

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

19  
 20   Be It Enacted by the Legislature of the State of Florida:

21  
 22           Section 1.   Section 257.171, Florida Statutes, is amended  
 23   to read:

24           257.171   Multicounty libraries.—Units of local government  
 25   may establish a multicounty library. ~~The Division of Library and~~  
 26   ~~Information Services may establish operating standards and rules~~

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

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

33 257.193 Community Libraries in Caring Program.—

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

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

38 257.43 Citizen support organization; use of state  
39 administrative services and property; audit.—

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

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

44 Section 4. Section 394.4789, Florida Statutes, is amended  
45 to read:

46 394.4789 Establishment of referral process and eligibility  
47 determination.—

48 (1) ~~The department shall adopt by rule a referral process~~  
49 ~~which shall provide each participating specialty psychiatric~~  
50 ~~hospital with a system for accepting into the hospital's care~~  
51 ~~indigent mentally ill persons referred by the department. It is~~  
52 the intent of the Legislature that a hospital which seeks

53 payment under s. 394.4788 shall accept referrals from the  
54 department. However, a hospital shall have the right to refuse  
55 the admission of a patient due to lack of functional bed space  
56 or lack of services appropriate to a patient's specific  
57 treatment and no hospital shall be required to accept referrals  
58 if the costs for treating the referred patient are no longer  
59 reimbursable because the hospital has reached the level of  
60 contribution made to the PMATF in the previous fiscal year.  
61 Furthermore, a hospital that does not seek compensation for  
62 indigent mentally ill patients under the provisions of this act  
63 shall not be obliged to accept department referrals,  
64 notwithstanding any agreements it may have entered into with the  
65 department. The right of refusal in this subsection shall not  
66 affect a hospital's requirement to provide emergency care  
67 pursuant to s. 395.1041 or other statutory requirements related  
68 to the provision of emergency care.

69 (2) The department shall adopt ~~by rule~~ a patient  
70 eligibility form and shall be responsible for eligibility  
71 determination. However, The department may contract with  
72 participating psychiatric hospitals for eligibility  
73 determination. The eligibility form shall provide the mechanism  
74 for determining a patient's eligibility according to the  
75 requirements of s. 394.4788(1).

76 (a) A specialty psychiatric hospital shall be eligible for  
77 reimbursement only when an eligibility form has been completed  
78 for each indigent mentally ill person for whom reimbursement is

79 sought.

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

83 Section 5. Subsection (3) of section 394.495, Florida  
 84 Statutes, is amended to read:

85 394.495 Child and adolescent mental health system of care;  
 86 programs and services.—

87 (3) Assessments must be performed by:

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

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

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

94  
 95 ~~The department shall adopt by rule statewide standards for~~  
 96 ~~mental health assessments, which must be based on current~~  
 97 ~~relevant professional and accreditation standards.~~

98 Section 6. Subsection (5) of section 394.496, Florida  
 99 Statutes, is amended to read:

100 394.496 Service planning.—

101 ~~(5) The department shall adopt by rule criteria for~~  
 102 ~~determining when a child or adolescent who receives mental~~  
 103 ~~health services under ss. 394.490–394.497 must have an~~  
 104 ~~individualized services plan.~~

105 Section 7. Subsection (2) of section 394.497, Florida  
 106 Statutes, is amended to read:

107 394.497 Case management services.—

108 (2) ~~The department shall adopt by rule criteria that~~  
 109 ~~define the target population who shall be assigned case~~  
 110 ~~managers.~~ The department shall develop standards for case  
 111 management services and procedures for appointing case managers.  
 112 It is the intent of the Legislature that case management  
 113 services not be duplicated or fragmented and that such services  
 114 promote the continuity and stability of a case manager assigned  
 115 to a child or adolescent and his or her family.

116 Section 8. Section 397.406, Florida Statutes, is amended  
 117 to read:

118 397.406 Licensure and regulation of government-operated  
 119 substance abuse programs.—Substance abuse programs operated  
 120 directly or under contract by the department, the Department of  
 121 Corrections, the Department of Juvenile Justice, any other state  
 122 agency, or any local correctional agency or authority, which  
 123 programs constitute any service provider licensable components  
 124 as defined in this chapter, are subject to licensure and  
 125 regulation in accordance with rules jointly developed by the  
 126 department and the state or local agency operating the program.  
 127 The department has authority to exempt ~~promulgate rules~~  
 128 ~~exempting~~ such government-operated programs from specific  
 129 licensure provisions of this part, including, but not limited  
 130 to, licensure fees and personnel background checks, and to

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131 enforce the regulatory requirements governing such programs.

