

1 A bill to be entitled
 2 An act relating to legislative sunset review; amending s.
 3 11.903, F.S.; permitting the Joint Legislative Sunset
 4 Committee to conduct its meetings through teleconferences
 5 or other similar means; amending s. 11.905, F.S.; revising
 6 the schedule for reviewing state agencies and advisory
 7 committees; authorizing the review of political
 8 subdivisions; amending s. 11.9055, F.S.; requiring
 9 submission of a transfer plan under certain circumstances;
 10 amending s. 11.907, F.S.; requiring the joint committee
 11 and permitting appropriate committees to conduct reviews
 12 upon receipt of agency reports; amending s. 11.908, F.S.;
 13 revising duties of the joint committee and other
 14 committees to conduct reviews; amending s. 11.910, F.S.;
 15 authorizing committees to consider certain information in
 16 reaching determinations; amending s. 11.911, F.S.;
 17 requiring the joint committee and permitting other
 18 committees to make recommendations and propose
 19 legislation; amending s. 11.919, F.S.; permitting
 20 committee access to information, assistance from state
 21 agencies, and inspection of records when carrying out its
 22 functions; providing an effective date.

23
 24 Be It Enacted by the Legislature of the State of Florida:

25
 26 Section 1. Subsection (5) is added to section 11.903,
 27 Florida Statutes, to read:

28 | 11.903 Legislative Sunset Review Committees and the Joint
 29 | Legislative Sunset Committee.--

30 | (5) The joint committee may conduct its meetings through
 31 | teleconferences or other similar means.

32 | Section 2. Section 11.905, Florida Statutes, is amended to
 33 | read:

34 | 11.905 Schedule for reviewing state agencies and advisory
 35 | committees.--The following state agencies, including their
 36 | advisory committees, or the following advisory committees of
 37 | agencies shall be reviewed according to the following schedule:

38 | (1) Reviewed by July 1, 2008:

39 | (a) Statutorily created responsibilities of the Fish and
 40 | Wildlife Conservation Commission.

41 | (b) Department of Agriculture and Consumer Services.

42 | (c) Department of Citrus, including the Citrus Commission.

43 | (d) Department of Environmental Protection.

44 | (e) Department of Highway Safety and Motor Vehicles.

45 | (f) Water management districts.

46 | (2) Reviewed by July 1, 2010:

47 | (a) Department of Children and Family Services.

48 | (b) Department of Community Affairs.

49 | (c) Department of Management Services.

50 | (d) Department of State.

51 | (3)~~(4)~~ Reviewed by July 1, 2012 ~~2014~~:

52 | (a) Agency for Health Care Administration.

53 | (b) Agency for Persons with Disabilities.

54 | (c) Department of Elderly Affairs.

55 | (d) Department of Health.

- 56 | (4)~~(3)~~ Reviewed by July 1, 2014 ~~2012~~:
- 57 | (a) Advisory committees for the Florida Community College
- 58 | System.
- 59 | (b) Advisory committees for the State University System.
- 60 | (c) Agency for Workforce Innovation.
- 61 | (d) Department of Education.
- 62 | (e) Department of the Lottery.
- 63 | (5) Reviewed by July 1, 2016:
- 64 | (a) Department of Business and Professional Regulation.
- 65 | (b) Department of Transportation.
- 66 | (c) Department of Veterans' Affairs.
- 67 | (d) Department of Military Affairs.
- 68 | (6) Reviewed by July 1, 2018:
- 69 | (a) Advisory committees for the State Board of
- 70 | Administration.
- 71 | (b) Department of Financial Services, including the
- 72 | Financial Services Commission.
- 73 | (c) Department of Revenue.
- 74 | (7) Reviewed by July 1, 2020:
- 75 | (a) Department of Corrections.
- 76 | (b) Department of Juvenile Justice.
- 77 | (c) Department of Law Enforcement.
- 78 | (d) Department of Legal Affairs.
- 79 | (e) Justice Administrative Commission.
- 80 | (f) Parole Commission.
- 81 | (8) Reviewed by July 1, 2022:
- 82 | (a) Executive Office of the Governor.
- 83 | (b) Florida Public Service Commission.

84
 85 Upon completion of this cycle, each agency shall again be
 86 subject to sunset review. The President of the Senate and the
 87 Speaker of the House of Representatives together may at any time
 88 direct the joint committee to review any political subdivision,
 89 including those created by special act, irrespective of the
 90 schedule set forth in this section ~~10 years after its initial~~
 91 ~~review.~~

92 Section 3. Subsection (2) of section 11.9055, Florida
 93 Statutes, is amended to read:

94 11.9055 Abolition of state agencies and advisory
 95 committees.--

96 (2) If the Legislature does not take action before the
 97 date of review to continue the agency or advisory committee, the
 98 agency shall submit its legislative budget request consistent
 99 with the provisions of chapter 216. Such agency shall continue
 100 to be subject to annual sunset review by the Legislature until
 101 the Legislature enacts legislation relating to the agency's
 102 continuation, modification, or termination. The agency shall
 103 also provide to the joint committee by December 31 of the year
 104 of each agency's review schedule, as provided in s. 11.905, a
 105 plan for a type two transfer of the agency's responsibilities.

