

1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes; amending ss.
 3 257.171, 257.193, 257.43, 393.0651, 393.066, 394.4789,
 4 394.495, 394.496, 394.497, 397.406, 397.407, 397.427,
 5 397.471, 397.901, 397.96, 400.147, 401.113, 401.252,
 6 401.34, 402.04, 402.47, 403.414, 403.510, 403.7061,
 7 403.763, 403.871, 403.873, 403.874, 403.876, 403.942,
 8 406.11, 409.2598, 409.9102, 415.112, 420.526, 420.527,
 9 429.44, 467.0125, 467.013, 467.019, 468.1165, 468.307,
 10 468.3851, 468.3852, 468.404, 468.435, 468.532,
 11 468.8312, 468.8317, 468.8412, 476.214, 477.022,
 12 479.07, 481.205, 502.121, and 509.035, F.S., and
 13 repealing s. 415.112, F.S., to conform to the
 14 directive of the Legislature in section 9 of chapter
 15 2012-116, Laws of Florida, codified as section
 16 11.242(5)(j), Florida Statutes, to prepare a reviser's
 17 bill to omit all statutes and laws, or parts thereof,
 18 which grant duplicative, redundant, or unused
 19 rulemaking authority; providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Section 257.171, Florida Statutes, is amended
 24 to read:

25 257.171 Multicounty libraries.—Units of local government
 26 may establish a multicounty library. ~~The Division of Library and~~

27 ~~Information Services may establish operating standards and rules~~
 28 ~~under which a multicounty library is eligible to receive state~~
 29 ~~moneys.~~ For a multicounty library, a local government may pay
 30 moneys in advance in lump sum from its public funds for the
 31 provision of library services only.

32 Section 2. Subsection (5) of section 257.193, Florida
 33 Statutes, is amended to read:

34 257.193 Community Libraries in Caring Program.—

35 ~~(5) The Department of State may adopt rules to administer~~
 36 ~~this section.~~

37 Section 3. Paragraph (b) of subsection (2) of section
 38 257.43, Florida Statutes, is amended to read:

39 257.43 Citizen support organization; use of state
 40 administrative services and property; audit.—

41 (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—

42 ~~(b) The division may prescribe by rule any condition with~~
 43 ~~which a citizen support organization shall comply in order to~~
 44 ~~use division administrative services, property, or facilities.~~

45 Section 4. Subsection (1) of section 393.0651, Florida
 46 Statutes, is amended to read:

47 393.0651 Family or individual support plan.—The agency
 48 shall provide directly or contract for the development of a
 49 family support plan for children ages 3 to 18 years of age and
 50 an individual support plan for each client. The client, if
 51 competent, the client's parent or guardian, or, when
 52 appropriate, the client advocate, shall be consulted in the

53 development of the plan and shall receive a copy of the plan.
 54 Each plan must include the most appropriate, least restrictive,
 55 and most cost-beneficial environment for accomplishment of the
 56 objectives for client progress and a specification of all
 57 services authorized. The plan must include provisions for the
 58 most appropriate level of care for the client. Within the
 59 specification of needs and services for each client, when
 60 residential care is necessary, the agency shall move toward
 61 placement of clients in residential facilities based within the
 62 client's community. The ultimate goal of each plan, whenever
 63 possible, shall be to enable the client to live a dignified life
 64 in the least restrictive setting, be that in the home or in the
 65 community. For children under 6 years of age, the family support
 66 plan shall be developed within the 45-day application period as
 67 specified in s. 393.065(1); for all applicants 6 years of age or
 68 older, the family or individual support plan shall be developed
 69 within the 60-day period as specified in that subsection.

70 ~~(1) The agency shall develop and specify by rule the core~~
 71 ~~components of support plans.~~

72 Section 5. Subsection (8) of section 393.066, Florida
 73 Statutes, is amended to read:

74 393.066 Community services and treatment.-

75 ~~(8) The agency may adopt rules providing definitions,~~
 76 ~~eligibility criteria, and procedures for the purchase of~~
 77 ~~services provided pursuant to this section.~~

78 Section 6. Section 394.4789, Florida Statutes, is amended

79 | to read:

80 | 394.4789 Establishment of referral process and eligibility
81 | determination.—

82 | (1) ~~The department shall adopt by rule a referral process~~
83 | ~~which shall provide each participating specialty psychiatric~~
84 | ~~hospital with a system for accepting into the hospital's care~~
85 | ~~indigent mentally ill persons referred by the department.~~ It is
86 | the intent of the Legislature that a hospital which seeks
87 | payment under s. 394.4788 shall accept referrals from the
88 | department. However, a hospital shall have the right to refuse
89 | the admission of a patient due to lack of functional bed space
90 | or lack of services appropriate to a patient's specific
91 | treatment and no hospital shall be required to accept referrals
92 | if the costs for treating the referred patient are no longer
93 | reimbursable because the hospital has reached the level of
94 | contribution made to the PMATF in the previous fiscal year.
95 | Furthermore, a hospital that does not seek compensation for
96 | indigent mentally ill patients under the provisions of this act
97 | shall not be obliged to accept department referrals,
98 | notwithstanding any agreements it may have entered into with the
99 | department. The right of refusal in this subsection shall not
100 | affect a hospital's requirement to provide emergency care
101 | pursuant to s. 395.1041 or other statutory requirements related
102 | to the provision of emergency care.

