work in conjunction with other state universities.  
8286 The Multidisciplinary Center for Affordable Housing shall:

8287 (g) Establish a research agenda and general work plan in  
8288 cooperation with the Department of Commerce ~~Economic~~  
8289 ~~Opportunity~~, which is the state agency responsible for research  
8290 and planning for affordable housing and for training and  
8291 technical assistance for providers of affordable housing.

8292 Section 252. Subsection (3) of section 1008.39, Florida  
8293 Statutes, is amended to read:

8294 1008.39 Florida Education and Training Placement  
8295 Information Program.—

8296 (3) The Florida Education and Training Placement  
8297 Information Program must not make public any information that  
8298 could identify an individual or the individual's employer. The  
8299 Department of Education must ensure that the purpose of  
8300 obtaining placement information is to evaluate and improve

8301 public programs or to conduct research for the purpose of  
 8302 improving services to the individuals whose social security  
 8303 numbers are used to identify their placement. If an agreement  
 8304 assures that this purpose will be served and that privacy will  
 8305 be protected, the Department of Education shall have access to  
 8306 the reemployment assistance wage reports maintained by the  
 8307 Department of Commerce ~~Economic Opportunity~~, the files of the  
 8308 Department of Children and Families that contain information  
 8309 about the distribution of public assistance, the files of the  
 8310 Department of Corrections that contain records of  
 8311 incarcerations, and the files of the Department of Business and  
 8312 Professional Regulation that contain the results of licensure  
 8313 examination.

8314 Section 253. Subsection (3) of section 1008.40, Florida  
 8315 Statutes, is amended to read:

8316 1008.40 Workforce Development Information System.—The  
 8317 Department of Education shall:

8318 (3) Work with the Department of Commerce ~~Economic~~  
 8319 ~~Opportunity~~, the Department of Children and Families, and other  
 8320 entities to define statewide education, workforce development,  
 8321 and employment metrics and ensure the integrity and quality of  
 8322 data being collected.

8323 Section 254. Paragraphs (c) and (f) of subsection (3) of  
 8324 section 1008.41, Florida Statutes, are amended to read:

8325 1008.41 Workforce education; management information

8326 system.—

8327 (3) Planning and evaluation of job-preparatory programs

8328 shall be based on standard sources of data and use standard

8329 occupational definitions and coding structures, including, but

8330 not limited to:

8331 (c) The Department of Commerce ~~Economic Opportunity~~.

8332 (f) The Labor Market Statistics Center within the

8333 Department of Commerce ~~Economic Opportunity~~.

8334 Section 255. Subsections (2), (3), and (5) of section

8335 1011.76, Florida Statutes, are amended to read:

8336 1011.76 Small School District Stabilization Program.—

8337 (2) In order to participate in this program, a school

8338 district must be located in a rural area of opportunity

8339 designated by the Executive Office of the Governor, and the

8340 district school board must submit a resolution to the Department

8341 of Commerce ~~Economic Opportunity~~ requesting participation in the

8342 program. A rural area of opportunity must be a rural community,

8343 or a region composed of such, that has been adversely affected

8344 by an extraordinary economic event or a natural disaster or that

8345 presents a unique economic development concern or opportunity of

8346 regional impact. The resolution must be accompanied by

8347 documentation of the economic conditions in the community and

8348 provide information indicating the negative impact of these

8349 conditions on the school district's financial stability, and the

8350 school district must participate in a best financial management

8351 practices review to determine potential efficiencies that could  
 8352 be implemented to reduce program costs in the district.

8353 (3) The Department of Commerce ~~Economic Opportunity~~, in  
 8354 consultation with the Department of Education, shall review the  
 8355 resolution and other information required by subsection (2) and  
 8356 determine whether the school district is eligible to participate  
 8357 in the program. Factors influencing the determination of the  
 8358 Department of Commerce ~~Economic Opportunity~~ may include, but are  
 8359 not limited to, reductions in the county tax roll resulting from  
 8360 business closures or other causes, or a reduction in student  
 8361 enrollment due to business closures or impacts in the local  
 8362 economy.

