

Tab 1	SB 178 by Rouson (CO-INTRODUCERS) Osgood; Agronomic Study on Emerging Crops					
Tab 2	CS/CS/SB 344 by AEG, RI, Rodriguez (CO-INTRODUCERS) Berman; Identical to CS/H 00435 Telecommunications Access System Act of 1991					
Tab 3	SB 608 by DiCeglie; Similar to H 00575 Gulf of America					
Tab 4	CS/SB 714 by AHS, Burton; Similar to H 01081 Nonopioid Advance Directives					
780362	A	S	RS	FP, Burton	Before L.21:	04/02 03:12 PM
684708	SD	S	RCS	FP, Burton	Delete everything after	04/02 03:12 PM
Tab 5	CS/SB 738 by CF, Burton; Compare to CS/CS/H 00047 Child Care and Early Learning Providers					
Tab 6	CS/SB 756 by BI, Burton; Similar to H 00377 Health Insurance Coverage for Individuals with Developmental Disabilities					
Tab 7	CS/SB 774 by ACJ, Wright; Similar to H 00513 Electronic Transmittal of Court Orders					
Tab 8	CS/SB 810 by ATD, Burgess (CO-INTRODUCERS) Avila; Stormwater Management Systems					
115182	A	S	RCS	FP, Burgess	Delete L.23 - 37:	04/02 03:14 PM
Tab 9	CS/CS/SB 958 by AHS, HP, Bernard; Similar to CS/CS/H 00723 Type 1 Diabetes Early Detection Program					
Tab 10	SB 994 by Collins; Similar to H 00889 Driver License Education Requirements					
Tab 11	CS/CS/SB 1070 by HP, ED, Simon (CO-INTRODUCERS) Avila, Arrington; Compare to CS/CS/H 01135 Electrocardiograms for Student Athletes					
968268	D	S	RCS	FP, Simon	Delete everything after	04/02 03:15 PM
120654	AA	S	RCS	FP, Simon	Delete L.16 - 116:	04/02 03:15 PM
Tab 12	SB 1162 by Leek (CO-INTRODUCERS) Brodeur; Identical to H 00735 Water Access Facilities					
Tab 13	SB 1226 by DiCeglie; Similar to H 00655 Pet Insurance and Wellness Programs					
Tab 14	CS/SB 1356 by HE, Burton (CO-INTRODUCERS) Berman; Similar to CS/CS/H 00907 Florida Institute for Pediatric Rare Diseases					
909844	D	S	RCS	FP, Burton	Delete everything after	04/02 03:16 PM
Tab 15	CS/CS/SB 1402 by AED, ED, Yarborough; Identical to CS/H 01079 Students Enrolled in Dropout Retrieval Programs					
Tab 16	CS/SB 1470 by AED, Burgess; Compare to CS/CS/H 01403 School Safety					
Tab 17	SB 1472 by Burgess; Compare to CS/CS/H 01403 Public Records/School Security Guards					

Tab 18	SB 1516 by Wright; Identical to CS/H 00793 Aerospace Industry					
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Tab 19	CS/SB 1624 by AHE, Calatayud; Compare to CS/H 00681 Higher Education					
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937726	A	S	RCS	FP, Calatayud	btw L.558 - 559:	04/02 03:17 PM
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Tab 20	CS/CS/SB 1626 by AHS, CF, Grall; Compare to H 00415 Child Welfare					
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466770	A	S	RCS	FP, Calatayud	Delete L.191 - 233:	04/02 03:18 PM
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128932	AA	S	RCS	FP, Calatayud	Delete L.36:	04/02 03:18 PM
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873988	A	S	RCS	FP, Grall	Delete L.617:	04/02 03:18 PM
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Gruters, Chair
Senator Osgood, Vice Chair

MEETING DATE: Wednesday, April 2, 2025
TIME: 9:00 a.m.—6:00 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building

MEMBERS: Senator Gruters, Chair; Senator Osgood, Vice Chair; Senators Arrington, Avila, Bernard, Boyd, Bradley, Burton, Calatayud, Davis, Gaetz, Ingoglia, Jones, Leek, Passidomo, Rodriguez, Simon, Truenow, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 178 Rouson	Agronomic Study on Emerging Crops; Requiring Florida Agricultural and Mechanical University to conduct an agronomic study on emerging crops in this state, subject to legislative appropriation; requiring Florida Agricultural and Mechanical University to submit a report to the Governor and the Legislature by a specified date, etc. AG 03/11/2025 Favorable AEG 03/26/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0
2	CS/CS/SB 344 Appropriations Committee on Agriculture, Environment, and General Government / Regulated Industries / Rodriguez (Identical CS/H 435)	Telecommunications Access System Act of 1991; Revising the powers and duties of the Florida Public Service Commission in overseeing the administration of the telecommunications access system; revising the duties of the system's administrator; revising the procedures required for the distribution of specialized telecommunications devices; revising the composition of the advisory committee appointed to assist the commission with implementing the act, etc. RI 02/18/2025 Fav/CS AEG 03/18/2025 Fav/CS FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0
3	SB 608 DiCeglie (Similar H 575)	Gulf of America; Renaming the Gulf of Mexico as the "Gulf of America" throughout the Florida Statutes, etc. CA 03/11/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 10 Nays 5

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Wednesday, April 2, 2025, 9:00 a.m.—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/SB 714 Appropriations Committee on Health and Human Services / Burton (Similar H 1081)	Nonopioid Advance Directives; Requiring the Department of Health to develop a voluntary nonopioid advance directive form for a specified purpose and make the form available on its website; authorizing a patient to revoke the form for any reason, verbally or in writing; providing health care providers with immunity from civil and criminal liability for failing to act in accordance with an advance directive under certain circumstances, etc. HP 03/04/2025 Favorable AHS 03/18/2025 Fav/CS FP 04/02/2025 Fav/CS	Fav/CS Yeas 17 Nays 0
5	CS/SB 738 Children, Families, and Elder Affairs / Burton (Compare CS/CS/H 47)	Child Care and Early Learning Providers; Exempting public and private preschools from specified special assessments levied by a municipality; revising licensing standards for all licensed child care facilities and minimum standards and training requirements for child care personnel; requiring a county commission to affirm annually certain decisions; expanding the types of providers to be considered when developing and implementing a plan to eliminate duplicative and unnecessary inspections, etc. CF 03/12/2025 Fav/CS AHS 03/26/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0
6	CS/SB 756 Banking and Insurance / Burton (Similar H 377)	Health Insurance Coverage for Individuals with Developmental Disabilities; Revising the definitions of the terms "autism spectrum disorder" and "eligible individual", etc. BI 03/10/2025 Fav/CS AHS 03/18/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0
7	CS/SB 774 Appropriations Committee on Criminal and Civil Justice / Wright (Similar H 513)	Electronic Transmittal of Court Orders; Requiring the clerk of the court, within a certain timeframe after a court issues an ex parte order for involuntary commitment, to submit the order electronically to the sheriff or law enforcement agency in the county where the order is to be served; requiring the clerk of the court, within a certain timeframe after a certain summons is issued, to submit the summons electronically and, if applicable, a copy of the petition for involuntary services and a notice of the hearing to a law enforcement agency to effect service on certain persons, etc. JU 03/12/2025 Favorable ACJ 03/24/2025 Fav/CS FP 04/02/2025 Favorable	Favorable Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Wednesday, April 2, 2025, 9:00 a.m.—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	CS/SB 810 Appropriations Committee on Transportation, Tourism, and Economic Development / Burgess	Stormwater Management Systems; Defining the terms "MS4" and "MS4 entity"; requiring each MS4 entity to conduct annual operation and maintenance inspections of certain stormwater management systems; requiring each MS4 entity to complete a stormwater facility inspection checklist, etc. EN 03/11/2025 Favorable ATD 03/24/2025 Fav/CS FP 04/02/2025 Fav/CS	Fav/CS Yeas 15 Nays 2
9	CS/CS/SB 958 Appropriations Committee on Health and Human Services / Health Policy / Bernard (Similar CS/CS/H 723)	Type 1 Diabetes Early Detection Program; Requiring the Department of Health, in collaboration with school districts throughout the state, to develop informational materials; requiring early learning coalitions to notify parents and guardians of the availability of specified informational materials, etc. HP 03/18/2025 Fav/CS AHS 03/26/2025 Fav/CS FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0
10	SB 994 Collins (Similar H 889)	Driver License Education Requirements; Specifying the age at which an applicant for a driver license must complete a traffic law and substance abuse education course; requiring an applicant for a learner's driver license to complete a certain driver education course approved by the Department of Highway Safety and Motor Vehicles, etc. TR 03/12/2025 Favorable ATD 03/24/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 18 Nays 0
11	CS/CS/SB 1070 Health Policy / Education Pre-K - 12 / Simon (Similar CS/H 1135)	Electrocardiograms for Student Athletes; Citing this act as the "Second Chance Act"; requiring certain students to receive an electrocardiogram to participate in athletics, beginning on a specified date; requiring the Florida High School Athletic Association (FHSA) to adopt a schedule requiring that, by a specified date, certain students receive, before competing, at least one electrocardiogram as a part of their medical evaluation; requiring that parents who object to an electrocardiogram provide a specified release from liability, etc. ED 03/11/2025 Fav/CS HP 03/18/2025 Fav/CS FP 04/02/2025 Fav/CS	Fav/CS Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Wednesday, April 2, 2025, 9:00 a.m.—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
12	SB 1162 Leek (Identical H 735, Compare H 1001, S 1388)	Water Access Facilities; Providing sovereignty submerged land leases for Clean Marine Manufacturer facilities; providing competitive grant programs for the construction and maintenance of publicly owned parking for boat-hauling vehicles and trailers, etc. EN 03/11/2025 Favorable AEG 03/26/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0
13	SB 1226 DiCeglie (Similar H 655)	Pet Insurance and Wellness Programs; Revising the definition of the term "property insurance" to include a pet insurance option; providing that certain practices relating to pet wellness programs are unfair methods of competition and unfair or deceptive acts or practices; creating the "Pet Insurance Act"; requiring pet insurers to disclose certain requirements for required medical examinations of a pet by a veterinarian, etc. BI 03/10/2025 Favorable AEG 03/26/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 15 Nays 0
14	CS/SB 1356 Education Postsecondary / Burton (Similar CS/CS/H 907)	Florida Institute for Pediatric Rare Diseases; Establishing the Florida Institute for Pediatric Rare Diseases within the Florida State University College of Medicine; requiring the institute to establish and administer the Sunshine Genetics Pilot Program for a specified period; providing institute responsibilities and duties relating to the pilot program; providing requirements for participation in the pilot program and data collection and release in the pilot program, etc. HE 03/17/2025 Fav/CS AHS 03/26/2025 Favorable FP 04/02/2025 Fav/CS	Fav/CS Yeas 18 Nays 0
15	CS/CS/SB 1402 Appropriations Committee on Pre-K - 12 Education / Education Pre-K - 12 / Yarborough (Identical CS/H 1079)	Students Enrolled in Dropout Retrieval Programs; Revising assessment and accountability requirements for a virtual instruction program provider; providing that dropout retrieval programs serve a specified group of students; requiring a dropout retrieval program to choose to receive a school grade or school improvement rating, etc. ED 03/17/2025 Fav/CS AED 03/26/2025 Fav/CS FP 04/02/2025 Favorable	Favorable Yeas 17 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Wednesday, April 2, 2025, 9:00 a.m.—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
16	CS/SB 1470 Appropriations Committee on Pre-K - 12 Education / Burgess (Compare CS/CS/H 1403, S 1310, Linked S 1472)	School Safety; Requiring a sheriff to establish a school guardian program if a school board contracts for the use of security guards; requiring the Office of Safe Schools to convene a workgroup of specified entities; requiring the Department of Education to establish a centralized system to integrate all panic alert systems and digital school maps used by specified entities; requiring that a person who serves as a school security guard be approved by the sheriff, etc. ED 03/11/2025 Favorable AED 03/24/2025 Fav/CS FP 04/02/2025 Favorable	Favorable Yeas 15 Nays 0
17	SB 1472 Burgess (Compare CS/CS/H 1403, Linked CS/S 1470)	Public Records/School Security Guards; Providing that certain information relating to school security guards held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school is exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. ED 03/11/2025 Favorable AED 03/24/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 15 Nays 0
18	SB 1516 Wright (Identical CS/H 793)	Aerospace Industry; Requiring Space Florida to administer the International Aerospace Innovation Fund; establishing the International Aerospace Innovation Fund; providing the purpose and duties of the fund; requiring Space Florida to establish an application process for projects seeking funding from the fund, etc. MS 03/18/2025 Favorable ATD 03/26/2025 Favorable FP 04/02/2025 Favorable	Favorable Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Wednesday, April 2, 2025, 9:00 a.m.—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
19	CS/SB 1624 Appropriations Committee on Higher Education / Calatayud (Compare CS/H 681, H 1307, CS/S 1458)	Higher Education; Authorizing the Office of Program Policy Analysis and Government Accountability to develop contracts or agreements with institutions in the State University System for a specified purpose; providing tuition assistance to active members of the Florida State Guard; specifying that the President of the University of Florida appoints the members of the scientific advisory council within the Florida Center for Brain Tumor Research; revising the qualifications for members of the Assistive Technology Advisory Council; revising the date by which the Department of Education is required to publish an annual report on apprenticeship and preapprenticeship programs; authorizing Florida College System institutions with a certain number of full-time equivalent students to enter into cooperative agreements to form a state college regional consortium service organization, etc. HE 03/10/2025 Favorable AHE 03/24/2025 Fav/CS FP 04/02/2025 Fav/CS	Fav/CS Yeas 17 Nays 1
20	CS/CS/SB 1626 Appropriations Committee on Health and Human Services / Children, Families, and Elder Affairs / Grall (Compare H 415, H 1301, S 618)	Child Welfare; Requiring the Department of Children and Families to enter into agreements with certain military installations for child protective investigations involving military families; authorizing a law enforcement officer or an authorized agent of the department to take a child into custody who is the subject of a specified court order; requiring the department to establish a methodology to determine daily room and board rates for certain children by a date certain, which may include different rates based on a child's acuity level or the geographic location of the residential child-caring agency, etc. CF 03/12/2025 Fav/CS AHS 03/26/2025 Fav/CS FP 04/02/2025 Fav/CS	Fav/CS Yeas 16 Nays 1

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 178

INTRODUCER: Senator Rouson

SUBJECT: Agronomic Study on Emerging Crops

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Burse	Becker	AG	Favorable
2. Wiseheart	Betta	AEG	Favorable
3. Burse	Siples	FP	Favorable

I. Summary:

SB 178 directs Florida Agricultural and Mechanical University (FAMU), subject to appropriation, to conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

The bill also requires FAMU, by December 1, 2025, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill has no expected fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill shall take effect July 1, 2025.

II. Present Situation:

Florida Agriculture

Florida's 44,400 farms and ranches utilize 9.7 million acres and continue to produce a wide variety of safe and dependable food products.¹ Agricultural land (cropland and ranchland) and forest land make up nearly two-thirds of the state's land area.² There are an estimated 200-300

¹ FDACS, Florida Agriculture Overview and Statistics, available at <https://www.fdacs.gov/Agriculture-Industry/Florida-Agriculture-Overview-and-Statistics> (last visited March 5, 2025).

² IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited March 5, 2025).

commodities produced and some form of agriculture in all 67 counties.³ Florida's agriculture, natural resources, and food industries supported 2.4 million fulltime and part-time jobs throughout Florida's economy (14.2 percent of all jobs in the state), contributing \$149.6 billion to gross state product in 2018.⁴

In 2021, Florida ranked first in the United States in total floriculture sales and in the value of production for sweetcorn, foliage plants for indoor use, Valencia oranges, sugarcane, fresh market tomatoes, and watermelons. Florida ranked second nationally in the value of production for bell peppers, grapefruit, all oranges, strawberries, and non-Valencia oranges. The state ranked fourth in cabbage, cantaloupe and peanuts.⁵ The state also ranked 1st in ornamental fish, 2nd in alligators, and 3rd in horses and ponies in the United States.⁶

Challenges Facing Florida Agriculture

Florida Citrus

Huanglongbing (HLB), also known as citrus greening or yellow dragon disease, is one of the most serious citrus diseases in the world and a significant issue facing Florida's citrus industry. HLB is a bacterial disease widespread in Asia, Africa and the Saudi Arabian that attacks the vascular system of plants. Once infected, there is no cure for the disease, and in areas where the disease is endemic, citrus trees decline and die within a few years.⁷

The HLB bacteria is transmitted primarily by insect vectors (citrus psyllids) but can also be spread through plant grafting and movement of infected plant material. Even though the pathogens are bacteria, the disease does not spread by casual contamination of personnel and tools or by wind and rain.⁸

Florida's citrus industry continues to decline due to the ongoing effects of citrus greening, competition with foreign markets, and other environmental factors. During the 2022-2023 season, Florida produced 28 million boxes of all types of oranges.⁹ The forecast for the 2024-

³ IFAS, Florida's Agriculture and Food System Fast Facts 2021, available at <https://branding.ifas.ufl.edu/downloads/uploads/Extension%20Brochures/IFAS/Florida-Agriculture-Food-System-Fast-Facts.pdf> (last visited March 5, 2025).

⁴ IFAS, Florida's Agriculture and Natural Resource Facts, available at <https://ifas.ufl.edu/media/ifasufledu/ifas-dark-blue/docs/pdf/impact/FloridaAgFactsFactsheet.2020.Prt.pdf> (last visited March 5, 2025).

⁵ *Id.*

⁶ *Id.*

⁷ FDACS, Huanglongbing (HLB)/Citrus Greening Disease Information, available at <https://www.fdacs.gov/Agriculture-Industry/Pests-and-Diseases/Plant-Pests-and-Diseases/Citrus-Health-Response-Program/Citrus-Pests-and-Diseases/HLB-Citrus-Greening> (last visited March 5, 2025).

⁸ *Id.*

⁹ United States Department of Agriculture and Consumer Services National Agricultural Statistics Service October 2022 Citrus Forecast, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2022-23/cit1022.pdf

2025 season is 12 million boxes.¹⁰ For reference, in the 2007-2008 season Florida produced 170 million boxes of oranges.¹¹

2024 Hurricanes

The 2024 hurricane season saw three hurricanes make landfall in Florida, all of which had a significant impact on agricultural lands. Hurricane Debby, which made landfall on August 5, 2024, as a Category 1 hurricane, resulted in agricultural losses estimated at \$170 million. Hurricane Helene, which made landfall on September 26, 2024, as a Category 4 hurricane, resulted in agricultural losses estimated between \$40.3 and \$162.2 million. Hurricane Milton, which made landfall on October 9, 2024, as a Category 3 hurricane, resulted in agricultural losses estimated between \$190.4 and \$642.7 million. In total, cumulative agricultural production losses in Florida for the 2024 hurricane season are estimated to be between \$402.3 million and \$975.8 million.¹²

III. Effect of Proposed Changes:

Section 1 directs Florida Agricultural and Mechanical University (FAMU), subject to appropriation, to conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

The bill also directs FAMU, by December 1, 2025, to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which must include the following:

- Information about each crop or product considered, detailing the environmental impact;
- An assessment of each crop's suitability to Florida's climate, and the expected economic benefit to Florida growers and communities; and
- Recommendations for best practices to sustain and improve Florida's agricultural industry.