103 | (2) The department shall adopt ~~by rule~~ a patient
104 | eligibility form and shall be responsible for eligibility

105 determination. However, The department may contract with
 106 participating psychiatric hospitals for eligibility
 107 determination. The eligibility form shall provide the mechanism
 108 for determining a patient's eligibility according to the
 109 requirements of s. 394.4788(1).

110 (a) A specialty psychiatric hospital shall be eligible for
 111 reimbursement only when an eligibility form has been completed
 112 for each indigent mentally ill person for whom reimbursement is
 113 sought.

114 (b) As part of eligibility determination, every effort
 115 shall be made by the hospital to determine if any third party
 116 insurance coverage is available.

117 Section 7. Subsection (3) of section 394.495, Florida
 118 Statutes, is amended to read:

119 394.495 Child and adolescent mental health system of care;
 120 programs and services.-

121 (3) Assessments must be performed by:

122 (a) A professional as defined in s. 394.455(2), (4), (21),
 123 (23), or (24);

124 (b) A professional licensed under chapter 491; or

125 (c) A person who is under the direct supervision of a
 126 professional as defined in s. 394.455(2), (4), (21), (23), or
 127 (24) or a professional licensed under chapter 491.

128
 129 ~~The department shall adopt by rule statewide standards for~~
 130 ~~mental health assessments, which must be based on current~~

131 ~~relevant professional and accreditation standards.~~

132 Section 8. Subsection (5) of section 394.496, Florida
 133 Statutes, is amended to read:

134 394.496 Service planning.—

135 ~~(5) The department shall adopt by rule criteria for~~
 136 ~~determining when a child or adolescent who receives mental~~
 137 ~~health services under ss. 394.490-394.497 must have an~~
 138 ~~individualized services plan.~~

139 Section 9. Subsection (2) of section 394.497, Florida
 140 Statutes, is amended to read:

141 394.497 Case management services.—

142 ~~(2) The department shall adopt by rule criteria that~~
 143 ~~define the target population who shall be assigned case~~
 144 ~~managers.~~ The department shall develop standards for case
 145 management services and procedures for appointing case managers.
 146 It is the intent of the Legislature that case management
 147 services not be duplicated or fragmented and that such services
 148 promote the continuity and stability of a case manager assigned
 149 to a child or adolescent and his or her family.

150 Section 10. Section 397.406, Florida Statutes, is amended
 151 to read:

152 397.406 Licensure and regulation of government-operated
 153 substance abuse programs.—Substance abuse programs operated
 154 directly or under contract by the department, the Department of
 155 Corrections, the Department of Juvenile Justice, any other state
 156 agency, or any local correctional agency or authority, which

157 programs constitute any service provider licensable components
 158 as defined in this chapter, are subject to licensure and
 159 regulation in accordance with rules jointly developed by the
 160 department and the state or local agency operating the program.
 161 The department has authority to exempt ~~promulgate rules~~
 162 ~~exempting~~ such government-operated programs from specific
 163 licensure provisions of this part, including, but not limited
 164 to, licensure fees and personnel background checks, and to
 165 enforce the regulatory requirements governing such programs.

166 Section 11. Subsections (1), (5), and (7) of section
 167 397.407, Florida Statutes, are amended to read:

168 397.407 Licensure process; fees.—

169 (1) The department shall establish ~~by rule~~ the licensure
 170 process to include fees and categories of licenses and.~~The rule~~
 171 must prescribe a fee range that is based, at least in part, on
 172 the number and complexity of programs listed in s. 397.311(18)
 173 which are operated by a licensee. The fees from the licensure of
 174 service components are sufficient to cover at least 50 percent
 175 of the costs of regulating the service components. The
 176 department shall specify ~~by rule~~ a fee range for public and
 177 privately funded licensed service providers. Fees for privately
 178 funded licensed service providers must exceed the fees for
 179 publicly funded licensed service providers. ~~During adoption of~~
 180 ~~the rule governing the licensure process and fees, the~~
 181 ~~department shall carefully consider the potential adverse impact~~
 182 ~~on small, not-for-profit service providers.~~

183 (5) The department may issue probationary, regular, and
 184 interim licenses. ~~After adopting the rule governing the~~
 185 ~~licensure process and fees,~~ The department shall issue one
 186 license for each service component that is operated by a service
 187 provider and defined ~~in rule~~ pursuant to s. 397.311(18). The
 188 license is valid only for the specific service components listed
 189 for each specific location identified on the license. The
 190 licensed service provider shall apply for a new license at least
 191 60 days before the addition of any service components or 30 days
 192 before the relocation of any of its service sites. Provision of
 193 service components or delivery of services at a location not
 194 identified on the license may be considered an unlicensed
 195 operation that authorizes the department to seek an injunction
 196 against operation as provided in s. 397.401, in addition to
 197 other sanctions authorized by s. 397.415. Probationary and
 198 regular licenses may be issued only after all required
 199 information has been submitted. A license may not be
 200 transferred. As used in this subsection, the term "transfer"
 201 includes, but is not limited to, the transfer of a majority of
 202 the ownership interest in the licensed entity or transfer of
 203 responsibilities under the license to another entity by
 204 contractual arrangement.