132 Section 9. Subsections (1), (5), and (7) of section  
133 397.407, Florida Statutes, are amended to read:

134 397.407 Licensure process; fees.—

135 (1) The department shall establish ~~by rule~~ the licensure  
136 process to include fees and categories of licenses and.~~The rule~~  
137 must prescribe a fee range that is based, at least in part, on  
138 the number and complexity of programs listed in s. 397.311(18)  
139 which are operated by a licensee. The fees from the licensure of  
140 service components are sufficient to cover at least 50 percent  
141 of the costs of regulating the service components. The  
142 department shall specify ~~by rule~~ a fee range for public and  
143 privately funded licensed service providers. Fees for privately  
144 funded licensed service providers must exceed the fees for  
145 publicly funded licensed service providers. ~~During adoption of~~  
146 ~~the rule governing the licensure process and fees, the~~  
147 ~~department shall carefully consider the potential adverse impact~~  
148 ~~on small, not-for-profit service providers.~~

149 (5) The department may issue probationary, regular, and  
150 interim licenses. ~~After adopting the rule governing the~~  
151 ~~licensure process and fees,~~ The department shall issue one  
152 license for each service component that is operated by a service  
153 provider and defined ~~in rule~~ pursuant to s. 397.311(18). The  
154 license is valid only for the specific service components listed  
155 for each specific location identified on the license. The  
156 licensed service provider shall apply for a new license at least

157 60 days before the addition of any service components or 30 days  
 158 before the relocation of any of its service sites. Provision of  
 159 service components or delivery of services at a location not  
 160 identified on the license may be considered an unlicensed  
 161 operation that authorizes the department to seek an injunction  
 162 against operation as provided in s. 397.401, in addition to  
 163 other sanctions authorized by s. 397.415. Probationary and  
 164 regular licenses may be issued only after all required  
 165 information has been submitted. A license may not be  
 166 transferred. As used in this subsection, the term "transfer"  
 167 includes, but is not limited to, the transfer of a majority of  
 168 the ownership interest in the licensed entity or transfer of  
 169 responsibilities under the license to another entity by  
 170 contractual arrangement.

- 171 (7) A regular license may be issued to:
- 172 (a) A new applicant at the end of the probationary period.
  - 173 (b) A licensed applicant that holds a regular license and  
 174 is seeking renewal.
  - 175 (c) An applicant for a service component operating under  
 176 an interim license upon successful satisfaction of the  
 177 requirements for a regular license.

178

179 In order to be issued a regular license, the applicant must be  
 180 in compliance with statutory and regulatory requirements.  
 181 ~~Standards and timeframes for the issuance of a regular license~~  
 182 ~~must be established by rule.~~ An application for renewal of a

183 regular license must be submitted to the department at least 60  
184 days before the license expires.

185 Section 10. Paragraph (b) of subsection (2) and  
186 subsections (3) and (8) of section 397.427, Florida Statutes,  
187 are amended to read:

188 397.427 Medication-assisted treatment service providers;  
189 rehabilitation program; needs assessment and provision of  
190 services; persons authorized to issue takeout medication;  
191 unlawful operation; penalty.—

192 (2) The department shall determine the need for  
193 establishing providers of medication-assisted treatment services  
194 for opiate addiction.

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

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

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

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



209 ~~(c) Administering any federally required rules,~~  
 210 ~~regulations, or procedures.~~

211 ~~(8) The department shall adopt rules necessary to~~  
 212 ~~administer medication-assisted treatment services, including,~~  
 213 ~~but not limited to, rules prescribing criteria and procedures~~  
 214 ~~for:~~

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

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

219 ~~(c) Administering any federally required rules,~~  
 220 ~~regulations, or procedures related to the provision of~~  
 221 ~~medication-assisted treatment.~~

222 Section 11. Section 397.471, Florida Statutes, is amended  
 223 to read:

224 397.471 Service provider facility standards.—

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

226 (1)(a) Sufficient numbers and types of qualified personnel  
 227 on duty and available to provide necessary and adequate safety  
 228 and care.

229 (2)(b) Adequate space for each individual served within a  
 230 residential facility.