Section 2 provides that the bill shall take effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁰ United States Department of Agriculture and Consumer Services National Agricultural Statistics Service January 2025 Citrus Forecast, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2024-25/cit0125.pdf

¹¹ United States Department of Agriculture and Consumer Services National Agricultural Statistics Service June 2009 Citrus Forecast, available at https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Citrus_Forecast/2008-09/cit0609.pdf

¹² Presentation by Dr. Christa D. Court, Associate Professor at the University of Florida, to the Senate Agriculture Committee on January 14, 2025. On file with the Senate Agriculture Committee.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no current impact on state expenditures. Since the bill is subject to appropriation, the only impact to state expenditures would occur if there is an appropriation at a later time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an unnumbered section of Florida law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Rouson

16-01357A-25

2025178__

A bill to be entitled

An act relating to an agronomic study on emerging crops; requiring Florida Agricultural and Mechanical University to conduct an agronomic study on emerging crops in this state, subject to legislative appropriation; requiring Florida Agricultural and Mechanical University to submit a report to the Governor and the Legislature by a specified date; providing requirements for the report; providing an effective date.

WHEREAS, the Legislature finds that Florida agricultural producers have endured a continuous stream of deadly diseases and adverse weather conditions, including drought, wind, flooding, and hurricanes, and

WHEREAS, these damaging weather conditions have severely reduced agricultural production, caused a loss of jobs, and caused severe economic loss to communities, families, and individual producers, and

WHEREAS, the Legislature finds that preserving agricultural production is vital to Florida's rural communities and overall economy, and

WHEREAS, the Legislature finds that preserving agricultural land through production of crops rather than using the land for development has many ecological benefits, including maintaining wildlife habitat, absorbing carbon dioxide, recharging aquifers, reducing greenhouse gases, and controlling soil erosion, and

WHEREAS, the Legislature finds that this loss of agricultural infrastructure, jobs, economic opportunity, and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

16-01357A-25

2025178__

wildlife habitat is not sustainable and has a negative impact on the quality of life for all Floridians, NOW, THEREFORE,

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

Section 1. Agronomic study on emerging crops in Florida.-

(1) Subject to the appropriation of funds by the Legislature, Florida Agricultural and Mechanical University shall conduct an agronomic study on emerging agricultural crops and determine whether there exists one or more viable crops or products that would provide economic benefit to growers using current agricultural infrastructure on land that has been taken out of production due to the effects of diseases and adverse weather conditions.

(2) By December 1, 2025, Florida Agricultural and Mechanical University shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes, at a minimum:

(a) Information about each crop or product considered, detailing the environmental impact;

(b) An assessment of each crop's suitability to Florida's climate, and the expected economic benefit to Florida growers and communities; and

(c) Recommendations for best practices to sustain and improve Florida's agricultural industry.

Section 2. This act shall take effect July 1, 2025.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 344

INTRODUCER: Appropriations Committee on Agriculture, Environment, and General Government;
Regulated Industries Committee and Senators Rodriguez and Berman

SUBJECT: Telecommunications Access System Act of 1991

DATE: April 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Schrader</u>	<u>Imhof</u>	<u>RI</u>	<u>Fav/CS</u>
2.	<u>Sanders</u>	<u>Betta</u>	<u>AEG</u>	<u>Fav/CS</u>
3.	<u>Schrader</u>	<u>Siples</u>	<u>FP</u>	<u>Favorable</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 344 revises Florida's Telecommunications Access System Act of 1991 (TASA), which provides for services to enable individuals with hearing or speech disabilities to connect them to standard (i.e. voice) telephone users. Specifically, the bill:

- Authorizes the use of advanced technologies beyond the landline telephone communications system authorized in TASA;
- Allows for the adoption of new, emerging, and not yet contemplated communications technologies as they come into the marketplace;
- Revises the membership of TASA's advisory committee;
- Defines certain terms;
- Freezes the existing surcharge until the administrator's reserve fund is diminished; and
- Decreases the maximum permitted surcharge from \$.25 to \$.15.

The bill does not impact state revenues or expenditures; however, it may have a slight impact on the private sector. **See Section V. Fiscal Impact Statement.**

The bill has an effective date of July 1, 2025.

II. Present Situation:

Florida Public Service Commission

The Florida Public Service Commission (PSC) is an arm of the legislative branch of government.¹ The role of the PSC is to ensure Florida's consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.² In order to do so, the PSC exercises authority over utilities in one or more of the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.³

Under ch. 364, F.S., telecommunications carriers in Florida are subject to only limited PSC regulation. During the 2011 legislative session, the "Regulatory Reform Act" (act) was passed and signed into law by the Governor, effective July 1, 2011.⁴ Under the act, the Legislature eliminated most of the PSC's jurisdiction over telecommunications. However, the PSC still:

- Maintains authority to ensure that incumbent local exchange carriers meet their obligation to provide unbundled access, interconnection, and resale to competitive local exchange companies in a nondiscriminatory manner;
- Administers the system to provide Telecommunications Relay Services pursuant to Florida's Telecommunications Access Systems Act of 1991 (TASA); and
- Oversees the Federal Lifeline Assistance program for Florida.⁵

Telecommunications Access System Act of 1991

Sections 427.701 through 427.708, F.S., provide the statutory authorization for TASA. The purpose of TASA is to create a system for Floridians who "are hearing impaired, speech impaired, or dual sensory impaired [to] have access to basic telecommunications services at a cost no greater than that paid by other telecommunications services customers, and whereby the cost of specialized telecommunications equipment necessary to ensure that citizens who are hearing impaired, speech impaired, or dual sensory impaired have access to basic telecommunications services." The provision of this telecommunications relay service "is borne by all the telecommunications customers of the state."⁶

Section 427.704(1), F.S., requires the PSC to oversee the administration of the statewide telecommunications access system to provide access to telecommunications relay service (relay service). The system purchases and distributes specialized telecommunication devices as established by TASA. The telecommunications access system must also meet or exceed the certification requirements of the Federal Communications Commission's regulations implementing Title IV of the Americans with Disability Act.

¹ Section 350.001, F.S.

² See Florida Public Service Commission, *Florida Public Service Commission Homepage*, <http://www.psc.state.fl.us> (last visited March 11, 2025).

³ Florida Public Service Commission, *About the PSC*, <https://www.psc.state.fl.us/about> (last visited March 11, 2025).

⁴ Ch. 2011-36, Laws of Florida.

⁵ Florida Public Service Commission, *About the PSC*, *supra* note 3.

⁶ Section 427.702, F.S.

Section 427.704(2), F.S. also directs the PSC to designate an administrator of the relay service which must be a not-for-profit corporation organized for such purposes. This subsection also authorizes the PSC to order state telecommunications companies to form such a not-for-profit corporation. Pursuant to this requirement and authorization, the PSC, in May 1991, directed Florida's local exchange telecommunications companies to form Florida Telecommunications Relay, Inc. (FTRI) to administer the distribution of the specialized telecommunications equipment and to provide outreach services.⁷

As a part of the PSC's oversight responsibilities for TASA, s. 427.704(9), F.S., requires the PSC to file an annual report on the system to be available on the PSC's website. This report, prepared in consultation with TASA's administrator, FTRI, must, at a minimum:

- Briefly outline:
 - The status of developments in the telecommunications access system;
 - The number of persons served, call volume, revenues, and expenditures; and
 - The allocation of the revenues and expenditures between provision of specialized telecommunications devices to individuals and operation of statewide relay service
- Other major policy or operational issues; and
- Proposals for improvements or changes to the telecommunications access system.”

Florida Telecommunications Relay

The FTRI's relay service—branded as “Florida Relay”—provides 24-hour, 365-day per year, services to Florida residents who are deaf, hard of hearing, deaf/blind, and speech disabled to connect them to standard (i.e. voice) telephone users. The relay services provided by Florida Relay include the following:⁸

- Text telephone (TTY) and ASCII⁹: Persons who are deaf, hard-of-hearing, deaf-blind, or speech-disabled use a TTY to type their conversation to a relay operator. This operator then reads this conversation to the hearing person being called.
- Voice carry over (VCO): Persons who are deaf or hard of hearing use their voice to speak directly to the hearing person being called. When the person being called speaks back, the operator types out what is said on a TTY or text display.
- Speech to Speech (STS): This technology allows speech-disabled persons to voice their conversation. Then, a specially trained relay operator repeats that speech-disabled person's dialogue for the called party to better hear or understand.
- Relay conference capturing: Service for persons who are deaf or hard of hearing to engage in a group conversation setting, in either a video conference or conference call.
- CapTel: CapTel is a captioned telephone device that displays what the called party says using speech recognition software.¹⁰

⁷ *In re: Telecommunications Access System Act of 1991*, Docket No. 19910496-TP, Order No. 24462 (F.P.S.C. May 1, 1991).

⁸ Florida Telecommunications Relay, Inc., *Florida Relay*, <https://www.ftri.org/relay> (last visited March 11, 2025).

⁹ American Standard Code for Information Interchange (ASCII) is a 7-bit character code where each individual bit represents a unique character. ASCII codes are used to assist with text-based communication and computing to ensure compatibility and consistency across different systems and applications. *ASCII Table*, ASCII – Code.com, <https://www.ascii-code.com/> (last visited March 11, 2025).

¹⁰ Hamilton Relay, *CapTel (Captioned Telephone)*, <https://hamiltonrelay.com/how-it-works/captel-captioned-telephone.html> (last visited March 11, 2025).

- Voice: Allows standard telephone users to initiate calls to TTY users. The operator types the hearing person's spoken words to the TTY user and then reads back the replies.
- Hearing Carry-Over (HCO): Persons who are hearing, but unable to speak directly into a phone due to speech disabilities, can listen to the called party. Then, the HCO user types back a response which is then relayed, via voice, by the relay operator to the called party, who then can speak back.
- Video Assisted Speech to Speech (VA-STS): This technology allows persons with speech disabilities to use both a telephone and video device to make relay calls.
- Enhanced Speech to Speech: Features provided through enhanced speech to speech include the ability to set up call times, contacts, and faster call set up.

Florida Relay also provides services in Spanish.¹¹

Advisory Committee for TASA

Section 427.706, F.S., also directs the PSC to appoint an advisory committee of no more than 10 persons and include, to the extent practicable:

- Two deaf persons recommended by the Florida Association of the Deaf.
- One hearing impaired person recommended by Self-Help for the Hard of Hearing.
- One deaf and blind person recommended by the Coalition for Persons with Dual Sensory Disabilities.
- One speech impaired person recommended by the Florida Language Speech and Hearing Association.
- Two representatives of telecommunications companies.
- One person with experience in providing relay services recommended by the Deaf Service Center Association.
- One person recommended by the Advocacy Center for Persons with Disabilities, Inc.
- One person recommended by the Florida League of Seniors.

This committee meets twice per year in formal meetings organized and conducted by PSC staff. The most recent meetings were in June and October of 2024.¹² According to the PSC, not every organization listed to appoint individuals to the advisory council is still active in Florida. There are only three persons who have been appointed by the specified organizations.¹³

Funding TASA Services

Section 427.704, F.S., requires the PSC to implement a surcharge on each basic telecommunications access line (i.e. landline) to fund TASA services through FTRI. This surcharge is imposed on all local exchange telecommunications company subscribers by their local exchange telecommunications company as part of their regular bill.¹⁴ This surcharge is

¹¹ Florida Telecommunications Relay, Inc., *Florida Relay*, *supra* note 8.

¹² Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, pg. 10, Dec. 2024, available at <https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/Telecommunication/TelecommunicationAccess/2024.pdf> (last visited March 11, 2025).

¹³ *Id.*

¹⁴ Section 427.704(4)(a).

capped at \$0.25 per month, per access line, up to a total of 25 total access lines per customer.¹⁵ The amount, subject to these statutory limitations, is set by the PSC in order to fund FTRI's operations. For the year 2024-2025, the TASA surcharge per customer line is \$0.08 per month.¹⁶

Recommendations from the PSC's TASA Annual Report

The PSC posted its most recent TASA annual report in December of 2024 (2024 Report). This report made several recommendations regarding the TASA program. Specifically, the PSC states that Florida Relay "is facing a number of challenges in terms of technological changes that affects both the demand for equipment and the viability of the program's long-term funding." Furthermore, the PSC "believes that modernization of TASA is needed for the program to meet the evolving needs and preferences of consumers served by the program."¹⁷

Technology Changes

In its 2024 report, the PSC stated the telecommunications market and technologies have changed significantly since TASA was passed in 1991. In 2001, switched access lines¹⁸ numbered 12,030,592 in Florida.¹⁹ As of 2023, that number has dropped to 763,866—a decline of approximately 94 percent—and this number is expected to continue to decline.²⁰ The first voice-over-internet protocol (VoIP) was not released until 1995²¹—four years after TASA passed. Today, wireless and VoIP comprise the majority of the communications marketplace connecting consumers to the public switched network—however neither of these technologies were contemplated in TASA.

Section 427.702(3), F.S., does provide the intent of the legislature is that the telecommunications access system should have the "capability of incorporating new technologies as they develop" and should use "state-of-the-art technology for specialized telecommunications devices and the telecommunications relay service and encourages the incorporation of new developments in technology." However, the definitions used in TASA limit the technologies that may be deployed. Specifically, as pointed out by the PSC, s. 427.703, F.S., defines:

- "Specialized telecommunications devices" as equipment that is specifically designed or used to provide *basic* (emphasis added) access to telecommunications services; and
- "Telecommunications device for the deaf" or "TDD," a mechanism which is connected to a standard telephone line and used to transmit or receive signals through telephone lines.

¹⁵ Section 427.704(4)(a)-(b).

¹⁶ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 9.

¹⁷ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 11.

¹⁸ "Switched access lines" are how a traditional telephone (i.e. landline), connects to a local exchange carrier's switch. See Federal Communications Commission Office of Economics and Analysis, *Voice Telephone Services: Status as of June 30, 2022*, pg. 16, available at <https://docs.fcc.gov/public/attachments/DOC-396138A1.pdf> (last visited March 11, 2025). A reduction in these lines would indicate a reduction in landline subscribers.

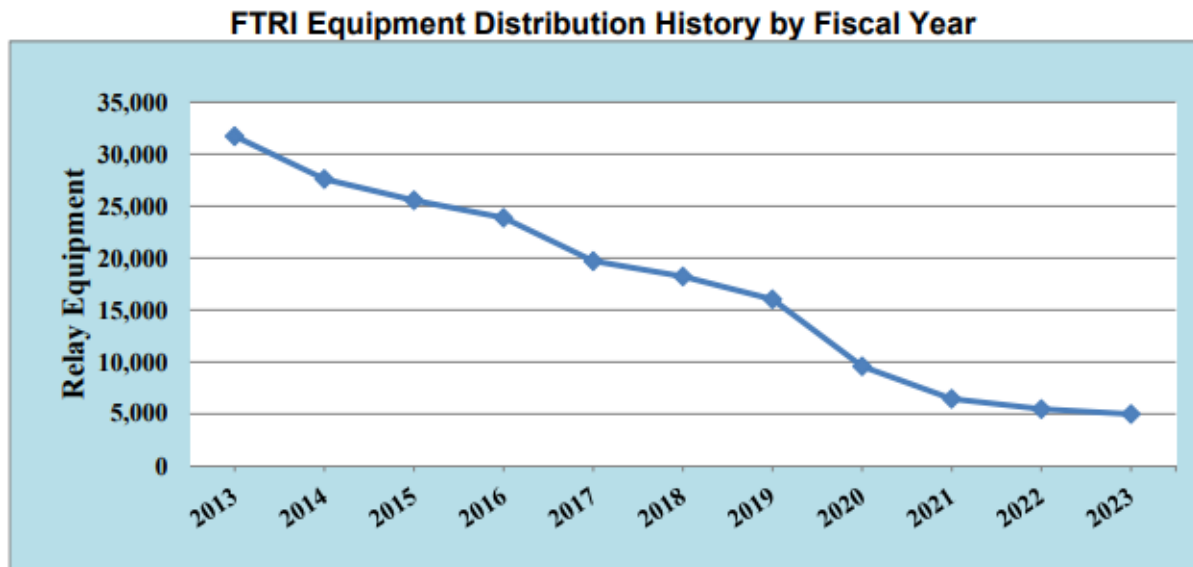
¹⁹ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, pg. 10, Jun. 2002, available at <https://www.floridapsc.com/pscfiles/website-files/PDF/Publications/Reports/Telecommunication/TelecommunicationIndustry/2002.pdf> (last visited March 11, 2025).

²⁰ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 11-12.

²¹ Jeremy Norman's History of Information, *VocalTec Releases "Internet Phone," the First Internet VoIP Application*, <https://www.historyofinformation.com/detail.php?id=1111> (last visited March 11, 2025).

The PSC has found that wireless and broadband technologies—which are the majority of the telecommunications market as landlines become less prevalent—are not contemplated, and therefore not supported, by TASA and would require a statutory change to integrate.²²

The PSC noted in its 2024 Report that participation in TASA services has continued to decline over the last decade. The chart below, provided in the 2024 Report, shows the total equipment distributed by FTRI each fiscal year from 2013 through 2023:²³



The PSC also notes that there has been an “eighty-seven percent decline in new clients served and a seventy-seven percent decline in customer calls over the past ten years.”²⁴

Funding Challenges

As stated, s. 427.704, F.S., only assesses a surcharge on landline telecommunications to fund TASA services. Wireless and VoIP are not required to contribute. Thus, as fewer customers use landline telecommunications, potential revenue sources for TASA services will likely decline.²⁵

TASA Advisory Committee Eligibility

The PSC also recommends eligibility for the TASA advisory committee be expanded beyond that provided in s. 427.706, F.S., and provide for additional flexibility. The PSC notes that “Not all of the identified organizations are currently active in Florida, while others have not provided a volunteer for the Committee.”

²² *Id.* at 11; and *In re: Commission Approval of Florida Telecommunications Relay, Inc.’s Fiscal Year 2020/2021 Proposed Budget*, Docket No. 20200073-TP, Order No. PSC-2020-0220-PAA-TP, pg. 6 (F.P.S.C. Jun. 29, 2020).

²³ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 8.

²⁴ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 6.

²⁵ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 11.

III. Effect of Proposed Changes:

Section 1 amends s. 427.702, F.S., to make significant revisions to the findings, purpose, and legislative intent of the program. The bill deletes the following findings:

- Telecommunications services provide rapid and essential communication links between the general public and essential services.
- All persons should have basic telecommunications services available to them at reasonable and affordable costs.
- Significant portions of Florida's hearing and speech impaired populations have profound disabilities that render normal telephone equipment useless without specialized communications devices, which may cost several hundred dollars.
- The telecommunications system is intended to provide access to a basic communications network between all persons, and hearing and speech impaired may have no access to the basic telecommunications system.
- Persons with hearing or speech impairments are generally excluded from access to the basic telecommunications system without special equipment.
- There is a need for a telecommunications relay system where the cost of access to the basic telecommunications services for persons with hearing or speech impairment is no greater than the amount paid by other telecommunications customers.

In addition, the bill adds legislative intent to the section stating: “[T]hat the telecommunications access system should provide access to specialized communications technology capable of using existing or future devices or equipment necessary for persons with hearing loss or speech impairment or who are deafblind to access telecommunications services.”

The bill also makes technical revisions to the section, including updating terminology referencing persons with specific disabilities.