- 205 (7) A regular license may be issued to:
- 206 (a) A new applicant at the end of the probationary period.
 - 207 (b) A licensed applicant that holds a regular license and
 - 208 is seeking renewal.

209 (c) An applicant for a service component operating under
 210 an interim license upon successful satisfaction of the
 211 requirements for a regular license.

212
 213 In order to be issued a regular license, the applicant must be
 214 in compliance with statutory and regulatory requirements.
 215 ~~Standards and timeframes for the issuance of a regular license~~
 216 ~~must be established by rule.~~ An application for renewal of a
 217 regular license must be submitted to the department at least 60
 218 days before the license expires.

219 Section 12. Paragraph (b) of subsection (2) and
 220 subsections (3) and (8) of section 397.427, Florida Statutes,
 221 are amended to read:

222 397.427 Medication-assisted treatment service providers;
 223 rehabilitation program; needs assessment and provision of
 224 services; persons authorized to issue takeout medication;
 225 unlawful operation; penalty.-

226 (2) The department shall determine the need for
 227 establishing providers of medication-assisted treatment services
 228 for opiate addiction.

229 (b) ~~The department shall prescribe by rule the types of~~
 230 ~~medication-assisted treatment services for opiate addiction for~~
 231 ~~which it is necessary to conduct annual assessments of need.~~ If
 232 needs assessment is required, the department shall annually
 233 conduct the assessment and publish a statement of findings which
 234 identifies each substate entity's need.

235 ~~(3) The department shall adopt rules necessary to~~
 236 ~~administer this section, including, but not limited to, rules~~
 237 ~~prescribing criteria and procedures for:~~

238 ~~(a) Determining the need for additional medication-~~
 239 ~~assisted treatment services for opiate addiction.~~

240 ~~(b) Selecting providers for medication-assisted treatment~~
 241 ~~services for opiate addiction when the number of responses to a~~
 242 ~~publication of need exceeds the determined need.~~

243 ~~(c) Administering any federally required rules,~~
 244 ~~regulations, or procedures.~~

245 ~~(8) The department shall adopt rules necessary to~~
 246 ~~administer medication-assisted treatment services, including,~~
 247 ~~but not limited to, rules prescribing criteria and procedures~~
 248 ~~for:~~

249 ~~(a) Determining the need for medication-assisted treatment~~
 250 ~~services within the publicly funded system.~~

251 ~~(b) Selecting medication-assisted service providers within~~
 252 ~~the publicly funded system.~~

253 ~~(c) Administering any federally required rules,~~
 254 ~~regulations, or procedures related to the provision of~~
 255 ~~medication-assisted treatment.~~

256 Section 13. Section 397.471, Florida Statutes, is amended
 257 to read:

258 397.471 Service provider facility standards.—

259 ~~(1)~~ Each service provider must ensure:

260 (1) ~~(a)~~ Sufficient numbers and types of qualified personnel

261 on duty and available to provide necessary and adequate safety
 262 and care.

263 (2)~~(b)~~ Adequate space for each individual served within a
 264 residential facility.

265 (3)~~(c)~~ Adequate infection control, housekeeping, and
 266 sanitation.

267 (4)~~(d)~~ Adequate disaster planning policies and procedures.

268 ~~(2) The State Fire Marshal shall, in cooperation with the~~
 269 ~~department, establish and enforce minimum firesafety standards,~~
 270 ~~which standards must be included in the rules adopted by the~~
 271 ~~department.~~

272 Section 14. Subsection (4) of section 397.901, Florida
 273 Statutes, is amended to read:

274 397.901 Prototype juvenile addictions receiving
 275 facilities.-

276 ~~(4) The department shall adopt rules necessary to~~
 277 ~~implement this section. The rules must be written by the~~
 278 ~~department's Substance Abuse Program Office and must specify~~
 279 ~~criteria for staffing and services delineated for the provision~~
 280 ~~of graduated levels of care from nonintensive to environmentally~~
 281 ~~secure for the handling of aggressive and difficult to manage~~
 282 ~~behavior and the prevention of elopement.~~

283 Section 15. Subsection (5) of section 397.96, Florida
 284 Statutes, is amended to read:

285 397.96 Case management for complex substance abuse cases.-

286 (5) ~~The department shall establish by rule standards to~~

287 ~~coordinate case management activities from various referral~~
 288 ~~points, in order to minimize fragmentation and duplication and~~
 289 ~~promote stability of case managers assigned to a child and~~
 290 ~~family.~~ In the attempt to minimize duplication, it is the intent
 291 of the Legislature that a child have no more than one case
 292 manager.

293 Section 16. Subsection (12) of section 400.147, Florida
 294 Statutes, is amended to read:

295 400.147 Internal risk management and quality assurance
 296 program.—

297 ~~(12) The agency may adopt rules to administer this~~
 298 ~~section.~~

299 Section 17. Subsection (3) of section 401.113, Florida
 300 Statutes, is amended to read:

301 401.113 Department; powers and duties.—

302 ~~(3) The department shall adopt rules to administer this~~
 303 ~~section.~~

304 Section 18. Subsection (4) of section 401.252, Florida
 305 Statutes, is amended to read:

306 401.252 Interfacility transfer.—

307 ~~(4) The department shall adopt and enforce rules to carry~~
 308 ~~out this section, including rules for permitting, equipping, and~~
 309 ~~staffing transport ambulances and that govern the medical~~
 310 ~~direction under which interfacility transfers take place.~~

311 Section 19. Subsections (5) and (6) of section 401.34,
 312 Florida Statutes, are amended to read:

313 401.34 Fees.—

314 (5) The department may provide same-day grading of the
 315 examination for an applicant for emergency medical technician or
 316 paramedic certification. ~~The department must provide procedures~~
 317 ~~for implementing same-day grading in its rules.~~

318 (6) The department may ~~by rule~~ offer walk-in eligibility
 319 determination and examination to applicants for emergency
 320 medical technician or paramedic certification who pay to the
 321 department a nonrefundable fee to be set by the department not
 322 to exceed \$65. The fee is in addition to the certification fee
 323 and examination fee. The department must establish locations and
 324 times for eligibility determination and examination.