231 (3)(e) Adequate infection control, housekeeping, and  
 232 sanitation.

233 (4)(d) Adequate disaster planning policies and procedures.

234 ~~(2) The State Fire Marshal shall, in cooperation with the~~

235 ~~department, establish and enforce minimum firesafety standards,~~  
 236 ~~which standards must be included in the rules adopted by the~~  
 237 ~~department.~~

238 Section 12. Subsection (4) of section 397.901, Florida  
 239 Statutes, is amended to read:

240 397.901 Prototype juvenile addictions receiving  
 241 facilities.—

242 ~~(4) The department shall adopt rules necessary to~~  
 243 ~~implement this section. The rules must be written by the~~  
 244 ~~department's Substance Abuse Program Office and must specify~~  
 245 ~~criteria for staffing and services delineated for the provision~~  
 246 ~~of graduated levels of care from nonintensive to environmentally~~  
 247 ~~secure for the handling of aggressive and difficult-to-manage~~  
 248 ~~behavior and the prevention of elopement.~~

249 Section 13. Subsection (5) of section 397.96, Florida  
 250 Statutes, is amended to read:

251 397.96 Case management for complex substance abuse cases.—

252 (5) ~~The department shall establish by rule standards to~~  
 253 ~~coordinate case management activities from various referral~~  
 254 ~~points, in order to minimize fragmentation and duplication and~~  
 255 ~~promote stability of case managers assigned to a child and~~  
 256 ~~family.~~ In the attempt to minimize duplication, it is the intent  
 257 of the Legislature that a child have no more than one case  
 258 manager.

259 Section 14. Subsection (12) of section 400.147, Florida  
 260 Statutes, is amended to read:

261 400.147 Internal risk management and quality assurance  
 262 program.—

263 ~~(12) The agency may adopt rules to administer this~~  
 264 ~~section.~~

265 Section 15. Subsection (3) of section 401.113, Florida  
 266 Statutes, is amended to read:

267 401.113 Department; powers and duties.—

268 ~~(3) The department shall adopt rules to administer this~~  
 269 ~~section.~~

270 Section 16. Subsection (4) of section 401.252, Florida  
 271 Statutes, is amended to read:

272 401.252 Interfacility transfer.—

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

277 Section 17. Subsections (5) and (6) of section 401.34,  
 278 Florida Statutes, are amended to read:

279 401.34 Fees.—

280 (5) The department may provide same-day grading of the  
 281 examination for an applicant for emergency medical technician or  
 282 paramedic certification. ~~The department must provide procedures~~  
 283 ~~for implementing same-day grading in its rules.~~

284 (6) The department may ~~by rule~~ offer walk-in eligibility  
 285 determination and examination to applicants for emergency  
 286 medical technician or paramedic certification who pay to the

287 department a nonrefundable fee to be set by the department not  
288 to exceed \$65. The fee is in addition to the certification fee  
289 and examination fee. The department must establish locations and  
290 times for eligibility determination and examination.

291 Section 18. Section 402.04, Florida Statutes, is amended  
292 to read:

293 402.04 Award of scholarships and stipends; disbursement of  
294 funds; administration.—The award of scholarships or stipends  
295 provided for herein shall be made by the Department of Children  
296 and Families, hereinafter referred to as the department. The  
297 department shall handle the administration of the scholarship or  
298 stipend and the Department of Education shall, for and on behalf  
299 of the department, handle the notes issued for the payment of  
300 the scholarships or stipends provided for herein and the  
301 collection of same. ~~The department shall prescribe regulations~~  
302 ~~governing the payment of scholarships or stipends to the school,~~  
303 ~~college, or university for the benefit of the scholarship or~~  
304 ~~stipend holders.~~ All scholarship awards, expenses and costs of  
305 administration shall be paid from moneys appropriated by the  
306 Legislature and shall be paid upon vouchers approved by the  
307 department and properly certified by the Chief Financial  
308 Officer.

309 Section 19. Subsection (3) of section 402.47, Florida  
310 Statutes, is amended to read:

311 402.47 Foster grandparent and retired senior volunteer  
312 services to high-risk and handicapped children.—

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

315 Section 20. Subsection (3) of section 403.414, Florida  
 316 Statutes, is amended to read:

317 403.414 Environmental award program.—

318 ~~(3) The department shall adopt rules to govern~~  
 319 ~~administration of the program.~~ An agency, municipality, county,  
 320 or other governmental unit; a private organization, institution,  
 321 or industry; the communications media; or an individual may  
 322 submit a nomination for an award to the department at any time.  
 323 A nomination must be submitted on a form adopted by the  
 324 department and must include information required by the  
 325 department to consider that nomination.