Section 2 amends s. 427.703, F.S., to revise the definitions relating to the Telecommunications Access System Act of 1991 (TASA). Specifically, the bill makes technical revisions, including updating terminology referencing persons with specific disabilities, and:

- Revises the definition of “administrator” to delete references to the relay service system and the distribution of specialized telecommunications devices and provides that the administrator is to administer the telecommunications access system.
- Adds a definition of “commercial mobile radio service” or “CMRS” to mean a mobile radio communications service, provided for profit, which is interconnected to the public switched network and is available to the public or to such classes of eligible users as to be effectively available to a substantial portion of the public.²⁶
- Adds a definition of “communications service” to mean service provided to subscribers through wireline telecommunications equipment, interconnected voice-over-internet protocol (VoIP), or CMRS.

²⁶ More commonly known as mobile or wireless telephone service. As provided in the bill, however, CMRS does not include services that do not provide access to 911 service, communication channels suitable only for data transmission, wireless roaming services or other nonlocal radio access line services, or private telecommunications systems.

- Adds a definition of “deaf service center” to mean a center that serves, within a defined region, individuals with hearing loss or speech impairment or who are deafblind, by distributing equipment and providing services on behalf of the administrator.
- Adds a definition of “deaf service center director” to mean an individual who serves as the director for a deaf service center and is responsible for ensuring that individuals with hearing loss or speech impairment or who are deafblind are qualified to receive equipment or services in accordance with ss. 427.701 through 427.708, F.S., based on their impairment by attesting to such impairment as provided for in the procedures developed by the administrator.
- Adds a definition for “interconnected voice over Internet protocol” or “interconnected VoIP” to mean a service that:
 - Enables subscribers to have real-time, two-way voice communications;
 - Requires a broadband connection;
 - Requires Internet compatible customer equipment; and
 - Allows subscribers to receive calls from and place calls to the public switched telephone network.²⁷
- Adds a definition of “regional distribution center” to mean an entity, including, but not limited to, a deaf service center or a provider of audiology services, which has contracted with the administrator to distribute equipment and provide services to qualified individuals with hearing loss or speech impairment or who are deafblind.
- Adds a definition of “regional distribution center director” to mean an individual qualified by the administrator who serves as the director for a regional distribution center and meets the standards for ensuring that individuals with hearing loss or speech impairment or who are deafblind are qualified to receive equipment or services in accordance with ss. 427.701 through 427.708, F.S., based on their impairment by attesting to such impairment as provided for in the procedures developed by the administrator.
- Revises the definitions of “dual sensory impaired” person, “hearing impaired” person, and “speech impaired” person.
- Adds a definition for “specialized communications technology” to mean mobile devices, tablet computers, software, or applications that can be used to provide communications services to hearing impaired, speech impaired, or deafblind persons.
- Revises the definition of “specialized telecommunications device” to revise the equipment contemplated under the definition. The revision removes a reference to specifically designed (for persons with certain specified disabilities) customer premises telecommunications equipment for basic access to telecommunications services and replaces it with equipment that can be used to provide access to communications services for persons with specified disabilities. Essentially, the revision removes the requirement that the equipment be at a customer’s premises and that it be specifically designed for specified disabilities.
- Adds a definition for “telecommunications access system” to mean the system administered pursuant to TASA, and the Public Service Commission (PSC) rules adopted to administer TASA, including the administration of the telecommunications relay service system and the distribution of specialized telecommunications devices and specialized communications technologies pursuant to ss. 427.701 through 427.708, F.S., and rules and regulations established by the PSC.

²⁷ The term, however, does not include services that do not provide access to 911 service or private telecommunications systems.

- Revises the definition of “telecommunications device for the deaf” or “TDD” to add “text device,” removes a reference to “standard telephone line” (replacing it with communications network) and provides that signals from such devices may also come through communications service facilities other than just telephone lines.
- Revises the definition of “telecommunications relay service” to include the revised definitions for sensory impaired persons.

Section 3 amends s. 427.704, F.S., to make technical revisions to the powers and duties of the PSC, including updating terminology referencing persons with specific disabilities. The section also provides the telecommunications access system overseen by the PSC, as part of TASA, may provide equipment and specialized communications technology in addition to providing telecommunications relay services and distributing specialized telecommunication devices as already authorized under TASA.

Relatedly, the PSC must set eligibility requirements for the distribution of this specialized communications technology. These requirements must be based upon income qualifications or participation in other state or federal programs based on income, which requirements must be set at no less than double, but no more than triple, the federal poverty level.²⁸ These eligibility requirements may not prohibit the administrator of TASA from providing access to specialized communications technologies if such access has a de minimis value.²⁹

The bill requires the PSC to determine the amount of the surcharge based upon the amount of funding necessary to provide services on an ongoing basis; however, such surcharge may not exceed \$.15 per line per month. Furthermore, **Section 3** provides that the PSC may not increase the surcharge when excess funds are available.

In addition, the bill deletes obsolete portions of s. 427.704, F.S., and makes conforming revisions implementing the provisions specified above for this section.

Section 4 amends s. 427.705, F.S., to make technical revisions, including updating terminology referencing persons with specific disabilities. The section also revises the duties of the administrator to conform with the revisions in **Section 3** of the bill allowing telecommunications access systems to provide equipment and specialized communications technology in addition to providing telecommunications relay services, and distribute specialized telecommunication devices as already authorized under TASA. The bill also makes revisions to allow the administrator to license such equipment. In addition, the section revises the persons that may provide statements attesting to hearing and speech impairment as part of the certification process to receive TASA services, allowing regional distribution center directors to do so.³⁰

²⁸ The federal poverty guidelines for 2025 are \$15,650 for a single person household, for a two-person household, it is \$21,150, for a three-person household, it is \$26,650, and for a four-person household it is \$32,150. <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines> (last visited March 11, 2025).

²⁹ These provisions do not apply to specialized telecommunications devices using standard telephone lines.

³⁰ Under present law, only a licensed physician, audiologist, speech-language pathologist, hearing aid specialist, or deaf service center director, a state-certified teacher of the hearing impaired, a state-certified teacher of the visually impaired, or an appropriate state or federal agency may do so.

Section 5 amends s. 427.706, F.S., to revise the composition of the TASA advisory committee. All of the specified composition of the committee from current statute³¹ is repealed and replaced with persons recommended by organizations representing the following groups (to the extent practicable):

- The deaf;
- Persons with hearing loss;
- The deafblind;
- Persons with speech impairment;
- The elderly;
- Telecommunications relay service distribution centers; and
- Communications service providers.

In addition, the section makes technical and conforming revisions, including updating terminology referencing persons with specific disabilities.

Section 6 provides for an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

³¹ Current statute specifies the following persons: 1) two deaf persons recommended by the Florida Association of the Deaf; 2) one hearing impaired person recommended by Self-Help for the Hard of Hearing; 3) one deaf and blind person recommended by the Coalition for Persons with Dual Sensory Disabilities; 4) one speech impaired person recommended by the Florida Language Speech and Hearing Association; 5) two representatives of telecommunications companies; 6) one person with experience in providing relay services recommended by the Deaf Service Center Association; 7) one person recommended by the Advocacy Center for Persons with Disabilities, Inc.; and 8) one person recommended by the Florida League of Seniors.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The Telecommunications Access System Act of 1991 (TASA) is funded by a surcharge that wireline telecommunications carriers are required to assess to their customers.³² Currently, the surcharge on landlines in Florida is set at \$0.08 per line per month, with a statutory cap of \$0.25 per line per month, with a maximum of 25 lines charged per customer account per month.³³ The bill reduces the maximum allowable monthly surcharge from \$.25 per line, per month to \$.15 per line, per month.

The TASA may experience increased expenses due to the authority to purchase specialized communications equipment; however, such expenses are not expected to increase significantly due to the income eligibility requirements of **Section 3** of the bill.

In the event the TASA experiences a significant increase in expenses due to the specialized communications technology, and such increase exceeds the current budget authority for the Florida Telecommunications Relay, Inc. (FTRI), the FTRI may seek a surcharge increase from the Public Service Commission through its annual budget proposal. Any increase in the surcharge may cause a slight increase in landline customers' bills.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 427.702, 427.703, 427.704, 427.705, 427.706, and 427.708.

³² Wireless, VoIP and broadband service providers are not required to assess the surcharge. Public Service Commission, *Senate Bill 344 Agency Bill Analysis* (Feb. 24, 2025) (on file with the Appropriations Committee on Agriculture, Environment and General Government).

³³ Florida Public Service Commission, *Status of the Telecommunications Access System Act of 1991*, *supra* note 12, pg. 9.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Agriculture, Environment, and General Government on March 18, 2025

The committee substitute:

- Defines “deaf service center,” “deaf service center director,” “regional distribution center,” and “regional distribution center director”;
- Freezes the existing surcharge until the administrator’s reserve fund is diminished;
- Decreases the maximum permitted surcharge from \$.25 to \$.15; and
- Provides the Public Service Commission (PSC) may not increase the surcharge when excess funds are available.

CS by Regulated Industries on February 18, 2025:

The committee substitute:

- Corrects an erroneous statement of application, revising a new provision from applying to the entirety of s. 427.704 (as was in the bill as filed), to only applying to the new s. 427.704(1)(e), F.S., added by the bill, as intended;
- Reinserts the term “basic” to the term “basic telecommunications system” as used in a provision dealing with a surcharge to fund the Telecommunications Access System Act of 1991 (TASA). This amendment is intended to clarify that the revisions to this provision do not intend to increase the scope of the surcharge beyond that currently in law; and
- Removes a redundant **section 6** of the bill.

B. Amendments:

None.

By the Appropriations Committee on Agriculture, Environment, and General Government; the Committee on Regulated Industries; and Senators Rodriguez and Berman

601-02554-25

2025344c2

1 A bill to be entitled
 2 An act relating to the Telecommunications Access
 3 System Act of 1991; amending s. 427.702, F.S.;
 4 revising the legislative findings, purpose, and intent
 5 of the Telecommunications Access System Act of 1991;
 6 amending s. 427.703, F.S.; defining and redefining
 7 terms; amending s. 427.704, F.S.; revising the powers
 8 and duties of the Florida Public Service Commission in
 9 overseeing the administration of the
 10 telecommunications access system; amending s. 427.705,
 11 F.S.; revising the duties of the system's
 12 administrator; revising the procedures required for
 13 the distribution of specialized telecommunications
 14 devices; requiring the administrator to assume
 15 responsibility for the distribution of specialized
 16 communications technologies; amending s. 427.706,
 17 F.S.; revising the composition of the advisory
 18 committee appointed to assist the commission with
 19 implementing the act; providing an effective date.
 20
 21 Be It Enacted by the Legislature of the State of Florida:
 22
 23 Section 1. Present paragraphs (e) through (i) of subsection
 24 (3) of section 427.702, Florida Statutes, are redesignated as
 25 paragraphs (f) through (j), respectively, a new paragraph (e) is
 26 added to that subsection, and subsections (1) and (2) and
 27 paragraphs (a) and (d) and present paragraphs (g) and (h) of
 28 subsection (3) of that section are amended, to read:
 29 427.702 Findings, purpose, and legislative intent.—

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 (1) The Legislature finds and declares that:
 31 (a) ~~Telecommunications services provide a rapid and~~
 32 ~~essential communications link among the general public and with~~
 33 ~~essential offices and organizations such as police, fire, and~~
 34 ~~medical facilities.~~
 35 ~~(b) All persons should have basic telecommunications~~
 36 ~~services available to them at reasonable and affordable costs.~~
 37 ~~(c) A significant portion of Florida's hearing impaired and~~
 38 ~~speech impaired populations has profound disabilities, including~~
 39 ~~dual sensory impairments, which render normal telephone~~
 40 ~~equipment useless without additional specialized~~
 41 ~~telecommunications devices, many of which cost several hundred~~
 42 ~~dollars.~~
 43 ~~(d) The telecommunications system is intended to provide~~
 44 ~~access to a basic communications network between all persons,~~
 45 ~~and that many persons who have a hearing impairment or speech~~
 46 ~~impairment currently have no access to the basic~~
 47 ~~telecommunications system.~~
 48 ~~(e) Persons who do not have a hearing impairment or speech~~
 49 ~~impairment are generally excluded from access to the basic~~
 50 ~~telecommunications system to communicate with persons who have a~~
 51 ~~hearing impairment or speech impairment without the use of~~
 52 ~~specialized telecommunications devices.~~
 53 ~~(f) There exists a need for a telecommunications relay~~
 54 ~~system whereby the cost for access to basic telecommunications~~
 55 ~~services for persons who have a hearing impairment or speech~~
 56 ~~impairment is no greater than the amount paid by other~~
 57 ~~telecommunications customers.~~
 58 (g) The Federal Government, in order to carry out the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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purposes established by Title II of the Communications Act of 1934, as amended, by the enactment of the Americans with Disabilities Act, endeavored to ensure that interstate and intrastate telecommunications relay services are available, to the extent possible and in the most efficient manner, to persons with hearing loss or speech impairment ~~hearing-impaired and speech-impaired persons~~ in the United States.

~~(b)(4)~~ Title IV of the Americans with Disabilities Act mandates that the telecommunications companies providing telephone services within the state shall provide telecommunications relay services on or before July 25, 1993, to persons with hearing loss or speech impairment ~~who are hearing impaired or speech-impaired~~ within their certificated territories in a manner that meets or exceeds the requirements of regulations to be prescribed by the Federal Communications Commission.

(2) ~~It is~~ The ~~declared~~ purpose of this part is to establish a system whereby the residents ~~citizens~~ of this state with hearing loss or speech impairment or who are deafblind ~~Florida who are hearing-impaired, speech-impaired, or dual sensory impaired~~ have access to basic telecommunications services at a cost no greater than that paid by other telecommunications services customers, and whereby the cost of both the specialized telecommunications equipment necessary to ensure that such residents ~~citizens who are hearing-impaired, speech-impaired, or dual sensory-impaired~~ have such access to basic telecommunications services and the provision of telecommunications relay service is borne by all ~~the~~ telecommunications customers in this ~~of the~~ state.

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(3) It is the intent of the Legislature:

(a) That a telecommunications access system be established to provide equitable ~~basic~~ access to the telecommunications network for persons with hearing loss or ~~who are hearing impaired,~~ speech impairment ~~impaired,~~ or who are deafblind ~~dual sensory-impaired~~.

(d) That the telecommunications access system includes the distribution of specialized telecommunications devices necessary for persons with hearing loss or ~~hearing-impaired,~~ speech impairment ~~impaired,~~ or who are deafblind ~~dual sensory-impaired~~ persons to access basic telecommunications services.

(e) That the telecommunications access system provides access to specialized communications technology capable of using existing or future devices or equipment necessary for persons with hearing loss or speech impairment or who are deafblind to access telecommunications services.

~~(h)(g)~~ That the telecommunications access system uses state-of-the-art technology for specialized telecommunications devices, specialized communications technology, and the telecommunications relay service and encourages the incorporation of new developments in technology, to the extent that it has demonstrated benefits consistent with the intent of this act and is in the best interest of the residents ~~citizens~~ of this state.

~~(i)(h)~~ That the value of the involvement of persons with hearing loss ~~who have hearing~~ or speech impairment, or who are deafblind ~~impaired~~, and organizations representing or serving those persons, be recognized and such persons and organizations be involved throughout the development, establishment, and

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implementation of the telecommunications access system through participation on the advisory committee as provided in s. 427.706.

Section 2. Present subsections (2), (3) and (4), (5) and (6), (7) and (8), (9), (10), (11), (12), and (13) through (17) of section 427.703, Florida Statutes, are redesignated as subsections (3), (5) and (6), (9) and (10), (12) and (13), (16), (19), (18), (20), and (22) through (26), respectively, new subsections (2), (4), (7), (8), (11), (14), (15), (17), and (21) are added to that section, and subsection (1) and present subsections (4), (6), (10), (11), (12), (14), and (16) of that section are amended, to read:

427.703 Definitions.—As used in this part:

(1) "Administrator" means a corporation not for profit incorporated pursuant to ~~the provisions of~~ chapter 617 and designated by the Florida Public Service Commission to administer the telecommunications access system ~~relay service system and the distribution of specialized telecommunications devices~~ pursuant to ~~the provisions of~~ this act and rules and regulations established by the commission.

(2) "Commercial mobile radio service" or "CMRS" means a mobile radio communications service, provided for profit, which is interconnected to the public switched network and is available to the public or to such classes of eligible users as to be effectively available to a substantial portion of the public. The term does not include services that do not provide access to 911 service, communication channels suitable only for data transmission, wireless roaming services or other nonlocal radio access line services, or private telecommunications

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systems.

(4) "Communications service" means a service provided to subscribers through wireline telecommunications equipment, interconnected VoIP, or CMRS.

~~(6)-(4)~~ "Deafblind" ~~"Dual sensory impaired"~~ means having both a permanent hearing impairment and a permanent visual impairment and includes dual sensory impairment ~~deaf/blindness~~.

(7) "Deaf service center" means a center that serves, within a defined region, individuals with hearing loss or speech impairment or who are deafblind, by distributing equipment and providing services on behalf of the administrator.

(8) "Deaf service center director" means an individual who serves as the director for a deaf service center and is responsible for ensuring that individuals with hearing loss or speech impairment or who are deafblind are qualified to receive equipment or services in accordance with ss. 427.701-427.708, based on their impairment by attesting to such impairment as provided for in the procedures developed by the administrator.

~~(10)-(6)~~ "Hearing loss impaired" or "having a hearing impairment" means deaf, late-deafened, or hard of hearing ~~and, for purposes of this part, includes being dual sensory impaired.~~

(11) "Interconnected voice-over-Internet protocol" or "interconnected VoIP" means a service that does all of the following:

(a) Enables subscribers to have real-time, two-way voice communications.

(b) Requires a broadband connection.

(c) Requires customer equipment compatible with Internet protocol.

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(d) Allows subscribers to receive calls from and place calls to a public switched telephone network. The term does not include services that do not provide access to 911 service or private telecommunications systems.

(14) "Regional distribution center" means an entity, including, but not limited to, a deaf service center or a provider of audiology services, which has contracted with the administrator to distribute equipment and provide services to qualified individuals with hearing loss or speech impairment or who are deafblind.

(15) "Regional distribution center director" means an individual qualified by the administrator who serves as the director for a regional distribution center and meets the standards for ensuring that individuals with hearing loss or speech impairment or who are deafblind are qualified to receive equipment or services in accordance ss. 427.701-427.708 on their impairment by attesting to such impairment as provided for in the procedures developed by the administrator.

(17) "Specialized communications technology" means mobile devices, tablet computers, software, or applications that can be used to provide communications services to a hearing impaired, speech impaired, or deafblind person.

~~(19)-(10)~~ "Speech impaired" or "having a speech impairment" means having a permanent loss of verbal communication ability that which prohibits normal usage of a standard telephone handset.

~~(18)-(11)~~ "Specialized telecommunications device" means a TDD, a volume control handset, a ring signaling device, or any other customer premises telecommunications equipment that can be

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~~specifically designed or used to provide basic access to communications telecommunications services for a person with hearing loss or speech impairment or who is deafblind hearing impaired, speech impaired, or dual sensory impaired person.~~

~~(20)-(12)~~ "Surcharge" means an additional charge which is to be paid by local exchange telecommunications company subscribers pursuant to the cost recovery mechanism established under s. 427.704(4) in order to implement the system described herein.