325 Section 20. Section 402.04, Florida Statutes, is amended
 326 to read:

327 402.04 Award of scholarships and stipends; disbursement of
 328 funds; administration.—The award of scholarships or stipends
 329 provided for herein shall be made by the Department of Children
 330 and Families, hereinafter referred to as the department. The
 331 department shall handle the administration of the scholarship or
 332 stipend and the Department of Education shall, for and on behalf
 333 of the department, handle the notes issued for the payment of
 334 the scholarships or stipends provided for herein and the
 335 collection of same. ~~The department shall prescribe regulations~~
 336 ~~governing the payment of scholarships or stipends to the school,~~
 337 ~~college, or university for the benefit of the scholarship or~~
 338 ~~stipend holders.~~ All scholarship awards, expenses and costs of

339 administration shall be paid from moneys appropriated by the
 340 Legislature and shall be paid upon vouchers approved by the
 341 department and properly certified by the Chief Financial
 342 Officer.

343 Section 21. Subsection (3) of section 402.47, Florida
 344 Statutes, is amended to read:

345 402.47 Foster grandparent and retired senior volunteer
 346 services to high-risk and handicapped children.—

347 ~~(3) The department may adopt rules necessary to implement~~
 348 ~~the provisions of this section.~~

349 Section 22. Subsection (3) of section 403.414, Florida
 350 Statutes, is amended to read:

351 403.414 Environmental award program.—

352 ~~(3) The department shall adopt rules to govern~~
 353 ~~administration of the program.~~ An agency, municipality, county,
 354 or other governmental unit; a private organization, institution,
 355 or industry; the communications media; or an individual may
 356 submit a nomination for an award to the department at any time.
 357 A nomination must be submitted on a form adopted by the
 358 department and must include information required by the
 359 department to consider that nomination.

360 Section 23. Subsection (3) of section 403.510, Florida
 361 Statutes, is amended to read:

362 403.510 Superseded laws, regulations, and certification
 363 power.—

364 ~~(3) The board shall have the power to adopt reasonable~~

365 ~~procedural rules to carry out its duties under this act and to~~
 366 ~~give effect to the legislative intent that this act is to~~
 367 ~~provide an efficient, simplified, centrally coordinated, one-~~
 368 ~~stop licensing process.~~

369 Section 24. Subsection (2) of section 403.7061, Florida
 370 Statutes, is amended to read:

371 403.7061 Requirements for review of new waste-to-energy
 372 facility capacity by the Department of Environmental
 373 Protection.—

374 (2) Notwithstanding any other provisions of state law, the
 375 department shall not issue a construction permit or
 376 certification to build a waste-to-energy facility or expand an
 377 existing waste-to-energy facility unless the facility meets the
 378 requirements set forth in subsection (3). Any construction
 379 permit issued by the department between January 1, 1993, and May
 380 12, 1993, which does not address these new requirements is
 381 invalid. These new requirements do not apply to the issuance of
 382 permits or permit modifications to retrofit existing facilities
 383 with new or improved pollution control equipment to comply with
 384 state or federal law. ~~The department may initiate rulemaking to~~
 385 ~~incorporate the criteria in subsection (3) into its permit~~
 386 ~~review process.~~

387 Section 25. Subsection (4) of section 403.763, Florida
 388 Statutes, is amended to read:

389 403.763 Grants to local governments.—

390 ~~(4) The department shall initiate rules on or before~~

391 ~~January 1, 1989, necessary to carry out the purposes of this~~
 392 ~~section.~~

393 Section 26. Section 403.871, Florida Statutes, is amended
 394 to read:

395 403.871 Fees.—The department shall, ~~by rule,~~ establish
 396 fees to be paid by persons seeking licensure or license renewal
 397 to cover the entire cost to the department of administering ss.
 398 403.865-403.876, including, but not limited to, the costs
 399 associated with application review and examination,
 400 reexamination, licensing and renewal, renewal of an inactive
 401 license, reactivation of an inactive license, recordmaking, and
 402 recordkeeping, and the costs of ensuring compliance with ss.
 403 403.865-403.876. The fees for license application and license
 404 renewal shall be nonrefundable. The department shall establish
 405 fees adequate to administer and implement ss. 403.865-403.876.

406 (1) The application fee may not exceed \$100 and is not
 407 refundable.

408 (2) The renewal fee may not exceed \$100 and is not
 409 refundable.

410 (3) All fees collected under this section must be
 411 deposited into the Water Quality Assurance Trust Fund. The fees
 412 shall be used exclusively to implement the provisions of ss.
 413 403.865-403.876.