326 Section 21. Subsection (2) of section 403.7061, Florida  
 327 Statutes, is amended to read:

328 403.7061 Requirements for review of new waste-to-energy  
 329 facility capacity by the Department of Environmental  
 330 Protection.—

331 (2) Notwithstanding any other provisions of state law, the  
 332 department shall not issue a construction permit or  
 333 certification to build a waste-to-energy facility or expand an  
 334 existing waste-to-energy facility unless the facility meets the  
 335 requirements set forth in subsection (3). Any construction  
 336 permit issued by the department between January 1, 1993, and May  
 337 12, 1993, which does not address these new requirements is  
 338 invalid. These new requirements do not apply to the issuance of

339 permits or permit modifications to retrofit existing facilities  
 340 with new or improved pollution control equipment to comply with  
 341 state or federal law. ~~The department may initiate rulemaking to~~  
 342 ~~incorporate the criteria in subsection (3) into its permit~~  
 343 ~~review process.~~

344 Section 22. Subsection (4) of section 403.763, Florida  
 345 Statutes, is amended to read:

346 403.763 Grants to local governments.-

347 ~~(4) The department shall initiate rules on or before~~  
 348 ~~January 1, 1989, necessary to carry out the purposes of this~~  
 349 ~~section.~~

350 Section 23. Section 403.871, Florida Statutes, is amended  
 351 to read:

352 403.871 Fees.-~~The department shall, by rule,~~ establish  
 353 fees to be paid by persons seeking licensure or license renewal  
 354 to cover the entire cost to the department of administering ss.  
 355 403.865-403.876, including, but not limited to, the costs  
 356 associated with application review and examination,  
 357 reexamination, licensing and renewal, renewal of an inactive  
 358 license, reactivation of an inactive license, recordmaking, and  
 359 recordkeeping, and the costs of ensuring compliance with ss.  
 360 403.865-403.876. The fees for license application and license  
 361 renewal shall be nonrefundable. The department shall establish  
 362 fees adequate to administer and implement ss. 403.865-403.876.

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

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

367 (3) All fees collected under this section must be  
 368 deposited into the Water Quality Assurance Trust Fund. The fees  
 369 shall be used exclusively to implement the provisions of ss.  
 370 403.865-403.876.

371 Section 24. Subsection (2) of section 403.873, Florida  
 372 Statutes, is amended to read:

373 403.873 Renewal of license.—

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

377 Section 25. Subsection (2) of section 403.874, Florida  
 378 Statutes, is amended to read:

379 403.874 Inactive status.—

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

384 Section 26. Subsection (1) of section 403.876, Florida  
 385 Statutes, is amended to read:

386 403.876 Grounds for disciplinary action.—

387 (1) The department shall establish, ~~by rule,~~ the grounds  
 388 for taking disciplinary action, including suspending or revoking  
 389 a valid license, placing a licensee on probation, refusing to  
 390 issue a license, refusing to renew a license, or refusing to

391 reactivate a license, and the imposition of an administrative  
 392 fine, not to exceed \$1,000 per count or offense. The fines  
 393 collected under this section shall be deposited into the Water  
 394 Quality Assurance Trust Fund.

395 Section 27. Subsection (3) of section 403.942, Florida  
 396 Statutes, is amended to read:

397 403.942 Superseded laws, regulations, and certification  
 398 power.—

399 ~~(3) The board shall have the power to adopt reasonable~~  
 400 ~~procedural rules to carry out its duties under ss. 403.9401-~~  
 401 ~~403.9425 and to give effect to the legislative intent that this~~  
 402 ~~act provide an efficient, centrally coordinated, one-stop~~  
 403 ~~licensing process.~~

404 Section 28. Subsection (3) of section 406.11, Florida  
 405 Statutes, is amended to read:

406 406.11 Examinations, investigations, and autopsies.—

407 ~~(3) The Medical Examiners Commission may adopt rules~~  
 408 ~~incorporating by reference parameters or guidelines of practice~~  
 409 ~~or standards of conduct relating to examinations,~~  
 410 ~~investigations, or autopsies performed by medical examiners.~~