(21) "Telecommunications access system" means the system administered pursuant to this section, and includes the administration of the telecommunications relay service system and the distribution of specialized telecommunications devices and specialized communications technologies pursuant to ss. 427.701-427.708 and rules and regulations established by the commission.

~~(23)-(14)~~ "Telecommunications device for the deaf," or "TDD," or "text device" means a mechanism that which is connected to a communications network standard telephone line, operated by means of a keyboard, and used to transmit or receive signals through telephone lines or other communications service facilities.

~~(25)-(16)~~ "Telecommunications relay service" means any telecommunications transmission service that allows a person with hearing loss who is hearing impaired or speech impairment speech impaired to communicate by wire or radio in a manner that is functionally equivalent to the ability of a person who does not have hearing loss or speech impairment is not hearing impaired or speech impaired. Such term includes any service that enables two-way communication between a person who uses a

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telecommunications device or other nonvoice terminal device and a person who does not use such a device.

Section 3. Subsection (1), paragraph (a) of subsection (3), paragraphs (a), (b), and (e) of subsection (4), and subsections (5) through (9) of section 427.704, Florida Statutes, are amended to read:

427.704 Powers and duties of the commission.—

(1) The commission shall establish, implement, promote, and oversee the administration of a statewide telecommunications access system to provide access to telecommunications relay services by persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~, or others who communicate with them. The telecommunications access system must ~~shall~~ provide for the purchase and distribution of specialized telecommunications devices, equipment, specialized communications technology, and the establishment of a statewide single provider telecommunications relay service system that ~~which~~ operates continuously. To provide telecommunications relay services and distribute specialized telecommunication devices, equipment, and specialized communications technology to persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~, at a reasonable cost the commission shall:

(a) Investigate, conduct public hearings, and solicit the advice and counsel of the advisory committee established pursuant to s. 427.706 to determine the most cost-effective method for providing telecommunications relay service and distributing specialized telecommunications devices, equipment,

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and specialized communications technology.

(b) Ensure that users of the telecommunications relay service system pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as duration of the call, time of day, and distance from the point of origination to the point of termination.

(c) Ensure that the telecommunications access system protects the privacy of persons to whom services are provided and that all operators maintain the confidentiality of all relay service messages.

(d) Ensure that the telecommunications relay service system complies with regulations adopted by the Federal Communications Commission to implement Title IV of the Americans with Disabilities Act.

(e) Set eligibility requirements for the distribution of specialized communications technology based on income qualifications or participation in other state or federal programs based on income, which requirements must be set at no less than double but no more than triple the federal poverty level. Eligibility requirements may not prohibit the administrator from providing access to specialized communications technologies if such access has a de minimis value. This paragraph does not apply to specialized telecommunications devices using standard telephone lines.

(3) (a) The commission shall select a ~~the~~ provider of ~~the~~ telecommunications relay service pursuant to procedures established by the commission. In selecting a ~~the~~ service provider, the commission shall take into consideration the cost

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291 of providing ~~the~~ relay service and the interests of the hearing
 292 ~~loss, speech impairment, and deafblind impaired and speech~~
 293 ~~impaired~~ community in having access to a high-quality and
 294 technologically advanced telecommunications system. The
 295 commission shall award the contract to the bidder whose proposal
 296 is the most advantageous to the state, taking into consideration
 297 the following:

298 1. The appropriateness and accessibility of the proposed
 299 telecommunications relay service for the residents ~~citizens~~ of
 300 this the state, including persons with hearing loss or speech
 301 impairment or who are deafblind who are hearing impaired or
 302 speech impaired.

303 2. The overall quality of the proposed telecommunications
 304 relay service.

305 3. The charges for the proposed telecommunications relay
 306 service system.

307 4. The ability and qualifications of the bidder to provide
 308 the proposed telecommunications relay service as outlined in the
 309 request for proposals.

310 5. Any proposed service enhancements and technological
 311 enhancements which improve service without significantly
 312 increasing cost.

313 6. Any proposed inclusion of provision of assistance to
 314 deaf persons with special needs to access the ~~basie~~
 315 telecommunications system.

316 7. The ability to meet the proposed commencement date for
 317 the telecommunications relay service.

318 8. All other factors listed in the request for proposals.

319 (4)(a) The commission shall establish a mechanism to

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320 recover the costs of implementing and maintaining the services
 321 required pursuant to this part which must ~~shall~~ be applied to
 322 each basic telecommunications access line. In establishing the
 323 recovery mechanism, the commission shall:

324 1. Require all local exchange telecommunications companies
 325 to impose a monthly surcharge on all local exchange
 326 telecommunications company subscribers on an individual access
 327 line basis, except that such surcharge may ~~shall~~ not be imposed
 328 upon more than 25 basic telecommunications access lines per
 329 account bill rendered.

330 2. Require all local exchange telecommunications companies
 331 to include the surcharge as a part of the local service charge
 332 that appears on the customer's bill, except that the local
 333 exchange telecommunications company shall specify the surcharge
 334 on the initial bill to the subscriber and itemize it at least
 335 once annually.

336 3. Allow the local exchange telecommunications company to
 337 deduct and retain 1 percent of the total surcharge amount
 338 collected each month to recover the billing, collecting,
 339 remitting, and administrative costs attributed to the surcharge.

340 (b) The commission shall determine the amount of the
 341 surcharge based upon the amount of funding necessary to
 342 accomplish the purposes of this act and provide the services on
 343 an ongoing basis; however, in no case shall the amount exceed 15
 344 25 cents per line per month.

345 (e) From the date of implementing the surcharge, the
 346 commission shall review the amount of the surcharge at least
 347 annually and shall order changes in the amount of the surcharge
 348 as necessary to assure available funds for the provision of the

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telecommunications access system established herein. Where the review of the surcharge determines that excess funds are available, the commission may order the suspension of the surcharge for a period ~~that which~~ the commission deems appropriate. The commission may not increase the surcharge when excess funds are available.

(5) ~~The commission shall require each local exchange telecommunications company to begin assessing and collecting the surcharge in the amount of 5 cents per access line per month on bills rendered on or after July 1, 1991, for remission to the administrator for deposit in the operational fund. Each local exchange telecommunications company shall remit moneys collected to the administrator. On August 15, 1991, each local exchange telecommunications company shall begin remitting the moneys collected to the administrator on a monthly basis and in a manner as prescribed by the commission. The administrator shall use such moneys to administer the telecommunications access to cover costs incurred during the development of the telecommunications relay services and to establish and administer the specialized telecommunications devices system.~~

(6) ~~The commission shall establish a schedule for completion of specific stages of the telecommunications relay service development and implementation except that the statewide telecommunications relay service shall commence on or before June 1, 1992.~~

~~(7)~~ The commission shall require the administrator to submit financial statements for the distribution of specialized telecommunications devices and for specialized communications technology and for the telecommunications relay service to the

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commission quarterly, in the manner prescribed by the commission.

~~(7)-(8)~~ The commission shall adopt rules and may take any other action necessary to implement ~~the provisions of~~ this act.

~~(8)-(9)~~ The commission shall prepare an annual report on the operation of the telecommunications access system ~~and, which~~ shall make such report ~~be~~ available on the commission's Internet website. Reports must be prepared in consultation with the administrator and the advisory committee appointed pursuant to s. 427.706. The reports must, at a minimum, briefly outline the status of developments in the telecommunications access system, the number of persons served, the call volume, revenues and expenditures, the allocation of the revenues and expenditures between provision of specialized telecommunications devices and specialized communications technologies to individuals and operation of statewide relay service, other major policy or operational issues, and proposals for improvements or changes to the telecommunications access system.

Section 4. Paragraphs (a) and (c) of subsection (1), subsection (4), paragraphs (a) and (b) of subsection (5), and subsection (7) of section 427.705, Florida Statutes, are amended to read:

427.705 Administration of the telecommunications access system.—

(1) Consistent with the provisions of this act and rules and regulations established by the commission, the administrator shall:

(a) Purchase, license, store, distribute, and maintain specialized telecommunications devices, equipment, and

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specialized communications technology, either directly or through contract with third parties, or a combination thereof.

(c) Administer training services for recipients of specialized telecommunications devices, equipment, and specialized communications technology and for telecommunications relay service users as directed by the commission through contract with third parties.

(4) In contracting for the provision of distribution of specialized telecommunications devices, outreach services, and training of recipients, the administrator shall consider contracting with organizations that provide services to persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired.~~

(5) The administrator shall provide for the distribution of specialized telecommunications devices to persons qualified to receive such equipment in accordance with the provisions of this act. The administrator shall establish procedures for the distribution of specialized telecommunications devices and shall solicit the advice and counsel and consider the recommendations of the advisory committee in establishing such procedures. The procedures shall:

(a) Provide for certification of persons with hearing loss or speech impairment or who are deafblind ~~as hearing impaired, speech impaired, or dual sensory impaired.~~ Such certification process must ~~shall~~ include a statement attesting to such impairment by a licensed physician, audiologist, speech-language pathologist, hearing aid specialist, ~~or~~ deaf service center director, or regional distribution center director; by a state-certified teacher of the hearing impaired; by a state-certified

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teacher of the visually impaired; or by an appropriate state or federal agency. The licensed physician, audiologist, speech-language pathologist, hearing aid specialist, state-certified teacher of the hearing impaired, or state-certified teacher of the visually impaired providing statements which attest to such impairments shall work within their individual scopes of practice according to their education and training. The deaf service center directors, regional distribution center directors, and appropriate state and federal agencies shall attest to such impairments as provided for in the procedures developed by the administrator.

(b) Establish characteristics and performance standards for specialized telecommunications devices and specialized communications technologies determined to be necessary, and for the selection of equipment to be purchased for distribution to qualified recipients. The characteristics and standards must ~~shall~~ be modified as advances in equipment technology render such standards inapplicable.

(7) The administrator shall assume responsibility for distribution of specialized telecommunications devices and specialized communications technologies.

Section 5. Subsections (1) and (2) of section 427.706, Florida Statutes, are amended to read:

427.706 Advisory committee.—

(1) The commission shall appoint an advisory committee to assist the commission with implementing the implementation of ~~the provisions of~~ this part. The committee shall be composed of no more than 10 persons and shall include, to the extent practicable, persons recommended by organizations representing

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the following groups:

(a) ~~The Two deaf persons recommended by the Florida Association of the Deaf.~~

(b) ~~Persons with hearing loss One hearing impaired person recommended by Self Help for the Hard of Hearing.~~

(c) ~~The deafblind One deaf and blind person recommended by the Coalition for Persons with Dual Sensory Disabilities.~~

(d) ~~Persons with speech impairment One speech impaired person recommended by the Florida Language Speech and Hearing Association.~~

(e) ~~The elderly Two representatives of telecommunications companies.~~

(f) ~~One person with experience in providing Telecommunication relay service distribution centers services recommended by the Deaf Service Center Association.~~

(g) ~~Communications service providers One person recommended by the Advocacy Center for Persons with Disabilities, Inc.~~

~~(h) One person recommended by the Florida League of Seniors.~~

(2) The advisory committee shall provide the expertise, experience, and perspective of persons with hearing loss or speech impairment or who are deafblind ~~who are hearing impaired or speech impaired~~ to the commission and to the administrator during all phases of the development and operation of the telecommunications access system. The advisory committee shall advise the commission and the administrator on the quality and cost-effectiveness of the telecommunications relay service and the specialized telecommunications devices, equipment, and specialized communications technologies distribution system. The

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advisory committee may submit material for inclusion in the annual report prepared pursuant to s. 427.704.

Section 6. This act shall take effect July 1, 2025.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 608

INTRODUCER: Senator DiCeglie

SUBJECT: Gulf of America

DATE: April 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hackett</u>	<u>Fleming</u>	<u>CA</u>	Favorable
2.	<u>Hackett</u>	<u>Siples</u>	<u>FP</u>	Favorable

I. Summary:

SB 608 renames the Gulf of Mexico as the Gulf of America throughout the Florida Statutes.

The bill takes effect July 1, 2025.

II. Present Situation:

Gulf of America

On January 20, 2025, President Donald Trump signed Executive Order 14172, entitled “Restoring Names That Honor American Greatness.” In relevant part, the President “direct[ed] that the [the Gulf of Mexico] officially be renamed the Gulf of America.” Additionally, the Executive Order instructs the Secretary of the Interior to take all appropriate actions to rename the “Gulf of Mexico” to the “Gulf of America.” The Secretary is directed to update the Geographic Names Information System to reflect such change. The Board on Geographic Names, established by the Executive Order, provides guidance to ensure all federal references to the Gulf of America, including references included on agency maps, or in contracts and other documents and communications, shall reflect its renaming.

III. Effect of Proposed Changes:

The bill revises fifty-two statutes to rename the Gulf of Mexico as the Gulf of America throughout the Florida Statutes. The bill also reenacts certain statutes to amend cross-references and incorporate amendments.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

Article II, Section 1(a), and Article X, Section 16(b) of the State Constitution refer to the Gulf of Mexico.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 7.03, 7.08, 7.09, 7.11, 7.15, 7.17, 7.19, 7.23, 7.27, 7.29, 7.33, 7.36, 7.38, 7.41, 7.46, 7.51, 7.52, 7.55, 7.56, 7.62, 7.65, 7.66, 125.0104, 161.052, 161.053, 161.088, 161.141, 161.151, 161.161, 161.54, 161.55,

206.9935, 253.03, 253.12, 253.783, 258.09, 258.395, 258.3991, 327.02, 327.60, 331.307, 373.019, 373.069, 375.031, 376.25, 377.242, 377.2431, 379.101, 379.244, 379.248, 380.0555, and 380.24.

This bill reenacts the following sections of the Florida Statutes: 337.401, 327.371, 379.2431

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator DiCeglie

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1 A bill to be entitled
 2 An act relating to the Gulf of America; amending ss.
 3 7.03, 7.08, 7.09, 7.11, 7.15, 7.17, 7.19, 7.23, 7.27,
 4 7.29, 7.33, 7.36, 7.38, 7.41, 7.46, 7.51, 7.52, 7.55,
 5 7.56, 7.62, 7.65, 7.66, 125.0104, 161.052, 161.053,
 6 161.088, 161.141, 161.151, 161.161, 161.54, 161.55,
 7 206.9935, 253.03, 253.12, 253.783, 258.09, 258.395,
 8 258.3991, 327.02, 327.60, 331.307, 373.019, 373.069,
 9 375.031, 376.25, 377.242, 377.2431, 379.101, 379.244,
 10 379.248, 380.0555, and 380.24, F.S.; renaming the Gulf
 11 of Mexico as the "Gulf of America" throughout the
 12 Florida Statutes; reenacting s. 337.401(7)(b) and (p),
 13 F.S., relating to the use of rights-of-way for
 14 utilities subject to regulation, to incorporate the
 15 amendment made to s. 161.053, F.S., in references
 16 thereto; reenacting ss. 327.371(1) and 379.2431(2)(p),
 17 F.S., relating to the regulation of human-powered
 18 vessels and the regulation of marine animals,
 19 respectively, to incorporate the amendment made to s.
 20 327.02, F.S., in references thereto; providing an
 21 effective date.
 22
 23 WHEREAS, the Gulf of Mexico spans approximately 1,700 miles
 24 along the United States coastline, of which 770 miles are
 25 located along the Florida coast, and
 26 WHEREAS, on January 20, 2025, President Donald J. Trump
 27 issued Executive Order Number 14172 entitled "Restoring Names
 28 that Honor American Greatness" directing the Secretary of the
 29 Interior to rename the Gulf of Mexico as the "Gulf of America"

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30 in order to recognize the importance of the body of water to the
 31 United States, and
 32 WHEREAS, the Legislature intends to reflect this name
 33 change in the Florida Statutes, NOW, THEREFORE,
 34
 35 Be It Enacted by the Legislature of the State of Florida:
 36
 37 Section 1. Section 7.03, Florida Statutes, is amended to
 38 read:
 39 7.03 Bay County.—The boundary lines of Bay County are as
 40 follows: Beginning at the southwest corner of section eighteen
 41 in township two, north, range eleven, west; thence west on the
 42 section line to the southwest corner of section eighteen in
 43 township two, north, range twelve, west; thence south on the
 44 range line dividing ranges twelve and thirteen, west, to the
 45 Meridian base line; thence west on the base line to the thread
 46 of Pine Log Creek in range sixteen, west; thence southwesterly
 47 along the thread of said creek into the Choctawhatchee River to
 48 the thread of said river; thence southwesterly along the thread
 49 of said river to a point where said river intersects the range
 50 line dividing ranges seventeen and eighteen, west; thence south
 51 on said range line to the Gulf of America ~~Mexico~~; thence in a
 52 southeastwardly direction following the meanderings of said
 53 gulf, including the waters of said gulf within the jurisdiction
 54 of the State of Florida, including all islands opposite the
 55 shoreline to a point where range line dividing ranges eleven and
 56 twelve, west, intersects with said gulf; thence north on said
 57 range line to place of beginning.
 58 Section 2. Section 7.08, Florida Statutes, is amended to

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59 read:

60 7.08 Charlotte County.—The boundary lines of Charlotte
61 County are as follows: Beginning at the northeast corner of
62 township forty south, range twenty-seven east; thence south on
63 range line dividing ranges twenty-seven and twenty-eight east,
64 to the township line dividing townships forty-two and forty-
65 three south, and Lee County; thence west on said township line
66 to the waters of the Gulf of America Mexico; thence northerly
67 and westerly along said Gulf of America Mexico, including the
68 waters of said gulf within the jurisdiction of the State of
69 Florida, to the intersection therewith of the township line
70 dividing townships forty and forty-one south; thence east on
71 said township line to the southeast corner of township forty
72 south, range twenty east; thence north on the range line
73 dividing ranges twenty and twenty-one east to the northwest
74 corner of township forty south, range twenty-one east; thence
75 east on township line dividing townships thirty-nine and forty
76 south to the place of beginning.

77 Section 3. Section 7.09, Florida Statutes, is amended to
78 read:

79 7.09 Citrus County.—The boundary lines of Citrus County are
80 as follows: Beginning at a point in the thread or center of the
81 Withlacoochee River on the section line dividing sections twelve
82 and thirteen, township twenty-one south, range twenty east;
83 thence on said line west to the southwest corner of section
84 nine, township twenty-one south, range nineteen east; thence
85 north on said section line to township line dividing townships
86 twenty and twenty-one south; thence west on said township line
87 to the Gulf of America Mexico; thence north along said gulf,

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88 including all islands along said gulf coast, and including the
89 waters of said gulf within the jurisdiction of the State of
90 Florida, to the most southern outlet of the Withlacoochee River
91 at its mouth, leaving out all the islands in the mouth of said
92 river; thence easterly along the thread of said river to the
93 point of beginning, including all the lands and islands which
94 said river line may enclose.