414 Section 27. Subsection (2) of section 403.873, Florida
 415 Statutes, is amended to read:

416 403.873 Renewal of license.—

417 (2) The department shall adopt ~~rules establishing~~ a
 418 procedure for the biennial renewal of licenses, including the
 419 requirements for continuing education.

420 Section 28. Subsection (2) of section 403.874, Florida
 421 Statutes, is amended to read:

422 403.874 Inactive status.—

423 (2) The department shall adopt ~~rules relating to licenses~~
 424 ~~that have become inactive and for the reactivation of inactive~~
 425 ~~licenses, and~~ procedures for null and void licenses and how to
 426 obtain a new license after a license has become null and void.

427 Section 29. Subsection (1) of section 403.876, Florida
 428 Statutes, is amended to read:

429 403.876 Grounds for disciplinary action.—

430 (1) The department shall establish, ~~by rule,~~ the grounds
 431 for taking disciplinary action, including suspending or revoking
 432 a valid license, placing a licensee on probation, refusing to
 433 issue a license, refusing to renew a license, or refusing to
 434 reactivate a license, and the imposition of an administrative
 435 fine, not to exceed \$1,000 per count or offense. The fines
 436 collected under this section shall be deposited into the Water
 437 Quality Assurance Trust Fund.

438 Section 30. Subsection (3) of section 403.942, Florida
 439 Statutes, is amended to read:

440 403.942 Superseded laws, regulations, and certification
 441 power.—

442 ~~(3) The board shall have the power to adopt reasonable~~

443 ~~procedural rules to carry out its duties under ss. 403.9401-~~
 444 ~~403.9425 and to give effect to the legislative intent that this~~
 445 ~~act provide an efficient, centrally coordinated, one-stop~~
 446 ~~licensing process.~~

447 Section 31. Subsection (3) of section 406.11, Florida
 448 Statutes, is amended to read:

449 406.11 Examinations, investigations, and autopsies.-

450 ~~(3) The Medical Examiners Commission may adopt rules~~
 451 ~~incorporating by reference parameters or guidelines of practice~~
 452 ~~or standards of conduct relating to examinations,~~
 453 ~~investigations, or autopsies performed by medical examiners.~~

454 Section 32. Subsection (8) of section 409.2598, Florida
 455 Statutes, is amended to read:

456 409.2598 License suspension proceeding to enforce support
 457 order.-

458 ~~(8) RULEMAKING AUTHORITY. The Department of Revenue may~~
 459 ~~adopt rules to implement and enforce the requirements of this~~
 460 ~~section.~~

461 Section 33. Subsections (3) and (4) of section 409.9102,
 462 Florida Statutes, are amended to read:

463 409.9102 A qualified state Long-Term Care Insurance
 464 Partnership Program in Florida.-The Agency for Health Care
 465 Administration, in consultation with the Office of Insurance
 466 Regulation and the Department of Children and Families, is
 467 directed to establish a qualified state Long-Term Care Insurance
 468 Partnership Program in Florida, in compliance with the

469 requirements of s. 1917(b) of the Social Security Act, as
 470 amended.

471 ~~(3) The Agency for Health Care Administration is~~
 472 ~~authorized to amend the Medicaid state plan and adopt rules~~
 473 ~~pursuant to ss. 120.536(1) and 120.54 to implement this section.~~

474 ~~(4)~~ The Department of Children and Families, when
 475 determining eligibility for Medicaid long-term care services for
 476 an individual who is the beneficiary of an approved long-term
 477 care partnership program policy, shall reduce the total
 478 countable assets of the individual by an amount equal to the
 479 insurance benefit payments that are made to or on behalf of the
 480 individual. ~~The department is authorized to adopt rules pursuant~~
 481 ~~to ss. 120.536(1) and 120.54 to implement this subsection.~~

482 Section 34. Section 415.112, Florida Statutes, is
 483 repealed.

484 Section 35. Subsections (3) and (6) of section 420.526,
 485 Florida Statutes, are amended to read:

486 420.526 Predevelopment Loan Program; loans and grants
 487 authorized; activities eligible for support.—

488 ~~(3) The corporation shall establish rules for the~~
 489 ~~equitable distribution of the funds in a manner that meets the~~
 490 ~~need and demand for housing for the target population. Funds~~
 491 shall be made available under the program on a first-come,
 492 first-served basis, unless otherwise established by corporation
 493 rule. Sponsors of farmworker housing, if any, shall receive
 494 first priority under this program.

495 (6) Terms and conditions of housing predevelopment loan
 496 agreements shall be established ~~by rule~~ and shall include:

497 (a) Provision for interest, which shall be set at between
 498 0 and 3 percent per year, as established by the corporation.

499 (b) Provision of a schedule for the repayment of principal
 500 and interest for a term not to exceed 3 years or initiation of
 501 permanent financing, whichever event occurs first. However, the
 502 corporation may extend the term of a loan for an additional
 503 period if extraordinary circumstances exist and if such
 504 extension would not jeopardize the corporation's security
 505 interest.

506 (c) Provision of reasonable security for the housing
 507 predevelopment loan to ensure the repayment of the principal and
 508 any interest accrued within the term specified.

509 (d) Provisions to ensure that the land acquired will be
 510 used for the development of housing and related services for the
 511 target population.