411 Section 29. Subsection (8) of section 409.2598, Florida  
 412 Statutes, is amended to read:

413 409.2598 License suspension proceeding to enforce support  
 414 order.—

415 ~~(8) RULEMAKING AUTHORITY. The Department of Revenue may~~  
 416 ~~adopt rules to implement and enforce the requirements of this~~



417 ~~section.~~

418 Section 30. Subsections (3) and (4) of section 409.9102,  
419 Florida Statutes, are amended to read:

420 409.9102 A qualified state Long-Term Care Insurance  
421 Partnership Program in Florida.—The Agency for Health Care  
422 Administration, in consultation with the Office of Insurance  
423 Regulation and the Department of Children and Families, is  
424 directed to establish a qualified state Long-Term Care Insurance  
425 Partnership Program in Florida, in compliance with the  
426 requirements of s. 1917(b) of the Social Security Act, as  
427 amended.

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

431 ~~(4)~~ The Department of Children and Families, when  
432 determining eligibility for Medicaid long-term care services for  
433 an individual who is the beneficiary of an approved long-term  
434 care partnership program policy, shall reduce the total  
435 countable assets of the individual by an amount equal to the  
436 insurance benefit payments that are made to or on behalf of the  
437 individual. ~~The department is authorized to adopt rules pursuant~~  
438 ~~to ss. 120.536(1) and 120.54 to implement this subsection.~~

439 Section 31. Section 415.112, Florida Statutes, is  
440 repealed.

441 Section 32. Subsections (3) and (6) of section 420.526,  
442 Florida Statutes, are amended to read:

443 420.526 Predevelopment Loan Program; loans and grants  
444 authorized; activities eligible for support.—

445 (3) ~~The corporation shall establish rules for the~~  
446 ~~equitable distribution of the funds in a manner that meets the~~  
447 ~~need and demand for housing for the target population.~~ Funds  
448 shall be made available under the program on a first-come,  
449 first-served basis, unless otherwise established by corporation  
450 rule. Sponsors of farmworker housing, if any, shall receive  
451 first priority under this program.

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

454 (a) Provision for interest, which shall be set at between  
455 0 and 3 percent per year, as established by the corporation.

456 (b) Provision of a schedule for the repayment of principal  
457 and interest for a term not to exceed 3 years or initiation of  
458 permanent financing, whichever event occurs first. However, the  
459 corporation may extend the term of a loan for an additional  
460 period if extraordinary circumstances exist and if such  
461 extension would not jeopardize the corporation's security  
462 interest.

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

466 (d) Provisions to ensure that the land acquired will be  
467 used for the development of housing and related services for the  
468 target population.

469 (e) Provisions to ensure, to the extent possible, that any  
 470 accrued savings in cost due to the availability of these funds  
 471 will be passed on to the target population in the form of lower  
 472 land prices. The corporation shall ensure that such savings in  
 473 land prices shall be passed on in the form of lower prices or  
 474 rents for dwellings constructed on such land.

475 (f) Provisions to ensure that any land acquired through  
 476 assistance under ss. 420.521-420.529 for housing for the target  
 477 population shall not be disposed of or alienated in a manner  
 478 that violates Title VII of the 1968 Civil Rights Act, which  
 479 specifically prohibits discrimination based on race, sex, color,  
 480 religion, or national origin or that violates other applicable  
 481 federal or state laws.

482 Section 33. Section 420.527, Florida Statutes, is amended  
 483 to read:

484 420.527 Application procedure.—

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

487 ~~(2) By rule,~~ The corporation shall establish the criteria  
 488 for determining threshold compliance with corporation  
 489 objectives. Final decisions regarding funding shall be approved  
 490 by the corporation board. The corporation board shall determine  
 491 the tentative loan or grant amount available to each program  
 492 participant. The actual loan or grant amount shall be determined  
 493 pursuant to rule specifying credit underwriting procedures.

494 (2) ~~(3)~~ The criteria to be used to determine threshold

495 compliance shall include, but are not limited to, the following:

- 496 (a) Income target objectives of the corporation.
- 497 (b) Sponsor's agreement to reserve more than the minimum
- 498 number of units for low-income households and very-low-income
- 499 households.
- 500 (c) Projects requiring the least amount of predevelopment
- 501 funds compared to total predevelopment costs.
- 502 (d) Sponsor's prior experience.
- 503 (e) Commitments of other financing.
- 504 (f) Sponsor's ability to proceed.
- 505 (g) Project's consistency with the local government
- 506 comprehensive plan.