95 Section 4. Section 7.11, Florida Statutes, is amended to
96 read:

97 7.11 Collier County.—The boundary lines of Collier County
98 are as follows: Beginning where the north line to township
99 forty-eight south extended westerly intersects the western
100 boundary of the State of Florida in the waters of the Gulf of
101 America Mexico; thence easterly on said township line to the
102 northwest corner of section four of township forty-eight south
103 of range twenty-five east; thence south to the northwest corner
104 of section nine of said township and range; thence east to the
105 eastern boundary line of range twenty-six east; thence north on
106 said range line to the northwest corner of township forty-seven
107 south of range twenty-seven east; thence east on the north line
108 of township forty-seven south to the east line of range twenty-
109 seven east; thence north on said range line to the north line of
110 township forty-six south; thence east on the north line of
111 township forty-six south to the east line of range thirty east;
112 thence south on said range line to the north line of township
113 forty-nine south; thence east on the north line of said township
114 forty-nine south to the east line of range thirty-four east and
115 the west boundary of Broward County; thence south on said range
116 line, concurrent with the west boundary of Broward and Miami-

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 117 Dade Counties, to the point of intersection with the south line
 118 of township fifty-three south; thence west on the south line of
 119 said township fifty-three south to where that line extended
 120 intersects the western boundary of the State of Florida in the
 121 waters of the Gulf of America Mexico; thence northwesterly and
 122 along the waters of said Gulf of America Mexico, including the
 123 waters of said gulf within the jurisdiction of the State of
 124 Florida, to the point of beginning.

125 Section 5. Section 7.15, Florida Statutes, is amended to
 126 read:

127 7.15 Dixie County.—The boundary lines of Dixie County are
 128 as follows: Beginning at a point where township line between
 129 townships seven and eight south, intersects the Suwannee River,
 130 thence southerly down the thread of the main stream of said
 131 Suwannee River to the Gulf of America Mexico; thence along said
 132 Gulf of America Mexico, including the waters of said gulf within
 133 the jurisdiction of the State of Florida, to the mouth of the
 134 Steinhatchee River; thence northerly along the thread of the
 135 said Steinhatchee River to the point where it is intersected by
 136 the section line between sections fifteen and sixteen, in
 137 township eight, south of range ten east; thence north on said
 138 section line and other sections to the township line between
 139 townships seven and eight south; thence east on said township
 140 line dividing townships seven and eight south, to the point of
 141 beginning.

142 Section 6. Section 7.17, Florida Statutes, is amended to
 143 read:

144 7.17 Escambia County.—The County of Escambia comprehends
 145 all that part of the State of Florida lying to the west and

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 146 south of a line beginning at the Alabama line where said line
 147 crosses the Escambia River; running thence down the thread of
 148 said river to Escambia Bay; thence along said bay to Deer Point,
 149 at the intersection of Santa Rosa Sound with said bay; thence up
 150 said Santa Rosa Sound to a line parallel to and exactly 1 mile
 151 west of the range line dividing ranges twenty-six and twenty-
 152 seven west, thence south along such parallel line to the waters
 153 of the Gulf of America Mexico; and the Counties of Escambia and
 154 Santa Rosa shall have concurrent jurisdiction of any offenses
 155 committed on the waters of Santa Rosa Sound.

156 Section 7. Section 7.19, Florida Statutes, is amended to
 157 read:

158 7.19 Franklin County.—The boundary lines of Franklin County
 159 are as follows: Beginning at a point on the Apalachicola River,
 160 known as the mouth of Black or Owl Creek; thence northerly up
 161 the western bank of said creek to where the same intersects the
 162 middle section line of section twenty-six, township five south,
 163 range eight west; thence due east on the middle section line to
 164 the thread of the Ochlockonee River; thence south and easterly
 165 following the thread of said river, and the thread of such
 166 channel thereof as may be necessary to include the islands in
 167 said river; to a point directly south of the southernmost point
 168 of Grass Island; thence along a straight line to the center
 169 point of the U.S. 98 (State Road 30) bridge across Ochlockonee
 170 Bay; thence east-southeast to a point directly north of the
 171 easternmost point of James Island; thence easterly to the
 172 boundary line of the State of Florida; thence south and westerly
 173 along said boundary line, including the waters of the Gulf of
 174 America Mexico within the jurisdiction of the State of Florida,

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to the Forbes line, produced southerly; thence following the Forbes line to the Jackson River; thence follow the Jackson River until it joins the Apalachicola River; thence northerly along the Apalachicola River to the mouth of the Brothers River; thence follow the Brothers River until it intersects the stream known as Brickyard Cutoff; thence follow Brickyard Cutoff to the Apalachicola River; thence northerly along the thread of said river to the place of beginning.

Section 8. Section 7.23, Florida Statutes, is amended to read:

7.23 Gulf County.—The boundary lines of Gulf County are as follows: Beginning at a point in the Apalachicola River where said river is intersected by the section line between sections twenty-three and twenty-six, township three south, range nine west; thence west on said section line and other section lines across the remainder of ranges nine west and ranges ten and eleven west to the southwest corner of section nineteen, township three south, range eleven west, at the Bay County line; thence south on the range line between ranges eleven and twelve west, concurrent with the eastern boundary of Bay County, to the Gulf of America Mexico; thence south and easterly through said gulf, including the waters of the Gulf of America Mexico within the jurisdiction of the State of Florida, to a point where the Forbes line would intersect said boundary line; thence northeasterly with said line until same crosses the waters of the Apalachicola River; thence northerly up the thread of said river to the place of beginning.

Section 9. Section 7.27, Florida Statutes, is amended to read:

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7.27 Hernando County.—The boundary lines of Hernando County are as follows: Beginning at a point on the Withlacoochee River where the same is intersected by the section line dividing sections twelve and thirteen, township twenty-one south, range twenty east; thence southeasterly along the thread of said river to the juncture therewith of the Little Withlacoochee River; thence southeasterly along the thread of said Little Withlacoochee River to the head of same; thence east to the range line between ranges twenty-two and twenty-three east; thence south on said range line to the line dividing sections twenty-four and thirteen, township twenty-three south, range twenty-two east; thence west on said section line and other section lines to the line between ranges twenty and twenty-one east; thence south on said range line to the line dividing townships twenty-three and twenty-four south; thence west on said township line to the Gulf of America Mexico; thence northerly, including the waters of said gulf within the jurisdiction of the State of Florida, to the township line dividing townships twenty and twenty-one south; thence east, concurrent with the south boundary line of Citrus County, on said township line to where same is intersected by the section line dividing sections four and five, township twenty-one south, range nineteen east; thence south on said section line and other section lines to the southwest corner of section nine, township twenty-one south, range nineteen east; thence east on the south line of said section nine and other sections to the place of beginning.

Section 10. Section 7.29, Florida Statutes, is amended to read:

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233 7.29 Hillsborough County.—The boundary lines of
 234 Hillsborough County are as follows: Beginning at the northeast
 235 corner of section one in township twenty-seven south, range
 236 sixteen east; thence east on the north line of township twenty-
 237 seven south to the line between ranges twenty-two and twenty-
 238 three east; thence south on said range line to the line between
 239 townships thirty-two and thirty-three south; thence west on said
 240 township line to the south bank of Tampa bay; thence in a direct
 241 line to a point midway between Egmont and Passage Keys in the
 242 Gulf of ~~America Mexico~~; thence westerly to the boundary of the
 243 State of Florida; thence northerly on the boundary of the State
 244 of Florida to a point in the Gulf of ~~America Mexico~~ due west of
 245 the northern shore of Mullet Key; thence due east to a point one
 246 hundred yards due west of the northernmost shore of Mullet Key;
 247 thence in a line one hundred yards from the shore line around
 248 the southern portion of Mullet Key to a point one hundred yards
 249 due east of the easternmost shore of Mullet Key; thence due
 250 north to a point due east of the northernmost shore of Mullet
 251 Key; thence due east to the middle waters of Tampa Bay; thence
 252 in a northerly direction through the middle waters of Tampa Bay
 253 and Old Tampa Bay to a point where the range line between ranges
 254 sixteen and seventeen east strikes said shore; thence north on
 255 said range line to the place of beginning.

256 Section 11. Section 7.33, Florida Statutes, is amended to
 257 read:

258 7.33 Jefferson County.—The boundary lines of Jefferson
 259 County are as follows: Beginning at the point on the Gulf of
 260 ~~America Mexico~~ where the line between ranges two and three east
 261 strikes said gulf; thence north on said line to the base

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262 parallel line; thence in a direction northeast to the point
 263 where the sections twenty-one, and twenty-eight and twenty-nine
 264 of township one north, range three east, corner; thence north on
 265 the section line dividing sections twenty and twenty-one and
 266 other sections of township one north, range three east, to
 267 township line dividing townships one and two north, range three
 268 east; thence east on said township line to the waters of the
 269 Miccosukee; thence up Lake Miccosukee to the south boundary of
 270 township three north, range three east; thence on said township
 271 line to the east line of section thirty-four in said township
 272 three north, range three east; thence north on the east line of
 273 section thirty-four and other sections in said township and said
 274 range to the boundary line between the States of Georgia and
 275 Florida; thence east along said boundary line to the northwest
 276 corner of lot number one hundred eighty, township three north,
 277 range seven east, or the west boundary of Madison County; thence
 278 south to the southwest corner of said lot number one hundred
 279 eighty; thence east on the south boundary of said lot number one
 280 hundred eighty to the northeast corner of section twenty-seven,
 281 township three north, range seven east; thence due south to the
 282 southeast corner of section ten, township two north, range seven
 283 east; thence due west to the southwest corner of the said
 284 section ten; thence due south to the southeast corner of section
 285 sixteen, township two north, range seven east; thence due west
 286 to the southwest corner of said section sixteen; thence due
 287 south to the southeast corner of section twenty, township two
 288 north, range seven east; thence due west to the southwest corner
 289 of section nineteen, township two north, range seven east;
 290 thence due south to the southeast corner of section twenty-five,

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 township two north, range six east; thence due west to the southwest corner of section twenty-six, township two north, range six east; thence due south to the southwest corner of section thirty-five, township two north, range six east; thence due west to the thread of the Big Aucilla River; thence southerly along the thread of said river, concurrent with the west boundary of Madison and Taylor Counties, to the mouth of said Big Aucilla River; thence westerly through the waters of the Gulf of America Mexico, including the waters of said gulf within the jurisdiction of the State of Florida, to the point of beginning.

Section 12. Section 7.36, Florida Statutes, is amended to read:

7.36 Lee County.—The boundary lines of Lee County are as follows: Beginning where the north line of township forty-three south, intersects the range line between ranges twenty-seven and twenty-eight east, at the line between Charlotte and Glades Counties; thence west on said township line to the Gulf of America Mexico; thence southerly along said gulf, including all islands and the waters of said gulf within the jurisdiction of the State of Florida, to the north line of township forty-eight south, extended westward; thence east on said township line to the northwest corner of section four, township forty-eight south, range twenty-five east; thence south to the northwest corner of section nine of said township and range; thence east on the north boundary of said section nine and other sections to the eastern boundary of range twenty-six east; thence north on said range line to the northwest corner of township forty-seven south, range twenty-seven east; thence east on the north line of

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 township forty-seven south, to the east line of range twenty-seven east; thence north on said range line to the place of beginning.

Section 13. Section 7.38, Florida Statutes, is amended to read:

7.38 Levy County.—The boundary lines of Levy County are as follows: Beginning at the mouth of the most southern outlet of the Big Withlacoochee River, running in an eastwardly direction, including all the islands in the mouth of said river, along the thread of said river to where the range line dividing ranges seventeen and eighteen east intersects said river; thence north on said range line to the township line between townships fourteen and fifteen south; thence east on said township line to the middle line of township fourteen south, range nineteen east; thence north on said middle line to the township line between townships eleven and twelve south; thence west on said township line to the range line between ranges seventeen and eighteen east; thence north on said range line to the northeast corner of section thirteen, township eleven south, range seventeen east; thence west on the north line of said section thirteen and other sections to the range line between ranges sixteen and seventeen east; thence north on said range line to the township line between townships ten and eleven south; thence west on said township line to the range line between ranges fifteen and sixteen east; thence north on said range line to the northeast corner of section thirty-six, township ten south, range fifteen east; thence west on the north boundary of said section thirty-six to the northwest corner of said section thirty-six, thence north one half mile to the middle line of section twenty-six,

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township ten south, range fifteen east; thence west on the middle line of said section twenty-six and other sections to the range line between ranges fourteen and fifteen east; thence north to the northeast corner of section twenty-five, township ten south, range fourteen east; thence west on the north line of said section twenty-five and other sections to the thread of the Suwannee River; thence southerly along the thread of the main stream of said river to its mouth; thence south and easterly along the Gulf of America Mexico, including all the islands, keys, and the waters of said gulf within the jurisdiction of the State of Florida, to the point of beginning.

Section 14. Section 7.41, Florida Statutes, is amended to read:

7.41 Manatee County.—The boundary lines of Manatee County are as follows: Beginning on the south bank of Tampa Bay where the line between townships thirty-two and thirty-three south strikes said bay; thence east on said township line to where same is intersected by the line dividing ranges twenty-two and twenty-three east; thence south on said range line, known as the Washington line, to the southeast corner of township thirty-seven south, range twenty-two east; thence west on the township line between townships thirty-seven and thirty-eight south to the southwest corner of township thirty-seven south, range twenty-one east; thence north on the range line between ranges twenty and twenty-one east to the southeast corner of township thirty-five south, range twenty east; thence west on the township line between townships thirty-five and thirty-six south to the Gulf of America Mexico; thence northward along the said gulf, including the waters of said gulf within the jurisdiction

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of the State of Florida, to a point midway between Egmont and Passage Keys; thence in a direct line to the place of beginning.

Section 15. Section 7.46, Florida Statutes, is amended to read:

7.46 Okaloosa County.—The boundary lines of Okaloosa County are as follows: Beginning on the Alabama state line where same is intersected by range line dividing ranges twenty-five and twenty-six west; thence east on said state line to the intersection of said state line with the range line dividing ranges twenty-one and twenty-two west; thence south on said range line to the Gulf of America Mexico; thence in a westerly direction following the meanderings of said gulf, including the waters of said gulf within the jurisdiction of the State of Florida, to the line dividing ranges twenty-five and twenty-six west; thence north on said range line to the place of beginning; provided that the counties of Escambia, Santa Rosa and Okaloosa shall have concurrent jurisdiction of any offenses committed on the waters of Santa Rosa Sound.

Section 16. Section 7.51, Florida Statutes, is amended to read:

7.51 Pasco County.—The boundary lines of Pasco County are as follows: Beginning at the intersection of the section line between sections thirty-three and thirty-four of township twenty-six south, of range twenty-two east, with the township line between townships twenty-six and twenty-seven south, of range twenty-two east; thence north along the section lines to the line dividing sections three and four of said township and to the township line dividing townships twenty-five and twenty-six; thence east on said township line to the range line

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 407 dividing ranges twenty-two and twenty-three east; thence north
 408 on said range line to the line dividing sections twenty-four and
 409 thirteen of township twenty-three south, of range twenty-two
 410 east; thence west to the line dividing ranges twenty and twenty-
 411 one east; thence south to the line dividing townships twenty-
 412 three and twenty-four south; thence west on said line to the
 413 Gulf of America Mexico; thence southerly along the gulf coast,
 414 including islands and the waters of said gulf within the
 415 jurisdiction of the State of Florida, to the north line of
 416 Pinellas County, the township line dividing townships twenty-six
 417 and twenty-seven south; thence east on said line to the place of
 418 beginning.

419 Section 17. Section 7.52, Florida Statutes, is amended to
 420 read:

421 7.52 Pinellas County.—The boundary lines of Pinellas County
 422 are as follows: Beginning at a point where the line dividing
 423 townships twenty-six and twenty-seven south if projected in a
 424 westerly direction intersects with the western boundary of the
 425 jurisdictional waters of the State of Florida in the Gulf of
 426 America Mexico; thence east on said line to the northeast corner
 427 of section one in township twenty-seven south, range sixteen
 428 east; thence south to the shore of old Tampa Bay; thence in a
 429 southerly direction through the middle waters of old Tampa Bay
 430 and Tampa Bay, to a point in Tampa Bay due east of the north
 431 shore of Mullet Key; thence due west to a point due north of a
 432 point 100 yards due east from the easternmost point of Mullet
 433 Key; thence in a line 100 yards from the shoreline around the
 434 southern portion of Mullet Key to a point 100 yards west of the
 435 northernmost shore of Mullet Key; thence west to a point where

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 436 such line intersects the western boundary of the jurisdictional
 437 waters of the State of Florida in the Gulf of America Mexico and
 438 northward, including the waters of said gulf within the
 439 jurisdiction of the State of Florida, to point of beginning;
 440 provided however that nothing herein contained shall now or at
 441 any time hereafter in any manner whatsoever repeal, amend,
 442 change or disturb in any manner whatsoever the apportionment,
 443 allotment, allocation, basis of computation, or other formula
 444 wherein and whereby the participation in the gas tax by both
 445 counties hereto under and by virtue of ss. 206.41 and 206.47 or
 446 any law hereafter enacted, is changed so that Hillsborough
 447 County would receive a lesser amount and Pinellas County would
 448 receive a greater amount of such gas funds or tax by reason of
 449 the change of the boundary line herein authorized.

450 Section 18. Section 7.55, Florida Statutes, is amended to
 451 read:

452 7.55 Santa Rosa County.—The boundary lines of Santa Rosa
 453 County are as follows: Beginning at the Alabama line, where said
 454 line crosses the Escambia River; thence down the thread of said
 455 river to Escambia Bay; thence along said bay to Deer Point, at
 456 the intersection of Santa Rosa Sound with said bay; thence up
 457 said Santa Rosa Sound to a line parallel to and exactly 1 mile
 458 westerly of the line dividing range twenty-six west and range
 459 twenty-seven west; thence southerly along said line to the
 460 waters of the Gulf of America Mexico; thence easterly along the
 461 waters of the Gulf of America Mexico to a point of intersection
 462 with the range line dividing range twenty-five west and range
 463 twenty-six west; thence northerly along said range line to the
 464 dividing line between the State of Florida and the State of

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465 Alabama, thence westerly along said dividing line to the point
466 of beginning; provided that the Counties of Escambia, Santa
467 Rosa, and Okaloosa shall have concurrent jurisdiction of any
468 offenses committed on the waters of Santa Rosa Sound.

469 Section 19. Section 7.56, Florida Statutes, is amended to
470 read:

471 7.56 Sarasota County.—The boundary lines of Sarasota County
472 are as follows: Beginning in the Gulf of America Mexico at a
473 point on a prolongation of the township line between townships
474 thirty-five and thirty-six south; thence east on said
475 prolongation and said line to the southeast corner of township
476 thirty-five south, range twenty east; thence south on the range
477 line between ranges twenty and twenty-one east, to the southwest
478 corner of township thirty-seven south, range twenty-one east;
479 thence east on the township line between townships thirty-seven
480 and thirty-eight south to the southeast corner of township
481 thirty-seven south, range twenty-two east; thence south on the
482 range line between ranges twenty-two and twenty-three east, to
483 the southeast corner of township thirty-nine south, range
484 twenty-two east; thence west on the township line between
485 townships thirty-nine and forty south to the southwest corner of
486 township thirty-nine south, range twenty-one east; thence south
487 on the range line between ranges twenty and twenty-one east to
488 the southeast corner of township forty south, range twenty east;
489 thence west on the township line between townships forty and
490 forty-one south to the Gulf of America Mexico; thence northerly
491 along the coast of the Gulf of America Mexico, including the
492 waters of said gulf within the jurisdiction of the State of
493 Florida, to the place of beginning.