512 (e) Provisions to ensure, to the extent possible, that any
 513 accrued savings in cost due to the availability of these funds
 514 will be passed on to the target population in the form of lower
 515 land prices. The corporation shall ensure that such savings in
 516 land prices shall be passed on in the form of lower prices or
 517 rents for dwellings constructed on such land.

518 (f) Provisions to ensure that any land acquired through
 519 assistance under ss. 420.521-420.529 for housing for the target
 520 population shall not be disposed of or alienated in a manner

521 that violates Title VII of the 1968 Civil Rights Act, which
 522 specifically prohibits discrimination based on race, sex, color,
 523 religion, or national origin or that violates other applicable
 524 federal or state laws.

525 Section 36. Section 420.527, Florida Statutes, is amended
 526 to read:

527 420.527 Application procedure.—

528 (1) ~~Applications shall be submitted to the corporation in~~
 529 ~~a form that it establishes by rule.~~

530 ~~(2) By rule,~~ The corporation shall establish the criteria
 531 for determining threshold compliance with corporation
 532 objectives. Final decisions regarding funding shall be approved
 533 by the corporation board. The corporation board shall determine
 534 the tentative loan or grant amount available to each program
 535 participant. The actual loan or grant amount shall be determined
 536 pursuant to rule specifying credit underwriting procedures.

537 (2)~~(3)~~ The criteria to be used to determine threshold
 538 compliance shall include, but are not limited to, the following:

- 539 (a) Income target objectives of the corporation.
- 540 (b) Sponsor's agreement to reserve more than the minimum
 541 number of units for low-income households and very-low-income
 542 households.
- 543 (c) Projects requiring the least amount of predevelopment
 544 funds compared to total predevelopment costs.
- 545 (d) Sponsor's prior experience.
- 546 (e) Commitments of other financing.

547 (f) Sponsor's ability to proceed.

548 (g) Project's consistency with the local government
549 comprehensive plan.

550 Section 37. Subsection (3) of section 429.44, Florida
551 Statutes, is amended to read:

552 429.44 Construction and renovation; requirements.—

553 ~~(3) The department may adopt rules to establish procedures~~
554 ~~and specify the documentation necessary to implement this~~
555 ~~section.~~

556 Section 38. Paragraph (b) of subsection (1) of section
557 467.0125, Florida Statutes, is amended to read:

558 467.0125 Licensure by endorsement.—

559 (1) The department shall issue a license by endorsement to
560 practice midwifery to an applicant who, upon applying to the
561 department, demonstrates to the department that she or he:

562 (b) Has completed a 4-month prelicensure course conducted
563 by an approved program and has submitted documentation to the
564 department of successful completion. ~~The department shall~~
565 ~~determine by rule the content of the prelicensure course.~~

566 Section 39. Subsection (1) of section 467.013, Florida
567 Statutes, is amended to read:

568 467.013 Inactive status.—A licensee may request that his
569 or her license be placed in an inactive status by making
570 application to the department and paying a fee.

571 (1) An inactive license may be renewed for one additional
572 biennium upon application to the department and payment of the

573 applicable biennium renewal fee. The department shall establish
 574 ~~by rule~~ procedures and fees for applying to place a license on
 575 inactive status, renewing an inactive license, and reactivating
 576 an inactive license. The fee for any of these procedures may not
 577 exceed the biennial renewal fee established by the department.

578 Section 40. Subsections (4) and (6) of section 467.019,
 579 Florida Statutes, are amended to read:

580 467.019 Records and reports.—

581 ~~(4) The department shall adopt rules requiring that A~~
 582 midwife shall keep a record of each patient served. Such record
 583 must document, but need not be limited to, each consultation,
 584 referral, transport, transfer of care, and emergency care
 585 rendered by the midwife and must include all subsequent updates
 586 and copy of the birth certificate. These records shall be kept
 587 on file for a minimum of 5 years following the date of the last
 588 entry in the records.

589 ~~(6) The department shall adopt rules to provide for~~
 590 ~~maintaining~~ Patient records of a deceased midwife or a midwife
 591 who terminates or relocates a private practice shall be
 592 maintained pursuant to department requirements.

593 Section 41. Section 468.1165, Florida Statutes, is amended
 594 to read:

595 468.1165 Professional employment experience requirement.—
 596 Every applicant for licensure as a speech-language pathologist
 597 must demonstrate, prior to licensure, a minimum of 9 months of
 598 full-time professional employment, or the equivalent in part-

599 time professional employment. Each applicant for licensure as an
 600 audiologist must demonstrate, prior to licensure, a minimum of
 601 11 months of full-time professional employment, or the
 602 equivalent in part-time professional employment. ~~The board, by~~
 603 ~~rule, shall establish standards for obtaining and verifying the~~
 604 ~~required professional employment experience.~~

605 Section 42. Subsection (1) of section 468.307, Florida
 606 Statutes, is amended to read:

607 468.307 Certificate; issuance; display.—

608 (1) The department shall issue a certificate to each
 609 candidate who has met the requirements of ss. 468.304 and
 610 468.306 or has qualified under s. 468.3065. The department may
 611 ~~by rule~~ establish a subcategory of a certificate issued under
 612 this part limiting the certificateholder to a specific procedure
 613 or specific type of equipment. The first regular certificate
 614 issued to a new certificateholder expires on the last day of the
 615 certificateholder's birth month and shall be valid for at least
 616 12 months but no more than 24 months. However, if the new
 617 certificateholder already holds a regular, active certificate in
 618 a different category under this part, the new certificate shall
 619 be combined with and expire on the same date as the existing
 620 certificate.