507 Section 34. Subsection (3) of section 429.44, Florida  
 508 Statutes, is amended to read:

509 429.44 Construction and renovation; requirements.—  
 510 ~~(3) The department may adopt rules to establish procedures~~  
 511 ~~and specify the documentation necessary to implement this~~  
 512 ~~section.~~

513 Section 35. Paragraph (b) of subsection (1) of section  
 514 467.0125, Florida Statutes, is amended to read:

- 515 467.0125 Licensure by endorsement.—
- 516 (1) The department shall issue a license by endorsement to
  - 517 practice midwifery to an applicant who, upon applying to the
  - 518 department, demonstrates to the department that she or he:
  - 519 (b) Has completed a 4-month prelicensure course conducted
  - 520 by an approved program and has submitted documentation to the

521 department of successful completion. ~~The department shall~~  
522 ~~determine by rule the content of the prelicensure course.~~

523 Section 36. Subsection (1) of section 467.013, Florida  
524 Statutes, is amended to read:

525 467.013 Inactive status.—A licensee may request that his  
526 or her license be placed in an inactive status by making  
527 application to the department and paying a fee.

528 (1) An inactive license may be renewed for one additional  
529 biennium upon application to the department and payment of the  
530 applicable biennium renewal fee. The department shall establish  
531 ~~by rule~~ procedures and fees for applying to place a license on  
532 inactive status, renewing an inactive license, and reactivating  
533 an inactive license. The fee for any of these procedures may not  
534 exceed the biennial renewal fee established by the department.

535 Section 37. Subsections (4) and (6) of section 467.019,  
536 Florida Statutes, are amended to read:

537 467.019 Records and reports.—

538 (4) ~~The department shall adopt rules requiring that~~ A  
539 midwife shall keep a record of each patient served. Such record  
540 must document, but need not be limited to, each consultation,  
541 referral, transport, transfer of care, and emergency care  
542 rendered by the midwife and must include all subsequent updates  
543 and copy of the birth certificate. These records shall be kept  
544 on file for a minimum of 5 years following the date of the last  
545 entry in the records.

546 (6) ~~The department shall adopt rules to provide for~~

547 ~~maintaining~~ Patient records of a deceased midwife or a midwife  
 548 who terminates or relocates a private practice shall be  
 549 maintained pursuant to department requirements.

550 Section 38. Section 468.1165, Florida Statutes, is amended  
 551 to read:

552 468.1165 Professional employment experience requirement.—  
 553 Every applicant for licensure as a speech-language pathologist  
 554 must demonstrate, prior to licensure, a minimum of 9 months of  
 555 full-time professional employment, or the equivalent in part-  
 556 time professional employment. Each applicant for licensure as an  
 557 audiologist must demonstrate, prior to licensure, a minimum of  
 558 11 months of full-time professional employment, or the  
 559 equivalent in part-time professional employment. ~~The board, by~~  
 560 ~~rule, shall establish standards for obtaining and verifying the~~  
 561 ~~required professional employment experience.~~

562 Section 39. Subsection (1) of section 468.307, Florida  
 563 Statutes, is amended to read:

564 468.307 Certificate; issuance; display.—

565 (1) The department shall issue a certificate to each  
 566 candidate who has met the requirements of ss. 468.304 and  
 567 468.306 or has qualified under s. 468.3065. The department may  
 568 ~~by rule~~ establish a subcategory of a certificate issued under  
 569 this part limiting the certificateholder to a specific procedure  
 570 or specific type of equipment. The first regular certificate  
 571 issued to a new certificateholder expires on the last day of the  
 572 certificateholder's birth month and shall be valid for at least

573 12 months but no more than 24 months. However, if the new  
 574 certificateholder already holds a regular, active certificate in  
 575 a different category under this part, the new certificate shall  
 576 be combined with and expire on the same date as the existing  
 577 certificate.

578 Section 40. Subsection (2) of section 468.3851, Florida  
 579 Statutes, is amended to read:

580 468.3851 Renewal of license.—

581 (2) The department shall adopt ~~rules establishing~~ a  
 582 procedure for the biennial renewal of licenses.