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494 Section 20. Section 7.62, Florida Statutes, is amended to
495 read:

496 7.62 Taylor County.—The boundary lines of Taylor County are
497 as follows: Beginning in the mouth of the Big Aucilla River;
498 thence northerly, concurrent with the east boundary of Jefferson
499 County, along the thread of said river to where same is
500 intersected by the middle line of township two south, range five
501 east; thence east on said middle township line, concurrent with
502 the south boundary line of Madison County, across ranges six,
503 seven and eight east to the range line between ranges eight and
504 nine east; thence south on said range line to the township line
505 between townships two and three south; thence east on said
506 township line to the range line between ranges nine and ten
507 east; thence south on said range line, concurrent with the west
508 boundary of Lafayette County to the middle line of section
509 seven, township seven south, range ten east; thence east on said
510 middle line to the east line of said section seven; thence due
511 south on the east line of said section seven and other sections
512 to the township line between townships seven and eight south;
513 thence east on said township line to the east line of section
514 four, township eight south, range ten east, or the northwest
515 corner of Dixie County; thence south, concurrent with the west
516 boundary of Dixie County, on the east line of said section four
517 and other sections to where same intersects the thread of the
518 Steinhatchee River; thence southerly along the thread of the
519 said Steinhatchee River to the mouth of said river; thence
520 northerly through the Gulf of America Mexico, including the
521 waters of said gulf within the jurisdiction of the State of
522 Florida, to the place of beginning.

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523 Section 21. Section 7.65, Florida Statutes, is amended to
524 read:

525 7.65 Wakulla County.—The boundary lines of Wakulla County
526 are as follows: Beginning on the range line between ranges two
527 and three east where the same strikes the Gulf of America
528 ~~Mexico~~; thence north on said range line to the north boundary of
529 section thirty-six, township two south, range two east; thence
530 due west on the north line of said section thirty-six and other
531 sections to the railroad leading from Tallahassee to St. Marks;
532 thence north along said railroad two sections; thence west on
533 the north line of section twenty, township two south, range one
534 east, and other sections, to the thread of Ochlockonee River;
535 thence southerly and easterly along the thread of said river
536 concurrent with the north and east boundary of Franklin County
537 to a point directly south of the southernmost point of Grass
538 Island; thence along a straight line to the center point of the
539 U.S. 98 (State Road 30) bridge across Ochlockonee Bay; thence
540 east-southeast to a point directly north of the easternmost
541 point of James Island; thence easterly to the boundary line of
542 the State of Florida in the Gulf of America ~~Mexico~~; thence north
543 and easterly along said gulf, including the waters of said gulf
544 within the jurisdiction of the State of Florida, to the place of
545 beginning.

546 Section 22. Section 7.66, Florida Statutes, is amended to
547 read:

548 7.66 Walton County.—The boundary lines of Walton County are
549 as follows: Beginning on the Alabama state line where same is
550 intersected by the line dividing centrally range eighteen west;
551 thence south on the section lines to the line dividing townships

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552 two and three north, in range eighteen west; thence east to the
553 Choctawhatchee River; thence down the thread of the
554 Choctawhatchee River to a point where said Choctawhatchee River
555 intersects the range line dividing ranges seventeen and eighteen
556 west; thence south on said range line to the Gulf of America
557 ~~Mexico~~; thence in a westwardly direction following the
558 meanderings of said gulf, including the waters of said gulf
559 within the jurisdiction of the State of Florida, to the range
560 line dividing ranges twenty-one and twenty-two west; thence
561 north on said line to the dividing line between Florida and
562 Alabama; thence easterly along said state line to the place of
563 beginning.

564 Section 23. Paragraph (c) of subsection (5) of section
565 125.0104, Florida Statutes, is amended to read:

566 125.0104 Tourist development tax; procedure for levying;
567 authorized uses; referendum; enforcement.—

568 (5) AUTHORIZED USES OF REVENUE.—

569 (c) A county located adjacent to the Gulf of America ~~Mexico~~
570 or the Atlantic Ocean, except a county that receives revenue
571 from taxes levied pursuant to s. 125.0108, which meets the
572 following criteria may use up to 10 percent of the tax revenue
573 received pursuant to this section to reimburse expenses incurred
574 in providing public safety services, including emergency medical
575 services as defined in s. 401.107(3), and law enforcement
576 services, which are needed to address impacts related to
577 increased tourism and visitors to an area. However, if taxes
578 collected pursuant to this section are used to reimburse
579 emergency medical services or public safety services for tourism
580 or special events, the governing board of a county or

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581 municipality may not use such taxes to supplant the normal
582 operating expenses of an emergency medical services department,
583 a fire department, a sheriff's office, or a police department.
584 To receive reimbursement, the county must:

585 1.a. Generate a minimum of \$10 million in annual proceeds
586 from any tax, or any combination of taxes, authorized to be
587 levied pursuant to this section;

588 b. Have at least three municipalities; and

589 c. Have an estimated population of less than 275,000,
590 according to the most recent population estimate prepared
591 pursuant to s. 186.901, excluding the inmate population; or

592 2. Be a fiscally constrained county as described in s.
593 218.67(1).
594

595 The board of county commissioners must by majority vote approve
596 reimbursement made pursuant to this paragraph upon receipt of a
597 recommendation from the tourist development council.

598 Section 24. Subsections (1), (5), and (10) of section
599 161.052, Florida Statutes, are amended to read:

600 161.052 Coastal construction and excavation; regulation.—

601 (1) A ~~No~~ person, firm, corporation, municipality, county,
602 or other public agency may not ~~shall~~ excavate or construct any
603 dwelling house, hotel, motel, apartment building, seawall,
604 revetment, or other structure incidental to or related to such
605 structure, including but not limited to such attendant
606 structures or facilities as a patio, swimming pool, or garage,
607 within 50 feet of the line of mean high water at any riparian
608 coastal location fronting the Gulf of America ~~Mexico~~ or Atlantic
609 coast shoreline of the state, exclusive of bays, inlets, rivers,

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610 bayous, creeks, passes, and the like. In areas where an erosion
611 control line has been established under ~~the provisions of~~ ss.
612 161.141-161.211, that line, or the presently existing mean high-
613 water line, whichever is more landward, shall be considered to
614 be the mean high-water line for the purposes of this section.

615 (5) The setback requirements as defined herein do ~~shall~~ not
616 apply to any riparian coastal locations fronting the Atlantic
617 Ocean or Gulf of America ~~Mexico~~ which have vegetation-type
618 nonsandy shores.

619 (10) A coastal county or municipality fronting on the Gulf
620 of America ~~Mexico~~ or the Atlantic Ocean shall advise the
621 department within 5 days after receipt of any permit application
622 for construction or other activities proposed to be located
623 within 50 feet of the line of mean high water. Within 5 days
624 after receipt of such application, the county or municipality
625 shall notify the applicant of the requirements for state
626 permits.

627 Section 25. Paragraphs (a) and (b) of subsection (1) and
628 subsection (14) of section 161.053, Florida Statutes, are
629 amended to read:

630 161.053 Coastal construction and excavation; regulation on
631 county basis.—

632 (1)(a) The Legislature finds and declares that the beaches
633 in this state and the coastal barrier dunes adjacent to such
634 beaches, by their nature, are subject to frequent and severe
635 fluctuations and represent one of the most valuable natural
636 resources of Florida and that it is in the public interest to
637 preserve and protect them from imprudent construction which can
638 jeopardize the stability of the beach-dune system, accelerate

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erosion, provide inadequate protection to upland structures, endanger adjacent properties, or interfere with public beach access. In furtherance of these findings, it is the intent of the Legislature to provide that the department establish coastal construction control lines on a county basis along the sand beaches of the state fronting on the Atlantic Ocean, the Gulf of America Mexico, or the Straits of Florida. Such lines must ~~shall~~ be established so as to define that portion of the beach-dune system which is subject to severe fluctuations based on a 100-year storm surge, storm waves, or other predictable weather conditions. However, the department may establish a segment or segments of a coastal construction control line further landward than the impact zone of a 100-year storm surge, provided such segment or segments do not extend beyond the landward toe of the coastal barrier dune structure that intercepts the 100-year storm surge. Such segment or segments may ~~shall~~ not be established if adequate dune protection is provided by a state-approved dune management plan. Special siting and design considerations shall be necessary seaward of established coastal construction control lines to ensure the protection of the beach-dune system, proposed or existing structures, and adjacent properties and the preservation of public beach access.

(b) As used in this subsection:

1. When establishing coastal construction control lines as provided in this section, the definition of "sand beach" shall be expanded to include coastal barrier island ends contiguous to the sand beaches of the state fronting on the Atlantic Ocean, the Gulf of America Mexico, or the Straits of Florida.

2. "Coastal barrier island ends" means those areas on the

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ends of barrier islands fronting the Atlantic Ocean, the Gulf of America Mexico, or the Straits of Florida, which are subject to severe fluctuations based on a 100-year storm surge, storm waves, or other predictable weather conditions.

3. "Coastal barrier islands" means geological features which are completely surrounded by marine waters that front upon the open waters of the Atlantic Ocean, the Gulf of America Mexico, or the Straits of Florida and are composed of quartz sands, clays, limestone, oolites, rock, coral, coquina, sediment, or other material, including spoil disposal, which features lie above the line of mean high water. Mainland areas which were separated from the mainland by artificial channelization for the purpose of assisting marine commerce may ~~shall~~ not be considered coastal barrier islands.

(14) A coastal county or municipality fronting on the Gulf of America Mexico, the Atlantic Ocean, or the Straits of Florida shall advise the department within 5 days after receipt of any permit application for construction or other activities proposed to be located seaward of the line established by the department pursuant to this section. Within 5 days after receipt of such application, the county or municipality shall notify the applicant of the requirements for state permits.

Section 26. Section 161.088, Florida Statutes, is amended to read:

161.088 Declaration of public policy respecting beach erosion control and beach restoration and nourishment projects.— Because beach erosion is a serious menace to the economy and general welfare of the people of this state and has advanced to emergency proportions, it is hereby declared to be a necessary

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governmental responsibility to properly manage and protect Florida beaches fronting on the Atlantic Ocean, Gulf of America ~~Mexico~~, and Straits of Florida from erosion and that the Legislature make provision for beach restoration and nourishment projects, including inlet management projects that cost-effectively provide beach-quality material for adjacent critically eroded beaches. The Legislature declares that such beach restoration and nourishment projects, as approved pursuant to s. 161.161, are in the public interest; must be in an area designated as critically eroded shoreline, or benefit an adjacent critically eroded shoreline; must have a clearly identifiable beach management benefit consistent with the state's beach management plan; and must be designed to reduce potential upland damage or mitigate adverse impacts caused by improved, modified, or altered inlets, coastal armoring, or existing upland development. Given the extent of the problem of critically eroded beaches, it is also declared that beach restoration and nourishment projects must ~~shall~~ be funded in a manner that encourages all cost-saving strategies, fosters regional coordination of projects, improves the performance of projects, and provides long-term solutions. The Legislature further declares that nothing herein is intended to reduce or amend the beach protection programs otherwise established in this chapter or to result in local governments altering the coastal management elements of their local government comprehensive plans pursuant to chapter 163.

Section 27. Section 161.141, Florida Statutes, is amended to read:

161.141 Property rights of state and private upland owners

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in beach restoration project areas.—The Legislature declares that it is the public policy of the state to cause to be fixed and determined, pursuant to beach restoration, beach nourishment, and erosion control projects, the boundary line between sovereignty lands of the state bordering on the Atlantic Ocean, the Gulf of America ~~Mexico~~, or the Straits of Florida, and the bays, lagoons, and other tidal reaches thereof, and the upland properties adjacent thereto; except that such boundary line may ~~shall~~ not be fixed for beach restoration projects that result from inlet or navigation channel maintenance dredging projects unless such projects involve the construction of authorized beach restoration projects. However, prior to construction of such a beach restoration project, the board of trustees must establish the line of mean high water for the area to be restored; and any additions to the upland property landward of the established line of mean high water which result from the restoration project remain the property of the upland owner subject to all governmental regulations and are not to be used to justify increased density or the relocation of the coastal construction control line as may be in effect for such upland property. The resulting additions to upland property are also subject to a public easement for traditional uses of the sandy beach consistent with uses that would have been allowed prior to the need for the restoration project. It is further declared that there is no intention on the part of the state to extend its claims to lands not already held by it or to deprive any upland or submerged land owner of the legitimate and constitutional use and enjoyment of his or her property. If an authorized beach restoration, beach nourishment, and erosion

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control project cannot reasonably be accomplished without the taking of private property, the taking must be made by the requesting authority by eminent domain proceedings. In any action alleging a taking of all or part of a property or property right as a result of a beach restoration project, in determining whether such taking has occurred or the value of any damage alleged with respect to the owner's remaining upland property adjoining the beach restoration project, the enhancement, if any, in value of the owner's remaining adjoining property of the upland property owner by reason of the beach restoration project shall be considered. If a taking is judicially determined to have occurred as a result of a beach restoration project, the enhancement in value to the owner's remaining adjoining property by reason of the beach restoration project must ~~shall~~ be offset against the value of the damage, if any, resulting to such remaining adjoining property of the upland property owner by reason of the beach restoration project, but such enhancement in the value may ~~shall~~ not be offset against the value of the property or property right alleged to have been taken. If the enhancement in value exceeds ~~shall exceed~~ the value of the damage, if any, to the remaining adjoining property, there shall be no recovery over against the property owner for such excess.

Section 28. Subsection (3) of section 161.151, Florida Statutes, is amended to read:

161.151 Definitions; ss. 161.141-161.211.—As used in ss. 161.141-161.211:

(3) "Erosion control line" means the line determined in accordance with ~~the provisions of~~ ss. 161.141-161.211 which

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represents the landward extent of the claims of the state in its capacity as sovereign titleholder of the submerged bottoms and shores of the Atlantic Ocean, the Gulf of America Mexico, and the bays, lagoons and other tidal reaches thereof on the date of the recording of the survey as authorized in s. 161.181.

Section 29. Subsection (1) of section 161.161, Florida Statutes, is amended to read:

161.161 Procedure for approval of projects.—

(1) The department shall develop and maintain a comprehensive long-term beach management plan for the restoration and maintenance of the state's critically eroded beaches fronting the Atlantic Ocean, Gulf of America Mexico, and Straits of Florida. In developing and maintaining this plan, the department shall:

(a) Address long-term solutions to the problem of critically eroded beaches in this state.

(b) Evaluate each improved, modified, or altered inlet and determine whether the inlet is a significant cause of beach erosion. With respect to each inlet determined to be a significant cause of beach erosion, the plan must ~~shall~~ include the extent to which such inlet causes beach erosion and recommendations to mitigate the erosive impact of the inlet, including, but not limited to, inlet sediment bypassing; improvement of infrastructure to facilitate sand bypassing; modifications to channel dredging, jetty design, and disposal of spoil material; establishment of feeder beaches; and beach restoration and beach nourishment.

(c) Evaluate criteria for beach restoration and beach nourishment projects, including, but not limited to, dune

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813 elevation and width and revegetation and stabilization
814 requirements and beach profiles.

815 (d) Consider the establishment of regional sediment
816 management alternatives for one or more individual beach and
817 inlet sand bypassing projects as an alternative to beach
818 restoration when appropriate and cost-effective, and recommend
819 the location of such regional sediment management alternatives
820 and the source of beach-compatible sand.

821 (e) Identify causes of shoreline erosion and change,
822 determine erosion rates, and maintain an updated list of
823 critically eroded sandy beaches based on data, analyses, and
824 investigations of shoreline conditions.

825 (f) Assess impacts of development and coastal protection
826 structures on shoreline change and erosion.

827 (g) Identify short-term and long-term economic costs and
828 benefits of beaches to the state and individual beach
829 communities.

830 (h) Study dune and vegetation conditions, identify existing
831 beach projects without dune features or with dunes without
832 adequate elevations, and encourage dune restoration and
833 revegetation to be incorporated as part of storm damage recovery
834 projects or future dune maintenance events.

835 (i) Identify beach areas used by marine turtles and develop
836 strategies for protection of the turtles and their nests and
837 nesting locations.

838 (j) Identify alternative management responses to preserve
839 undeveloped beach and dune systems and to restore damaged beach
840 and dune systems. In identifying such management responses, the
841 department shall consider, at a minimum, beach restoration and

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842 nourishment, armoring, relocation, dune and vegetation
843 restoration, and acquisition.

844 (k) Document procedures and policies for preparing
845 poststorm damage assessments and corresponding recovery plans,
846 including repair cost estimates.

847 (l) Identify and assess appropriate management measures for
848 all of the state's critically eroded sandy beaches.

849 Section 30. Subsections (1) and (2) of section 161.54,
850 Florida Statutes, are amended to read:

851 161.54 Definitions.—In construing ss. 161.52-161.58:

852 (1) "Coastal building zone" means the land area from the
853 seasonal high-water line landward to a line 1,500 feet landward
854 from the coastal construction control line as established
855 pursuant to s. 161.053, and, for those coastal areas fronting on
856 the Gulf of America Mexico, Atlantic Ocean, Florida Bay, or
857 Straits of Florida and not included under s. 161.053, the land
858 area seaward of the most landward velocity zone (V-zone) line as
859 established by the Federal Emergency Management Agency and shown
860 on flood insurance rate maps.

861 (2) "Coastal barrier islands" means geological features
862 which are completely surrounded by marine waters that front upon
863 the open waters of the Gulf of America Mexico, Atlantic Ocean,
864 Florida Bay, or Straits of Florida and are composed of quartz
865 sands, clays, limestone, oolites, rock, coral, coquina,
866 sediment, or other material, including spoil disposal, which
867 features lie above the line of mean high water. Mainland areas
868 which were separated from the mainland by artificial
869 channelization for the purpose of assisting marine commerce may
870 ~~shall~~ not be considered coastal barrier islands.