621 Section 43. Subsection (2) of section 468.3851, Florida
 622 Statutes, is amended to read:

623 468.3851 Renewal of license.—

624 (2) The department shall adopt ~~rules establishing a~~

625 procedure for the biennial renewal of licenses.

626 Section 44. Section 468.3852, Florida Statutes, is amended
627 to read:

628 468.3852 Reactivation of license; fee.—The board shall
629 prescribe ~~by rule~~ a fee not to exceed \$250 for the reactivation
630 of an inactive license. The fee shall be in addition to the
631 current biennial renewal fee.

632 Section 45. Subsection (1) of section 468.404, Florida
633 Statutes, is amended to read:

634 468.404 License; fees; renewals.—

635 (1) The department ~~by rule~~ shall establish biennial fees
636 for initial licensing, renewal of license, and reinstatement of
637 license, none of which fees shall exceed \$400. The department
638 may ~~by rule~~ establish a delinquency fee of no more than \$50. The
639 fees shall be adequate to proportionately fund the expenses of
640 the department which are allocated to the regulation of talent
641 agencies and shall be based on the department's estimate of the
642 revenue required to administer this part.

643 Section 46. Subsections (1) and (2) of section 468.435,
644 Florida Statutes, are amended to read:

645 468.435 Fees; establishment; disposition.—

646 (1) The council shall, ~~by rule,~~ establish fees for the
647 described purposes and within the ranges specified in this
648 section:

649 (a) Application fee: not less than \$25, or more than \$50.

650 (b) Examination fee: not less than \$25, or more than \$100.

651 (c) Initial license fee: not less than \$25, or more than
652 \$100.

653 (d) Renewal of license fee: not less than \$25, or more
654 than \$100.

655 (e) Delinquent license fee: not less than \$25, or more
656 than \$50.

657 (f) Inactive license fee: not less than \$10, or more than
658 \$25.

659 (2) Until the council establishes ~~adopts rules~~
660 ~~establishing~~ fees under subsection (1), the lower amount in each
661 range shall apply.

662 Section 47. Subsection (4) of section 468.532, Florida
663 Statutes, is amended to read:

664 468.532 Discipline.—

665 (4) The board shall specify ~~by rule~~ the penalties for any
666 violation of this part.

667 Section 48. Subsection (1) of section 468.8312, Florida
668 Statutes, is amended to read:

669 468.8312 Fees.—

670 (1) The department, ~~by rule,~~ may establish fees to be paid
671 for applications, examination, reexamination, licensing and
672 renewal, inactive status application and reactivation of
673 inactive licenses, recordkeeping, and applications for providers
674 of continuing education. The department may also establish ~~by~~
675 ~~rule~~ a delinquency fee. Fees shall be based on department
676 estimates of the revenue required to implement the provisions of

677 | this part. All fees shall be remitted with the appropriate
 678 | application, examination, or license.

679 | Section 49. Subsection (2) of section 468.8317, Florida
 680 | Statutes, is amended to read:

681 | 468.8317 Inactive license.—

682 | (2) A license that becomes inactive may be reactivated
 683 | upon application to the department. ~~The department may prescribe~~
 684 | ~~by rule continuing education requirements as a condition of~~
 685 | ~~reactivating a license. The rules may not require more than one~~
 686 | ~~renewal cycle of continuing education to reactivate a license.~~

687 | Section 50. Subsection (1) of section 468.8412, Florida
 688 | Statutes, is amended to read:

689 | 468.8412 Fees.—

690 | (1) The department, ~~by rule,~~ may establish fees to be paid
 691 | for application, examination, reexamination, licensing and
 692 | renewal, inactive status application and reactivation of
 693 | inactive licenses, and application for providers of continuing
 694 | education. The department may also establish ~~by rule~~ a
 695 | delinquency fee. Fees shall be based on department estimates of
 696 | the revenue required to implement the provisions of this part.
 697 | All fees shall be remitted with the application, examination,
 698 | reexamination, licensing and renewal, inactive status
 699 | application and reactivation of inactive licenses, and
 700 | application for providers of continuing education.

701 | Section 51. Subsection (2) of section 476.214, Florida
 702 | Statutes, is amended to read:

703 476.214 Grounds for suspending, revoking, or refusing to
 704 grant license or certificate.-

705 ~~(2) The board shall adopt rules relating to the suspension~~
 706 ~~or revocation of licenses or certificates of registration under~~
 707 ~~this section pursuant to the provisions of chapter 120.~~

708 Section 52. Subsections (1) and (4) of section 477.022,
 709 Florida Statutes, are amended to read:

710 477.022 Examinations.-

711 (1) ~~The board shall specify by rule the general areas of~~
 712 ~~competency to be covered by examinations for the licensing under~~
 713 ~~this chapter of cosmetologists. The rules shall include the~~
 714 ~~relative weight assigned in grading each area, the grading~~
 715 ~~criteria to be used by the examiner, and the score necessary to~~
 716 ~~achieve a passing grade.~~ The board shall ensure that
 717 examinations adequately measure both an applicant's competency
 718 and her or his knowledge of related statutory requirements.
 719 Professional testing services may be utilized to formulate the
 720 examinations. The board may, ~~by rule,~~ offer a written clinical
 721 examination or a performance examination, or both, in addition
 722 to a written theory examination.