583 Section 41. Section 468.3852, Florida Statutes, is amended  
 584 to read:

585 468.3852 Reactivation of license; fee.—The board shall  
 586 prescribe ~~by rule~~ a fee not to exceed \$250 for the reactivation  
 587 of an inactive license. The fee shall be in addition to the  
 588 current biennial renewal fee.

589 Section 42. Subsection (1) of section 468.404, Florida  
 590 Statutes, is amended to read:

591 468.404 License; fees; renewals.—

592 (1) The department ~~by rule~~ shall establish biennial fees  
 593 for initial licensing, renewal of license, and reinstatement of  
 594 license, none of which fees shall exceed \$400. The department  
 595 may ~~by rule~~ establish a delinquency fee of no more than \$50. The  
 596 fees shall be adequate to proportionately fund the expenses of  
 597 the department which are allocated to the regulation of talent  
 598 agencies and shall be based on the department's estimate of the

599 revenue required to administer this part.

600 Section 43. Subsections (1) and (2) of section 468.435,  
601 Florida Statutes, are amended to read:

602 468.435 Fees; establishment; disposition.—

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

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

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

608 (c) Initial license fee: not less than \$25, or more than  
609 \$100.

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

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

614 (f) Inactive license fee: not less than \$10, or more than  
615 \$25.

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

619 Section 44. Subsection (4) of section 468.532, Florida  
620 Statutes, is amended to read:

621 468.532 Discipline.—

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

624 Section 45. Subsection (1) of section 468.8312, Florida



625 Statutes, is amended to read:

626 468.8312 Fees.—

627 (1) The department, ~~by rule,~~ may establish fees to be paid  
 628 for applications, examination, reexamination, licensing and  
 629 renewal, inactive status application and reactivation of  
 630 inactive licenses, recordkeeping, and applications for providers  
 631 of continuing education. The department may also establish ~~by~~  
 632 ~~rule~~ a delinquency fee. Fees shall be based on department  
 633 estimates of the revenue required to implement the provisions of  
 634 this part. All fees shall be remitted with the appropriate  
 635 application, examination, or license.

636 Section 46. Subsection (2) of section 468.8317, Florida  
 637 Statutes, is amended to read:

638 468.8317 Inactive license.—

639 (2) A license that becomes inactive may be reactivated  
 640 upon application to the department. ~~The department may prescribe~~  
 641 ~~by rule continuing education requirements as a condition of~~  
 642 ~~reactivating a license. The rules may not require more than one~~  
 643 ~~renewal cycle of continuing education to reactivate a license.~~

644 Section 47. Subsection (1) of section 468.8412, Florida  
 645 Statutes, is amended to read:

646 468.8412 Fees.—

647 (1) The department, ~~by rule,~~ may establish fees to be paid  
 648 for application, examination, reexamination, licensing and  
 649 renewal, inactive status application and reactivation of  
 650 inactive licenses, and application for providers of continuing

651 education. The department may also establish ~~by rule~~ a  
652 delinquency fee. Fees shall be based on department estimates of  
653 the revenue required to implement the provisions of this part.  
654 All fees shall be remitted with the application, examination,  
655 reexamination, licensing and renewal, inactive status  
656 application and reactivation of inactive licenses, and  
657 application for providers of continuing education.

658 Section 48. Subsection (2) of section 476.214, Florida  
659 Statutes, is amended to read:

660 476.214 Grounds for suspending, revoking, or refusing to  
661 grant license or certificate.—

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

665 Section 49. Subsections (1) and (4) of section 477.022,  
666 Florida Statutes, are amended to read:

667 477.022 Examinations.—

668 ~~(1) The board shall specify by rule the general areas of~~  
669 ~~competency to be covered by examinations for the licensing under~~  
670 ~~this chapter of cosmetologists. The rules shall include the~~  
671 ~~relative weight assigned in grading each area, the grading~~  
672 ~~criteria to be used by the examiner, and the score necessary to~~  
673 ~~achieve a passing grade. The board shall ensure that~~  
674 examinations adequately measure both an applicant's competency  
675 and her or his knowledge of related statutory requirements.  
676 Professional testing services may be utilized to formulate the

677 examinations. The board may, ~~by rule,~~ offer a written clinical  
678 examination or a performance examination, or both, in addition  
679 to a written theory examination.