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871 Section 31. Subsection (4) of section 161.55, Florida
 872 Statutes, is amended to read:
 873 161.55 Requirements for activities or construction within
 874 the coastal building zone.—The following requirements shall
 875 apply beginning March 1, 1986, to construction within the
 876 coastal building zone and shall be minimum standards for
 877 construction in this area:
 878 (4) APPLICATION TO COASTAL BARRIER ISLANDS.—All
 879 requirements of this part which are applicable to the coastal
 880 building zone shall also apply to coastal barrier islands. The
 881 coastal building zone on coastal barrier islands is ~~shall be~~ the
 882 land area from the seasonal high-water line to a line 5,000 feet
 883 landward from the coastal construction control line established
 884 pursuant to s. 161.053, or the entire island, whichever is less.
 885 For coastal barrier islands on which a coastal construction
 886 control line has not been established pursuant to s. 161.053,
 887 the coastal building zone is ~~shall be~~ the land area seaward of
 888 the most landward velocity zone (V-zone) boundary line fronting
 889 upon the Gulf of America Mexico, Atlantic Ocean, Florida Bay, or
 890 Straits of Florida. All land area in the Florida Keys located
 891 within Monroe County must ~~shall~~ be included in the coastal
 892 building zone. The coastal building zone on any coastal barrier
 893 island between Sebastian Inlet and Fort Pierce Inlet may be
 894 reduced in size upon approval of the Land and Water Adjudicatory
 895 Commission, if it determines that the local government with
 896 jurisdiction has provided adequate protection for the barrier
 897 island. In no case, however, shall the coastal building zone be
 898 reduced to an area less than a line 2,500 feet landward of the
 899 coastal construction control line. The Land and Water

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900 Adjudicatory Commission shall withdraw its approval for a
 901 reduced coastal building zone if it determines that 6 months
 902 after a local government comprehensive plan is due for
 903 submission to the state land planning agency pursuant to s.
 904 163.3167 the local government with jurisdiction has not adopted
 905 a coastal management element which is in compliance with s.
 906 163.3178.
 907 Section 32. Paragraph (c) of subsection (1) of section
 908 206.9935, Florida Statutes, is amended to read:
 909 206.9935 Taxes imposed.—
 910 (1) TAX FOR COASTAL PROTECTION.—
 911 (c)1. Excluding natural gas drilling activities, if
 912 offshore oil drilling activity is approved by the United States
 913 Department of the Interior for the waters off the coast of this
 914 state in the Atlantic Ocean, Gulf of America Mexico, or Straits
 915 of Florida, paragraph (b) does ~~shall~~ not apply. Instead, the
 916 excise tax is ~~shall be~~ 2 cents per barrel of pollutant, or
 917 equivalent measure as established by the department, produced in
 918 or imported into this state, and the proceeds must ~~shall~~ be
 919 deposited into the Coastal Protection Trust Fund with a cap of
 920 \$100 million.
 921 2. If a discharge of catastrophic proportions occurs, the
 922 results of which could significantly reduce the balance in the
 923 fund, the Secretary of Environmental Protection may, by rule,
 924 increase the levy of the excise tax to an amount not to exceed
 925 10 cents per barrel for a period of time sufficient to pay any
 926 proven claim against the fund and restore the balance in the
 927 fund until it again equals or exceeds \$50 million; except that
 928 for any fiscal year immediately following the year in which the

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929 fund is equal to or exceeds \$50 million, the excise tax and fund
 930 shall be governed by ~~the provisions of~~ subparagraph 1.
 931 Section 33. Paragraph (a) of subsection (10) of section
 932 253.03, Florida Statutes, is amended to read:
 933 253.03 Board of trustees to administer state lands; lands
 934 enumerated.—
 935 (10) The Board of Trustees of the Internal Improvement
 936 Trust Fund and the state through any of its agencies are hereby
 937 prohibited from levying any charge, by whatever name known, or
 938 attaching any lien, on any and all materials dredged from state
 939 sovereignty tidal lands or submerged bottom lands or on the
 940 lands constituting the spoil areas on which such dredged
 941 materials are placed, except as otherwise provided for in this
 942 subsection, when such materials are dredged by or on behalf of
 943 the United States or the local sponsors of active federal
 944 navigation projects in the pursuance of the improvement,
 945 construction, maintenance, and operation of such projects or by
 946 a public body authorized to operate a public port facility (all
 947 such parties referred to herein shall hereafter be called
 948 "public body") in pursuance of the improvement, construction,
 949 maintenance, and operation of such facility, including any
 950 public transfer and terminal facilities, which actions are
 951 hereby declared to be for a public purpose. The term "local
 952 sponsor" means the local agency designated pursuant to an act of
 953 Congress to assume a portion of the navigation project costs and
 954 duties. Active federal navigation projects are those
 955 congressionally approved projects which are being performed by
 956 the United States Army Corps of Engineers or maintained by the
 957 local sponsors.

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958 (a) Except for beach nourishment seaward of existing lines
 959 of vegetation on privately owned or publicly owned uplands
 960 fronting on the waters of the Atlantic Ocean or Gulf of America
 961 ~~Mexico~~ and authorized pursuant to ~~the provisions of~~ part I of
 962 chapter 161, ~~no~~ materials dredged from state sovereignty tidal
 963 or submerged bottom lands by a public body may not ~~shall~~ be
 964 deposited on private lands until:
 965 1. The United States Army Corps of Engineers or the local
 966 sponsor has first certified that no public lands are available
 967 within a reasonable distance of the dredging site; and
 968 2. The public body has published notice of its intention to
 969 use ~~utilize~~ certain private lands for the deposit of materials,
 970 in a newspaper published and having general circulation in the
 971 appropriate county at least three times within a 60-day period
 972 prior to the date of the scheduled deposit of any such material,
 973 and therein advised the general public of the opportunity to bid
 974 on the purchase of such materials for deposit on the purchaser's
 975 designated site, provided any such deposit shall be at no
 976 increased cost to the public body. Such notice must ~~shall~~ state
 977 the terms, location, and conditions for receipt of bids and
 978 shall state that the public body shall accept the highest
 979 responsible bid. All bids must ~~shall~~ be submitted to the Board
 980 of Trustees of the Internal Improvement Trust Fund. All moneys
 981 obtained from such purchases of materials must ~~shall~~ be remitted
 982 forthwith to the Board of Trustees of the Internal Improvement
 983 Trust Fund. Compliance with this subsection shall vest, without
 984 any obligation, full title to the materials in the owner of the
 985 land where deposited.
 986 Section 34. Paragraph (b) of subsection (5) of section

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253.12, Florida Statutes, is amended to read:

253.12 Title to tidal lands vested in state.—

(5)

(b) ~~Neither~~ This subsection ~~or~~ ~~nor~~ any other provision of this chapter ~~may not~~ ~~shall~~ be construed to permit any state agency or county, city, or other political subdivision to construct islands or extend or add to existing lands or islands bordering on or being in the navigable waters as defined herein or drain such waters for a municipal, county, state, or other public purpose unless such agency is the riparian upland owner or holds the consent in writing of the riparian upland owner consenting to such construction or extension or drainage operation. For the purposes of this subsection, the term “riparian upland owners” means ~~shall be defined as~~ those persons owning upland property abutting those portions of the waters to be filled or drained, which are within 1,000 feet outboard of said riparian upland, but not more than one-half the distance to the opposite upland, if any, and within the extensions of the side boundary lines thereof, when said side boundary lines are extended in the direction of the channel along an alignment which would be required to distribute equitably the submerged land between the upland and the channel. However, this paragraph ~~may not~~ ~~nothing herein shall~~ be construed to deny or limit any state agency or county, city, or other political subdivision from exercising the right of eminent domain to the extent and for the purposes authorized by law in connection with such construction, extension, or drainage projects; and this paragraph may not ~~nothing herein shall~~ be construed to have application in those instances when the board is authorized by

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law to establish an erosion control line to implement an authorized beach nourishment, replenishment, or erosion-control project, or for the placement of sand dredged from navigation channels on beaches fronting the waters of the Atlantic Ocean or the Gulf of America ~~Mexico~~, provided such sand is not placed landward of existing lines of vegetation.

Section 35. Section 253.783, Florida Statutes, is amended to read:

253.783 Expenditures for acquisition of land for a canal connecting the waters of the Atlantic Ocean with the Gulf of America ~~Mexico~~ via the St. Johns River prohibited.—The department ~~may not~~ ~~shall~~ make ~~no~~ expenditures for the purpose of acquiring land for constructing, operating, or promoting a canal across the peninsula of Florida connecting the waters of the Atlantic Ocean with the waters of the Gulf of America ~~Mexico~~ via the St. Johns River.

Section 36. Section 258.09, Florida Statutes, is amended to read:

258.09 Rauscher Park designated.—There is designated and established as a state park to be known as Rauscher Park, in Escambia County, the lands lying between the Big Lagoon and the Gulf of America ~~Mexico~~, now owned by Escambia County, or hereafter acquired by Escambia County, adjacent or contiguous thereto, from private owners or from the United States Government; and the board of county commissioners of Escambia County may execute proper conveyance to the board of commissioners of state institutions covering the property now owned by Escambia County, as aforesaid, and said board of county commissioners of Escambia County may acquire in the name of the

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Division of Recreation and Parks of the Department of Environmental Protection any property adjacent or contiguous thereto, from private owners or from the United States Government; and said division may accept in the name of the state the title to any such lands, whether from said Escambia County, or whether same be property acquired from private owners or the United States Government.

Section 37. Section 258.395, Florida Statutes, is amended to read:

258.395 Big Bend Seagrasses Aquatic Preserve.—The following described area in Wakulla, Jefferson, Taylor, Dixie, and Levy Counties is hereby designated by the Legislature for inclusion in the aquatic preserve system under the Florida Aquatic Preserve Act of 1975. Such area, to be known as the Big Bend Seagrasses Aquatic Preserve, must ~~shall~~ be included in the aquatic preserve system and must ~~shall~~ include all the sovereignty submerged lands lying within the following described boundaries: Begin where the northerly mean high water line of Withlacoochee River meets the mean high water line of the Gulf of America Mexico, Township 17 South, Range 15 East, Levy County: Thence from the said point of beginning proceed northwesterly along the mean high water line of the coast and its navigable tributaries to the intersection of the westerly mean high water line of St. Marks River with the mean high water line of the Gulf of America Mexico, in Township 4 South, Range 1 East, Wakulla County; thence proceed south three marine leagues into the Gulf of America Mexico; thence proceed southeasterly along a line three marine leagues from and parallel to the line of mean high water previously described to an intersection with

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a line projected west from the point of beginning; thence proceed east to the point of beginning. Less and except all those sovereignty submerged lands within 500 feet of any incorporated or unincorporated municipality within the above described lands. Less and except: Begin at the intersection of the southerly projection of the east line of Range line 4 East with the mean high water line of the Gulf of America Mexico; thence proceed southwest to a point on the three marine league line; thence proceed southeasterly three marine leagues from and parallel to the mean high water line to a point which is southwest of the intersection of the southerly line of Section 22, Township 6 South, Range 6 East, Taylor County, with the mean high water line of the Gulf of America Mexico; thence proceed Northeast to the foresaid point of intersection; thence proceed northwesterly along the mean high water line of the Gulf of America Mexico and its tributaries to the point of beginning. Less and except all those local access channels adjacent to Keaton Beach and a proposed navigational channel more particularly described as follows: Begin at State Plane Coordinate; X=2,288,032; Y=298,365: Thence proceed West 11,608 feet; thence proceed south 1,440 feet; thence proceed east 11,608 feet; thence proceed north 1,440 feet to the point of beginning; less and except all those sovereign submerged lands lying northerly and easterly of U.S. Highway 19.

Section 38. Subsection (2) of section 258.3991, Florida Statutes, is amended to read:

258.3991 Nature Coast Aquatic Preserve.—

(2) BOUNDARIES.—For purposes of this section, the Nature Coast Aquatic Preserve consists of the state-owned submerged

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lands lying west of a meandering line following the westernmost shorelines of Citrus, Hernando, and Pasco Counties, excluding artificial waterways, canals, inland rivers, and tributaries. Such state-owned submerged lands include all those lands seaward of the mean high-water line and tidally connected to the Gulf of ~~America Mexico~~, lying south of a line extending westerly approximately 4.5 miles along Latitude 28.910000°, Florida West Zone (NAD83) from the mean high-water line of the corresponding shoreline at Fort Island Gulf Beach Park, Latitude 28.910000°, Longitude -82.690000°, and lying westward of a line extending north approximately 1.8 miles from Latitude 28.909402°, Longitude -82.764° to Latitude 28.9355°, Longitude -82.764°, lying southward of a line extending westerly approximately 2.0 miles to Latitude 28.9355°, Longitude -82.798214°, lying westward of a line extending north approximately 4.5 miles to the easternmost point of the southern boundary of the Big Bend Seagrasses Aquatic Preserve at point Latitude 29.001614°, Longitude -82.798921°, and will be continuous with the eastern shoreline of the northern boundary of the Pinellas County Aquatic Preserve, respectively. The boundary of the Nature Coast Aquatic Preserve designated as the shoreline will be the mean high-water line along such shoreline unless otherwise stated and will not supersede the boundaries of currently designated Outstanding Florida Waters, state parks, national wildlife refuges, or aquatic preserves.

Section 39. Subsection (15) of section 327.02, Florida Statutes, is amended to read:

327.02 Definitions.—As used in this chapter and in chapter 328, unless the context clearly requires a different meaning,

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the term:

(15) "Florida Intracoastal Waterway" means the Atlantic Intracoastal Waterway, the Georgia state line north of Fernandina to Miami; the Port Canaveral lock and canal to the Atlantic Intracoastal Waterway; the Atlantic Intracoastal Waterway, Miami to Key West; the Okeechobee Waterway, Stuart to Fort Myers; the St. Johns River, Jacksonville to Sanford; the Gulf Intracoastal Waterway, Anclote to Fort Myers; the Gulf Intracoastal Waterway, Carrabelle to Tampa Bay; Carrabelle to Anclote open bay section, using the Gulf of ~~America Mexico~~; the Gulf Intracoastal Waterway, Carrabelle to the Alabama state line west of Pensacola; and the Apalachicola, Chattahoochee, and Flint Rivers in Florida.

Section 40. Paragraph (c) of subsection (4) of section 327.60, Florida Statutes, is amended to read:

327.60 Local regulations; limitations.—

(4)

(c) Upon approval of the Administrator of the United States Environmental Protection Agency pursuant to 33 U.S.C. s. 1322, a county designated as a rural area of opportunity may create a no-discharge zone for freshwater water bodies within the county's jurisdiction to prohibit treated and untreated sewage discharges from floating structures and live-aboard vessels not capable of being used as a means of transportation and from houseboats. Within no-discharge zone boundaries, operators of such floating structures, live-aboard vessels, and houseboats shall retain their sewage on board for discharge at a pumpout facility or for discharge more than 3 miles off the coast in the Atlantic Ocean or more than 9 miles off the coast in the Gulf of

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1161 ~~America Mexico~~. Violations of this paragraph are punishable as
1162 provided in s. 327.53(6) and (7).

1163 Section 41. Subsection (1) of section 331.307, Florida
1164 Statutes, is amended to read:

1165 331.307 Development of Cape San Blas facility.—The
1166 spaceport facility at Cape San Blas may only be developed in
1167 accordance with the recommendations of the Spaceport Florida
1168 Feasibility Study upon the following conditions:

1169 (1) Construction at the site may ~~shall~~ not cause
1170 significant degradation of the water quality or injure aquatic
1171 life in St. Joseph Bay or the adjacent water of the Gulf of
1172 ~~America Mexico~~.

1173 Section 42. Subsection (3) of section 373.019, Florida
1174 Statutes, is amended to read:

1175 373.019 Definitions.—When appearing in this chapter or in
1176 any rule, regulation, or order adopted pursuant thereto, the
1177 term:

1178 (3) "Coastal waters" means waters of the Atlantic Ocean or
1179 the Gulf of ~~America Mexico~~ within the jurisdiction of the state.

1180 Section 43. Paragraphs (a), (b), (d), and (e) of subsection
1181 (2) of section 373.069, Florida Statutes, are amended to read:

1182 373.069 Creation of water management districts.—

1183 (2) Notwithstanding the provisions of any other special or
1184 general act to the contrary, the boundaries of the respective
1185 districts named in subsection (1) shall include the areas within
1186 the following boundaries:

1187 (a) *Northwest Florida Water Management District*.—Begin at
1188 the point where the section line between Sections 26 and 27,
1189 Township 4 South, Range 3 East intersects the Gulf of America

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1190 ~~Mexico~~; thence north along the section line to the northwest
1191 corner of Section 2, Township 1 South, Range 3 East; thence east
1192 along the Tallahassee Base Line to the southeast corner of
1193 Section 36, Township 1 North, Range 4 East; thence north along
1194 the range line to the northwest corner of Section 6, Township 1
1195 North, Range 5 East; thence east along the township line to the
1196 southeast corner of Section 36, Township 2 North, Range 5 East;
1197 thence north along the range line to the northeast corner of
1198 Section 24, Township 2 North, Range 5 East; thence west along
1199 the section line to the southwest corner of the east 1/2 of
1200 Section 13, Township 2 North, Range 5 East; thence north to the
1201 northwest corner of the east 1/2 of Section 13, Township 2
1202 North, Range 5 East; thence east along the section line to the
1203 southeast corner of Section 12, Township 2 North, Range 5 East;
1204 thence north along the range line to the northeast corner of
1205 Section 24, Township 3 North, Range 5 East; thence west along
1206 the Watson Line to the southwest corner of Lot Number 168;
1207 thence north along the line between Lot Numbers 168 and 169, 154
1208 and 155 to the Georgia line; thence westward along the Georgia-
1209 Florida line to the intersection of the south boundary of the
1210 State of Alabama; thence west along the Alabama-Florida line to
1211 the intersection of the northwest corner Alabama-Florida
1212 Boundary; thence south along the Alabama-Florida line to the
1213 Gulf of ~~America Mexico~~; thence east along the Gulf of America
1214 ~~Mexico~~, including the waters of said gulf within the
1215 jurisdiction of the State of Florida, to the Point of Beginning.

1216 (b) *Suwannee River Water Management District*.—Begin in the
1217 Gulf of ~~America Mexico~~ on the section line between Sections 29
1218 and 32, Township 15 South, Range 15 East; thence east along the

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1219 section lines to the southwest corner of Section 27, Township 15
 1220 South, Range 17 East; thence north along the section line to the
 1221 northwest corner of Section 3, Township 15 South, Range 17 East;
 1222 thence east along the section line to the easterly right-of-way
 1223 line of State Road No. 337; thence northerly along said easterly
 1224 right-of-way line of State Road No. 337 to the southerly right-
 1225 of-way line of State Road No. 24; thence northeasterly along
 1226 said southerly right-of-way line of State Road No. 24 to the
 1227 Levy-Alachua county line; thence south along the Levy-Alachua
 1228 county line, also being the range line between Range 17 and 18
 1229 East to the southeast corner of Section 36, Township 11 South,
 1230 Range 17 East; thence easterly along the Levy-Alachua county
 1231 line, also being the township line between Townships 11 and 12
 1232 South, to the southeast corner of Section 36, Township 11 South,
 1233 Range 18 East; thence north along the range line to the
 1234 northwest corner of Section 19, Township 9 South, Range 19 East;
 1235 thence east along the section line to the southeast corner of
 1236 Section 13, Township 9 South, Range 19 East; thence north along
 1237 the range line to the northwest corner of Section 6, Township 9
 1238 South, Range 20 East; thence eastward along the township line to
 1239 the southeast corner of Section 36, Township 8 South, Range 20
 1240 East; thence north along the township line to the northwest
 1241 corner of Section 18, Township 8 South, Range 21 East; thence
 1242 east along the section line to the northeast corner of Section
 1243 15, Township 8 South, Range 21 East; thence south along the
 1244 section line to the southwest corner of Section 23, Township 8
 1245 South, Range 21 East; thence east along the section line to the
 1246 northeast corner of Section 26, Township 8 South, Range 21 East;
 1247 thence south along the section line to the southwest corner of

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1248 the north 1/2 of Section 25, Township 8 South, Range 21 East;
 1249 thence east along a line to the northeast corner of the south
 1250 half of Section 25, Township 8 South, Range 21 East; thence
 1251 south along the range line to the southwest corner of Section
 1252 30, Township 8 South, Range 22 East; thence east along the
 1253 section line to the northeast corner of Section 32, Township 8
 1254 South, Range 22 East; thence south along the section line to the
 1255 southwest corner of Section 16, Township 9 South, Range 22 East;
 1256 thence eastward along the section line to the southeast corner
 1257 of the west 1/8 of Section 18, Township 9 South, Range 23 East;
 1258 thence northward to the northeast corner of the west 1/8 of
 1259 Section 18, Township 9 South, Range 23 East; thence west to the
 1260 southwest corner of Section 7, Township 9 South, Range 23 East;
 1261 thence northward along the Bradford-Clay County line to the
 1262 northeast corner of Section 36, Township 8 South, Range 22 East;
 1263 thence west along the section line to the southwest corner of
 1264 the east 1/2 of Section 25, Township 8 South, Range 22 East;
 1265 thence north to the northeast corner of the west 1/2 of Section
 1266 24, Township 8 South, Range 22 East; thence west along the
 1267 section line to the southwest corner of Section 13, Township 8
 1268 South, Range 22 East; thence north along the section line to the
 1269 northwest corner of Section 25, Township 7 South, Range 22 East;
 1270 thence east along the section line to the southeast corner of
 1271 Section 24, Township 7 South, Range 22 East; thence north along
 1272 the Bradford-Clay County line to the intersection of the south
 1273 boundary of Baker County; thence west along the Baker-Bradford
 1274 County line to the intersection of the east boundary of Union
 1275 County; thence west along the Union-Baker County line to the
 1276 southwest corner of Section 18, Township 4 South, Range 20 East;