8363 (5) Based on the availability of funds, the Department of  
 8364 Commerce ~~Economic Opportunity~~ or the Department of Education may  
 8365 enter into contracts or issue grants necessary to implement the  
 8366 program.

8367 Section 256. Paragraph (c) of subsection (2) of section  
 8368 1011.80, Florida Statutes, is amended to read:

8369 1011.80 Funds for operation of workforce education  
 8370 programs.—

8371 (2) Any workforce education program may be conducted by a  
 8372 Florida College System institution or a school district career  
 8373 center as described in this subsection and, if applicable, as  
 8374 approved by the State Board of Education pursuant to s.  
 8375 1001.03(15). Any instruction designed to articulate to a degree

8376 program is subject to guidelines and standards adopted by the  
 8377 State Board of Education under s. 1007.25.

8378 (c) A Florida College System institution or school  
 8379 district offering a new workforce education program that is in  
 8380 the statewide curriculum framework must be approved by the board  
 8381 of trustees of the Florida College System institution or the  
 8382 district school board based on criteria that must include, but  
 8383 are not limited to, the following:

8384 1. A description of the new workforce education program  
 8385 that includes all of the following:

8386 a. An analysis of workforce demand and unmet need  
 8387 consistent with the information provided by the Labor Market  
 8388 Statistics Center within the Department of Commerce ~~Economic~~  
 8389 ~~Opportunity~~ for graduates of the program on a district,  
 8390 regional, or statewide basis, as appropriate, including evidence  
 8391 from entities independent of the technical center or  
 8392 institution.

8393 b. The geographic region to be served.

8394 2. Documentation of collaboration among technical centers  
 8395 and institutions serving the same students in a geographical or  
 8396 service area that enhances program offerings and prevents  
 8397 program duplication that exceeds workforce need. Unnecessary  
 8398 duplication of programs offered by public and private  
 8399 institutions must be avoided.

8400 3. Alignment of program offerings with credentials or



8401 degree programs identified on the Master Credentials List under  
 8402 s. 445.004(4).

8403 4. Articulation agreements between technical centers and  
 8404 Florida College System institutions for the enrollment of  
 8405 graduates in related workforce education programs.

8406 5. Documentation of alignment between the exit  
 8407 requirements of a technical center and the admissions  
 8408 requirements of a Florida College System institution into which  
 8409 students typically transfer.

8410 6. Performance and compliance indicators that will be used  
 8411 in determining the program's success.

8412 Section 257. Paragraph (a) of subsection (2) of section  
 8413 1011.802, Florida Statutes, is amended to read:

8414 1011.802 Florida Pathways to Career Opportunities Grant  
 8415 Program.—

8416 (2) The department shall administer the grant, identify  
 8417 projects, solicit proposals, and make funding recommendations to  
 8418 the Commissioner of Education, who is authorized to approve  
 8419 grant awards for preapprenticeship or apprenticeship programs  
 8420 with demonstrated statewide or regional demand that:

8421 (a) Address a critical statewide or regional shortage,  
 8422 with consideration given to the information provided by the  
 8423 Labor Market Statistics Center within the Department of Commerce  
 8424 ~~Economic Opportunity~~, the Labor Market Estimating Conference,  
 8425 and the Credentials Review Committee; or

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8426 Reviser's note.—Amended pursuant to the directive of the  
8427 Legislature in s. 147, ch. 2023-173, Laws of Florida, to  
8428 the Division of Law Revision to prepare a reviser's bill  
8429 for the 2024 Regular Session of the Legislature to replace  
8430 references to the terms "Department of Economic  
8431 Opportunity" and "Secretary of Economic Opportunity,"  
8432 wherever they occur in the Florida Statutes, with the terms  
8433 "Department of Commerce" and "Secretary of Commerce,"  
8434 respectively.

8435 Section 258. Except as otherwise provided, this act shall  
8436 take effect on the 60th day after adjournment sine die of the  
8437 session of the Legislature in which enacted.