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

682 Section 50. Paragraph (c) of subsection (3), paragraph (b)  
683 of subsection (5), paragraph (a) of subsection (8), and  
684 subsection (10) of section 479.07, Florida Statutes, are amended  
685 to read:

686 479.07 Sign permits.—

687 (3)

688 (c) The annual permit fee for each sign facing shall be  
689 established by the department ~~by rule~~ in an amount sufficient to  
690 offset the total cost to the department for the program, but may  
691 not be greater than \$100. The first-year fee may be prorated by  
692 payment of an amount equal to one-fourth of the annual fee for  
693 each remaining whole quarter or partial quarter of the permit  
694 year. Applications received after the end of the third quarter  
695 of the permit year must include fees for the last quarter of the  
696 current year and fees for the succeeding year.

697 (5)

698 (b) If a permit tag is lost, stolen, or destroyed, the  
699 permittee to whom the tag was issued must apply to the  
700 department for a replacement tag. The department shall establish  
701 ~~adopt a rule establishing~~ a service fee for replacement tags in  
702 an amount that will recover the actual cost of providing the

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703 replacement tag. Upon receipt of the application accompanied by  
704 the service fee, the department shall issue a replacement permit  
705 tag.

706 (8) (a) In order to reduce peak workloads, the department  
707 may provide ~~adopt rules providing~~ for staggered expiration dates  
708 for licenses and permits. Unless otherwise provided for by rule,  
709 All licenses and permits expire annually on January 15. All  
710 license and permit renewal fees are required to be submitted to  
711 the department by no later than the expiration date. At least  
712 105 days before the expiration date of licenses and permits, the  
713 department shall send to each permittee a notice of fees due for  
714 all licenses and permits that were issued to him or her before  
715 the date of the notice. Such notice must list the permits and  
716 the permit fees due for each sign facing. The permittee shall,  
717 no later than 45 days before the expiration date, advise the  
718 department of any additions, deletions, or errors contained in  
719 the notice. Permit tags that are not renewed shall be returned  
720 to the department for cancellation by the expiration date.  
721 Permits that are not renewed or are canceled shall be certified  
722 in writing at that time as canceled or not renewed by the  
723 permittee, and permit tags for such permits shall be returned to  
724 the department or shall be accounted for by the permittee in  
725 writing, which writing shall be submitted with the renewal fee  
726 payment or the cancellation certification. However, failure of a  
727 permittee to submit a permit cancellation does not affect the  
728 nonrenewal of a permit. Before cancellation of a permit, the

729 | permittee shall provide written notice to all persons or  
 730 | entities having a right to advertise on the sign that the  
 731 | permittee intends to cancel the permit.

732 |         (10) Commercial or industrial zoning that is not  
 733 | comprehensively enacted or that is enacted primarily to permit  
 734 | signs may not be recognized as commercial or industrial zoning  
 735 | for purposes of this provision, and permits may not be issued  
 736 | for signs in such areas. ~~The department shall adopt rules that~~  
 737 | ~~provide criteria to determine whether such zoning is~~  
 738 | ~~comprehensively enacted or enacted primarily to permit signs.~~

739 |         Section 51. Subsection (4) of section 481.205, Florida  
 740 | Statutes, is amended to read:

741 |         481.205 Board of Architecture and Interior Design.—

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

747 |         Section 52. Subsection (1) of section 502.121, Florida  
 748 | Statutes, is amended to read:

749 |         502.121 Future dairy farms and milk and frozen dessert  
 750 | plants.—

751 |         (1) All future construction or extensive alteration of  
 752 | milk houses, milking barns, stables, parlors, transfer stations,  
 753 | and milk and frozen dessert plants regulated under this chapter  
 754 | must meet certain minimum specifications and requirements which

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755 the department shall establish ~~by rule~~.

756 Section 53. Subsection (4) of section 509.035, Florida  
757 Statutes, is amended to read:

758 509.035 Immediate closure due to severe public health  
759 threat.—The division shall, upon proper finding, immediately  
760 issue an order to close an establishment licensed under this  
761 chapter in the instance of a severe and immediate public health  
762 or safety or welfare threat as follows:

763 ~~(4) The division may further adopt rules for issuing  
764 emergency orders after business hours and on weekends and  
765 holidays in order to ensure the timely closure of an  
766 establishment under this section.~~

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

773 Section 54. This act shall take effect on the 60th day  
774 after adjournment sine die of the session of the Legislature in  
775 which enacted.