106 Section 4. Section 11.907, Florida Statutes, is amended to
 107 read:

108 11.907 Legislative review.--Upon receipt of an agency
 109 report pursuant to s. 11.906, the appropriate joint committee
 110 may and the joint ~~appropriate~~ committee shall conduct a review
 111 of the agency and may direct the Office of Program Policy

112 Analysis and Government Accountability to review the agency and
 113 its advisory committees, including an examination of the cost of
 114 each agency program, an evaluation of best practices and
 115 alternatives that would result in the administration of the
 116 agency in a more efficient or effective manner, an examination
 117 of the viability of privatization or a different state agency
 118 performing the functions, and an evaluation of the cost and
 119 consequences of discontinuing the agency. The reviews shall be
 120 comprehensive in scope and shall consider the information
 121 provided by the agency report in addition to information deemed
 122 necessary by the office and the appropriate committee or the
 123 joint committee. The Office of Program Policy Analysis and
 124 Government Accountability shall submit its report to the
 125 Legislature in a timeframe prescribed by the committee
 126 requesting the review. The Office of Program Policy Analysis and
 127 Government Accountability shall include in its reports
 128 recommendations for consideration by the Legislature.

129 Section 5. Section 11.908, Florida Statutes, is amended to
 130 read:

131 11.908 Committee duties.--No later than March 1 of the
 132 year in which a state agency or its advisory committees are
 133 scheduled to be reviewed, the joint committee shall and the
 134 ~~joint~~ committee may:

135 (1) Review the information submitted by the agency and the
 136 reports of any independent reviews directed by the committees
 137 ~~committee~~, including those conducted by the Office of Program
 138 Policy Analysis and Government Accountability.

139 (2) Consult with the Legislative Budget Commission,
 140 relevant substantive and appropriations committees of the Senate
 141 and the House of Representatives, the Governor's Office of
 142 Policy and Budgeting, the Auditor General, and the Chief
 143 Financial Officer, or their successors, relating to the review
 144 of the agency and its advisory committees.

145 (3) Hold public hearings to consider this information as
 146 well as other information and testimony that the committee or
 147 joint committee deems necessary.

148 (4) Present to the President of the Senate and the Speaker
 149 of the House of Representatives a report on the agencies and
 150 advisory committees scheduled to be reviewed that year by the
 151 Legislature. In the report, the joint committee shall include
 152 its specific findings and recommendations regarding the
 153 information considered pursuant to s. 11.910, make
 154 recommendations as described in s. 11.911, and propose
 155 legislation as it considers necessary. ~~In the joint committee~~
 156 ~~report, the joint committee shall include its specific findings~~
 157 ~~and recommendations regarding the information considered~~
 158 ~~pursuant to s. 11.910 and make recommendations as described in~~
 159 ~~s. 11.911.~~

160 Section 6. Section 11.910, Florida Statutes, is amended to
 161 read:

162 11.910 Information for review.--The committees ~~committee~~
 163 may consider information submitted pursuant to s. 11.906 as well
 164 as any additional information it considers relevant in
 165 determining whether a public need exists for the continuation of
 166 a state agency or its advisory committees or for the performance

167 of any of the functions of the agency or its advisory
 168 committees.

169 Section 7. Section 11.911, Florida Statutes, is amended to
 170 read:

171 11.911 Committee recommendations.--

172 ~~(1)~~ In its report on a state agency, the joint committee
 173 shall and the committee may:

174 (1)(a) Make recommendations on the abolition,
 175 continuation, or reorganization of each state agency and its
 176 advisory committees and on the need for the performance of the
 177 functions of the agency and its advisory committees.

178 (2)(b) Make recommendations on the consolidation,
 179 transfer, or reorganization of programs within state agencies
 180 not under review when the programs duplicate functions performed
 181 in agencies under review.

182 (3)(e) Propose legislation necessary to carry out the
 183 committee's recommendations under subsection (1) ~~paragraph (a)~~
 184 or subsection (2) ~~paragraph (b)~~.

185 ~~(2) In its report on a state agency, the joint committee~~
 186 ~~shall:~~

187 ~~(a) Make recommendations on the abolition, continuation,~~
 188 ~~or reorganization of each state agency and its advisory~~
 189 ~~committees and on the need for the performance of the functions~~
 190 ~~of the agency and its advisory committees.~~

191 ~~(b) Make recommendations on the consolidation, transfer,~~
 192 ~~or reorganization of programs within state agencies not under~~
 193 ~~review when the programs duplicate functions performed in~~
 194 ~~agencies under review.~~

195 Section 8. Section 11.919, Florida Statutes, is amended to
 196 read:

197 11.919 Assistance of and access to state agencies.--

198 (1) The committees ~~committee~~ may access or request
 199 information and request the assistance of state agencies and
 200 officers. When assistance is requested, a state agency or
 201 officer shall assist the committees ~~committee~~.

202 (2) In carrying out its functions under ss. 11.901-11.920,
 203 the committees ~~committee~~ or its designated staff member may
 204 inspect the records, documents, and files of any state agency.

205 Section 9. This act shall take effect July 1, 2008.