723 ~~(4) The board shall adopt rules providing for~~
 724 ~~reexamination of applicants who have failed the examinations.~~

725 Section 53. Paragraph (c) of subsection (3), paragraph (b)
 726 of subsection (5), paragraph (a) of subsection (8), and
 727 subsection (10) of section 479.07, Florida Statutes, are amended
 728 to read:

729 479.07 Sign permits.—

730 (3)

731 (c) The annual permit fee for each sign facing shall be
 732 established by the department ~~by rule~~ in an amount sufficient to
 733 offset the total cost to the department for the program, but may
 734 not be greater than \$100. The first-year fee may be prorated by
 735 payment of an amount equal to one-fourth of the annual fee for
 736 each remaining whole quarter or partial quarter of the permit
 737 year. Applications received after the end of the third quarter
 738 of the permit year must include fees for the last quarter of the
 739 current year and fees for the succeeding year.

740 (5)

741 (b) If a permit tag is lost, stolen, or destroyed, the
 742 permittee to whom the tag was issued must apply to the
 743 department for a replacement tag. The department shall establish
 744 ~~adopt a rule establishing~~ a service fee for replacement tags in
 745 an amount that will recover the actual cost of providing the
 746 replacement tag. Upon receipt of the application accompanied by
 747 the service fee, the department shall issue a replacement permit
 748 tag.

749 (8) (a) In order to reduce peak workloads, the department
 750 may provide ~~adopt rules providing~~ for staggered expiration dates
 751 for licenses and permits. Unless otherwise provided for by rule,
 752 All licenses and permits expire annually on January 15. All
 753 license and permit renewal fees are required to be submitted to
 754 the department by no later than the expiration date. At least

755 105 days before the expiration date of licenses and permits, the
 756 department shall send to each permittee a notice of fees due for
 757 all licenses and permits that were issued to him or her before
 758 the date of the notice. Such notice must list the permits and
 759 the permit fees due for each sign facing. The permittee shall,
 760 no later than 45 days before the expiration date, advise the
 761 department of any additions, deletions, or errors contained in
 762 the notice. Permit tags that are not renewed shall be returned
 763 to the department for cancellation by the expiration date.
 764 Permits that are not renewed or are canceled shall be certified
 765 in writing at that time as canceled or not renewed by the
 766 permittee, and permit tags for such permits shall be returned to
 767 the department or shall be accounted for by the permittee in
 768 writing, which writing shall be submitted with the renewal fee
 769 payment or the cancellation certification. However, failure of a
 770 permittee to submit a permit cancellation does not affect the
 771 nonrenewal of a permit. Before cancellation of a permit, the
 772 permittee shall provide written notice to all persons or
 773 entities having a right to advertise on the sign that the
 774 permittee intends to cancel the permit.

775 (10) Commercial or industrial zoning that is not
 776 comprehensively enacted or that is enacted primarily to permit
 777 signs may not be recognized as commercial or industrial zoning
 778 for purposes of this provision, and permits may not be issued
 779 for signs in such areas. ~~The department shall adopt rules that~~
 780 ~~provide criteria to determine whether such zoning is~~

781 ~~comprehensively enacted or enacted primarily to permit signs.~~

782 Section 54. Subsection (4) of section 481.205, Florida
783 Statutes, is amended to read:

784 481.205 Board of Architecture and Interior Design.—

785 (4) The board may establish ~~by rule~~ minimum procedures,
786 documentation, and other requirements for indicating evidence of
787 the exercise of responsible supervising control by a person
788 licensed under this part in connection with work performed both
789 inside and outside the licensee's office.

790 Section 55. Subsection (1) of section 502.121, Florida
791 Statutes, is amended to read:

792 502.121 Future dairy farms and milk and frozen dessert
793 plants.—

794 (1) All future construction or extensive alteration of
795 milk houses, milking barns, stables, parlors, transfer stations,
796 and milk and frozen dessert plants regulated under this chapter
797 must meet certain minimum specifications and requirements which
798 the department shall establish ~~by rule~~.

799 Section 56. Subsection (4) of section 509.035, Florida
800 Statutes, is amended to read:

801 509.035 Immediate closure due to severe public health
802 threat.—The division shall, upon proper finding, immediately
803 issue an order to close an establishment licensed under this
804 chapter in the instance of a severe and immediate public health
805 or safety or welfare threat as follows:

806 ~~(4) The division may further adopt rules for issuing~~

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807 ~~emergency orders after business hours and on weekends and~~
808 ~~holidays in order to ensure the timely closure of an~~
809 ~~establishment under this section.~~

810 Reviser's note.—Amends or repeals provisions of the Florida
811 Statutes pursuant to the directive of the Legislature in s. 9,
812 ch. 2012-116, Laws of Florida, codified as s. 11.242(5)(j),
813 Florida Statutes, to prepare a reviser's bill to omit all
814 statutes and laws, or parts thereof, which grant duplicative,
815 redundant, or unused rulemaking authority.

816 Section 57. This act shall take effect on the 60th day
817 after adjournment sine die of the session of the Legislature in
818 which enacted.