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1277 thence north along the range line to the northeast corner of
 1278 Section 1, Township 3 South, Range 19 East; thence west along
 1279 the township line to the intersection of the east boundary of
 1280 Columbia County; thence north along the Baker-Columbia County
 1281 line to the intersection of the north boundary line of the State
 1282 of Florida; thence westward along the Georgia-Florida line to
 1283 the northwest corner of Lot Number 155; thence south along the
 1284 line between Lot Number 154 and 155, 168 and 169 to the Watson
 1285 Line; thence east along the Watson Line to the northeast corner
 1286 of Section 24, Township 3 North, Range 5 East; thence south
 1287 along the range line between Ranges 5 and 6 East to the
 1288 southeast corner of Section 12, Township 2 North, Range 5 East;
 1289 thence west along the section line to the northwest corner of
 1290 the east 1/2 of Section 13, Township 2 North, Range 5 East;
 1291 thence south to the southwest corner of the east 1/2 of Section
 1292 13, Township 2 North, Range 5 East; thence east along the
 1293 section line to the northeast corner of Section 24, Township 2
 1294 North, Range 5 East; thence south along the range line between
 1295 Ranges 5 and 6 East to the southeast corner of Section 36,
 1296 Township 2 North, Range 5 East; thence west along the township
 1297 line between Townships 1 and 2 North to the northwest corner of
 1298 Section 6, Township 1 North, Range 5 East; thence south along
 1299 the range line between Ranges 4 and 5 East to the southeast
 1300 corner of Section 36, Township 1 North, Range 4 East; thence
 1301 west along the Tallahassee Base Line to the northwest corner of
 1302 Section 2, Township 1 South, Range 3 East; thence south along
 1303 the section line to the Gulf of America Mexico; thence along the
 1304 shore of the Gulf of America Mexico, including the waters of
 1305 said gulf within the jurisdiction of the State of Florida, to

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1306 the point of the beginning.
 1307 (d) *Southwest Florida Water Management District.*—Begin at
 1308 the intersection of the north boundary of Lee County with the
 1309 Gulf of America Mexico; thence eastward along the Lee-Charlotte
 1310 County line to the Southeast corner of Section 33, Township 42
 1311 South, Range 24 East; thence North into Charlotte County, along
 1312 the section lines to the Northeast corner of Section 4, Township
 1313 42 South, Range 24 East; thence East along the township line
 1314 between Townships 41 and 42 South to the Southeast corner of
 1315 Section 36, Township 41 South, Range 25 East; thence north along
 1316 the section line to the northwest corner of Section 6, Township
 1317 41 South, Range 26 East; thence east along the section line to
 1318 the southeast corner of Section 36, Township 40 South, Range 26
 1319 East; thence North along the range line between Ranges 26 and 27
 1320 to the Northeast corner of Section 1, Township 40 South, Range
 1321 26 East, and the Charlotte-Desoto County line; thence east along
 1322 the Charlotte-Desoto County line to the southeast corner of
 1323 Section 36, Township 39 South, Range 27 East; thence north along
 1324 the DeSoto-Highlands County line to the intersection of the
 1325 South boundary of Hardee County; thence north along the Hardee-
 1326 Highlands County line to the southwest corner of Township 35
 1327 South, Range 28 East; thence east along the north boundary of
 1328 Township 36 South to the northeast corner of Section 1, Township
 1329 36 South, Range 28 East; thence south along the range line to
 1330 the southeast corner of Section 12, Township 37 South, Range 28
 1331 East; thence east along the section line to the northeast corner
 1332 of Section 15, Township 37 South, Range 29 East; thence south
 1333 along the section line to the southeast corner of Section 34,
 1334 Township 37 South, Range 29 East; thence east along the township

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1335 line to the northeast corner of Section 1, Township 38 South,
 1336 Range 29 East; thence south along the range line to the
 1337 southeast corner of Section 1, Township 39 South, Range 29 East;
 1338 thence east along the section line to the northwest corner of
 1339 Section 11, Township 39 South, Range 30 East; thence north along
 1340 the section line to the southwest corner of Section 35, Township
 1341 38 South, Range 30 East; thence east along the township line to
 1342 the southeast corner of the west 1/4 of Section 35, Township 38
 1343 South, Range 30 East; thence north along the 1/4-section line of
 1344 Sections 35, 26, and 23, Township 38 South, Range 30 East to the
 1345 northeast corner of the west 1/4 section of Section 23, Township
 1346 38 South, Range 30 East; thence west along the section line to
 1347 the northwest corner of Section 23, Township 38 South, Range 30
 1348 East; thence north along the section line to the northwest
 1349 corner of Section 2, Township 37 South, Range 30 East; thence
 1350 west along the township line to the southwest corner of Section
 1351 34, Township 36 South, Range 30 East; thence north along the
 1352 section line to the northwest corner of Section 3, Township 36
 1353 South, Range 30 East; thence west along the township line to the
 1354 southwest corner of Section 31, Township 35 South, Range 30
 1355 East; thence north along the range line between Ranges 29 and 30
 1356 East, through Townships 35, 34, and 33 South, to the northeast
 1357 corner of Township 33 South, Range 29 East, being on the
 1358 Highlands-Polk County line; thence west along the Highlands-Polk
 1359 County line to the southeast corner of Township 32 South, Range
 1360 28 East; thence north along the range line between Ranges 28 and
 1361 29 East, in Townships 32 and 31 South, to the northeast corner
 1362 of Section 12 in Township 31 South, Range 28 East; thence east
 1363 along the section line to the northeast corner of Section 7,

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1364 Township 31 South, Range 29 East; thence north along the section
 1365 line to the northwest corner of Section 17, Township 30 South,
 1366 Range 29 East; thence east along the section line to the
 1367 northeast corner of the west 1/2 of Section 17, Township 30
 1368 South, Range 29 East; thence north along the 1/2-section line to
 1369 the northeast corner of the west 1/2 of Section 5, Township 30
 1370 South, Range 29 East; thence west along the section line to the
 1371 southwest corner of Section 32, Township 29 South, Range 29
 1372 East; thence north along the section line to the northeast
 1373 corner of Section 19 in Township 29 South, Range 29 East; thence
 1374 west along the north boundaries of Section 19, Township 29
 1375 South, Range 29 East, and Sections 24, 23, 22, 21, and 20,
 1376 Township 29 South, Range 28 East, to the northwest corner of
 1377 said Section 20; thence north along the section line to the
 1378 intersection of said section line with the west shore line of
 1379 Lake Pierce in Township 29 South, Range 28 East; thence
 1380 following the west shore of Lake Pierce to its intersection
 1381 again with the west section line of Section 5, Township 29
 1382 South, Range 28 East; thence north along the section line to the
 1383 northwest corner of Section 5, Township 29 South, Range 28 East;
 1384 thence east along the township line to the southwest corner of
 1385 Section 33, Township 28 South, Range 28 East; thence north along
 1386 the section line to the northwest corner of the southwest 1/4 of
 1387 the southwest 1/4 of Section 28, Township 28 South, Range 28
 1388 East; thence east along the 1/4-section line to the intersection
 1389 of said 1/4-section line with Lake Pierce; thence follow the
 1390 shore line northeasterly to its intersection with the 1/2-
 1391 section line of Section 28, Township 28 South, Range 28 East;
 1392 thence north on the 1/2-section line to the northwest corner of

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the southeast 1/4 of Section 28, Township 28 South, Range 28 East; thence east to the northeast corner of the southeast 1/4 of Section 28, Township 28 South, Range 28 East; thence south along the section line to the northwest corner of Section 3, Township 29 South, Range 28 East; thence east along the section line to the northeast corner of Section 3, Township 29 South, Range 28 East; thence north along the section line to the northwest corner of Section 23, Township 28 South, Range 28 East; thence west along the section line to the southwest corner of Section 16, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of Section 16, Township 28 South, Range 28 East; thence west along the section line to the southwest corner of Section 8, Township 28 South, Range 28 East; thence north along the section line to the northwest corner of Section 5, Township 28 South, Range 28 East; thence west along the township line to the intersection of said township line with Lake Marion; thence following the south shore line of Lake Marion to its intersection again with said township line; thence west along the township line to the southeast corner of Section 36, Township 37 South, Range 27 East; thence north along the range line between Ranges 27 and 28 East to the intersection of said range line with Lake Marion; thence following the west shore of Lake Marion to its intersection again with the range line between Ranges 27 and 28 East; thence north along said range line, in Townships 27 and 26 South, to the northeast corner of Township 26 South, Range 27 East, being on the Polk-Osceola County line; thence west along the Polk-Osceola County line to the northwest corner of Township 26 South, Range 27 East; thence north along the section line to the

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Lake-Polk County line; thence west along the county line to the southwest corner of Section 32, Township 24 South, Range 26 East; thence into Lake County, north along the section lines to the northeast corner of Section 30, Township 24 South, Range 26 East; thence west along the section lines to the northeast corner of Section 28, Township 24 South, Range 25 East; thence north along the section lines to the northeast corner of Section 16, Township 24 South, Range 25 East; thence west along the section line to the northwest corner of Section 16, Township 24 South, Range 25 East; thence north along the section line to the northeast corner of Section 8, Township 24 South, Range 25 East; thence west along the section lines to the range line between Ranges 24 and 25; thence north along the range line to the northeast corner of Section 1, Township 23 South, Range 24 East, also being on the township line between Townships 22 and 23 South; thence west along the township line to the northwest corner of Section 6, Township 23 South, Range 24 East also being on the Sumter-Lake County line; thence north along the Sumter-Lake County line, also being the range line between Ranges 23 and 24, to the northeast corner of Section 1, Township 18 South, Range 23 East and the Marion County line; thence west, along the Sumter-Marion County line, also being the township line between Townships 17 and 18 South, to the westerly right-of-way line of Interstate Highway 75; thence northerly along the westerly right-of-way line of Interstate Highway 75 to the Alachua-Marion County line, said line also being the township line between Townships 11 and 12 South; thence west along the Alachua-Marion County line to the northwest corner of Section 3, Township 12 South, Range 19 East and the Levy County line; thence westerly

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 1451 along the Levy-Alachua County line, also being the township line
 1452 between Townships 11 and 12 South, to the southeast corner of
 1453 Section 36, Township 11 South, Range 17 East; thence north along
 1454 the Levy-Alachua County line, also being the range line between
 1455 Ranges 17 and 18 East, to the southerly right-of-way line of
 1456 State Road No. 24; thence southwesterly along said southerly
 1457 right-of-way line to the easterly right-of-way line of State
 1458 Road No. 337; thence southerly, along said easterly right-of-way
 1459 line of State Road No. 337, to the south line of Section 35,
 1460 Township 14 South, Range 17 East; thence west along the section
 1461 line to the northwest corner of Section 3, Township 15 South,
 1462 Range 17 East; thence south along the section lines to the
 1463 southwest corner of Section 27, Township 15 South, Range 17
 1464 East; thence west to the Gulf of America Mexico; thence south
 1465 along the Gulf of America Mexico, including the waters of said
 1466 gulf within the jurisdiction of the State of Florida, to the
 1467 point of beginning.

1468 (e) *South Florida Water Management District.*—Begin at the
 1469 intersection of the north boundary of Lee County with the Gulf
 1470 of America Mexico; thence easterly along the Lee-Charlotte
 1471 County line to the southwest corner of Section 34, Township 42
 1472 South, Range 24 East; thence northerly along the section lines
 1473 to the northwest corner of Section 3, Township 42 South, Range
 1474 24 East; thence easterly along the Township line between
 1475 Townships 41 and 42 South to the southwest corner of Section 31,
 1476 Township 41 South, Range 26 East; thence northerly along the
 1477 Range line between Ranges 25 and 26 East to the northwest corner
 1478 of Section 6, Township 41 South, Range 26 East; thence easterly
 1479 along the Township line between Townships 40 and 41 South to the

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 1480 southwest corner of Section 31, Township 40 South, Range 27
 1481 East; thence northerly along the Range line between Ranges 26
 1482 and 27 East to the Charlotte-DeSoto County line; thence easterly
 1483 along the Charlotte-Desoto County line to the west line of
 1484 Highlands County; thence northerly along the Highlands-Desoto
 1485 County line and along the Highlands-Hardee County line to the
 1486 northwest corner of Township 36 South, Range 28 East; thence
 1487 east along the north boundary of Township 36 South to the
 1488 northeast corner of Section 1, Township 36 South, Range 28 East;
 1489 thence south along the range line to the southeast corner of
 1490 Section 12, Township 37 South, Range 28 East; thence east along
 1491 the section line to the northeast corner of Section 15, Township
 1492 37 South, Range 29 East; thence south along the section line to
 1493 the southeast corner of Section 34, Township 37 South, Range 29
 1494 East; thence east along the township line to the northeast
 1495 corner of Section 1, Township 38 South, Range 29 East; thence
 1496 south along the range line to the southeast corner of Section 1,
 1497 Township 39 South, Range 29 East; thence east along the section
 1498 line to the northwest corner of Section 11, Township 39 South,
 1499 Range 30 East; thence north along the section line to the
 1500 southwest corner of Section 35, Township 38 South, Range 30
 1501 East; thence east along the township line to the southeast
 1502 corner of the west 1/4 of Section 35, Township 38 South, Range
 1503 30 East; thence north along the 1/4-section line of Sections 35,
 1504 26, and 23, Township 38 South, Range 30 East to the northeast
 1505 corner of the west 1/4 section of Section 23, Township 38 South,
 1506 Range 30 East; thence west along the section line to the
 1507 northwest corner of Section 23, Township 38 South, Range 30
 1508 East; thence north along the section line to the northwest

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1509 corner of Section 2, Township 37 South, Range 30 East; thence
 1510 west along the township line to the southwest corner of Section
 1511 34, Township 36 South, Range 30 East; thence north along the
 1512 section line to the northwest corner of Section 3, Township 36
 1513 South, Range 30 East; thence west along the township line to the
 1514 southwest corner of Section 31, Township 35 South, Range 30
 1515 East; thence north along the range line between Ranges 29 and 30
 1516 East, through Townships 35, 34, and 33 South, to the northwest
 1517 corner of Township 33 South, Range 30 East, being on the
 1518 Highlands-Polk County line; thence west along the Highlands-Polk
 1519 County line to the southwest corner of Township 32 South, Range
 1520 29 East; thence north along the range line between Ranges 28 and
 1521 29 East, in Townships 32 and 31 South, to the northwest corner
 1522 of Section 7 in Township 31 South, Range 29 East; thence east
 1523 along the section line to the northeast corner of Section 7,
 1524 Township 31 South, Range 29 East; thence north along the section
 1525 line to the northwest corner of Section 17, Township 30 South,
 1526 Range 29 East; thence east along the section line to the
 1527 northeast corner of the west 1/2 of Section 17, Township 30
 1528 South, Range 29 East; thence north along the 1/2-section line to
 1529 the northeast corner of the west 1/2 of Section 5, Township 30
 1530 South, Range 29 East; thence west along the section line to the
 1531 southwest corner of Section 32, Township 29 South, Range 29
 1532 East; thence north along the section line to the northeast
 1533 corner of Section 19 in Township 29 South, Range 29 East; thence
 1534 west along the south boundaries of Section 18, Township 29
 1535 South, Range 29 East and Sections 13, 14, 15, 16, and 17 in
 1536 Township 29 South, Range 28 East, to the southwest corner of
 1537 said Section 17; thence north along the section line to the

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1538 intersection of said section line with the west shore line of
 1539 Lake Pierce in Township 29 South, Range 28 East; thence
 1540 following the west shore of Lake Pierce to its intersection
 1541 again with the west section line of Section 5, Township 29
 1542 South, Range 28 East; thence north along the section line to the
 1543 northwest corner of Section 5, Township 29 South, Range 28 East;
 1544 thence east along the township line to the southwest corner of
 1545 Section 33, Township 28 South, Range 28 East; thence north along
 1546 the section line to the northwest corner of the southwest 1/4 of
 1547 the southwest 1/4 of Section 28, Township 28 South, Range 28
 1548 East; thence east along the 1/4-section line to the intersection
 1549 of said 1/4-section line with Lake Pierce; thence follow the
 1550 shore line northeasterly to its intersection with the 1/2-
 1551 section line of Section 28, Township 28 South, Range 28 East;
 1552 thence north on the 1/2-section line to the northwest corner of
 1553 the southeast 1/4 of Section 28, Township 28 South, Range 28
 1554 East; thence east along the 1/2-section line to the northeast
 1555 corner of the southeast 1/4 of Section 28, Township 28 South,
 1556 Range 28 East; thence south along the section line to the
 1557 northwest corner of Section 3, Township 29 South, Range 28 East;
 1558 thence east along the section line to the northeast corner of
 1559 Section 3, Township 29 South, Range 28 East; thence north along
 1560 the section line to the northwest corner of Section 23, Township
 1561 28 South, Range 28 East; thence west along the section line to
 1562 the southwest corner of Section 16, Township 28 South, Range 28
 1563 East; thence north along the section line to the northwest
 1564 corner of Section 16, Township 28 South, Range 28 East; thence
 1565 west along the section line to the southwest corner of Section
 1566 8, Township 28 South, Range 28 East; thence north along the

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1567 section line to the northwest corner of Section 5, Township 28
 1568 South, Range 28 East; thence west along the township line to the
 1569 intersection of said township line with Lake Marion; thence
 1570 following the south shore line of Lake Marion to its
 1571 intersection again with said township line; thence west along
 1572 the township line to the southeast corner of Section 36,
 1573 Township 27 South, Range 27 East; thence north along the range
 1574 line between Ranges 27 and 28 East to the intersection of said
 1575 range line with Lake Marion; thence following the west shore of
 1576 Lake Marion to its intersection again with the range line
 1577 between Ranges 27 and 28 East; thence north along said range
 1578 line, in Townships 27 and 26 South, to the northwest corner of
 1579 Township 26 South, Range 28 East, being on the Polk-Osceola
 1580 County line; thence west along the Polk-Osceola County line to
 1581 the southwest corner of Township 25 South, Range 27 East; thence
 1582 northerly along the range line between Ranges 26 and 27 East to
 1583 the northwest corner of Section 18, Township 23 South, Range 27
 1584 East; thence easterly along the section lines to the southwest
 1585 corner of Section 12, Township 23 South, Range 27 East; thence
 1586 northerly along the section lines to the northwest corner of
 1587 Section 1, Township 23 South, Range 27 East; thence easterly
 1588 along the Township line between Townships 22 and 23 South to the
 1589 southwest corner of Section 31, Township 22 South, Range 29
 1590 East; thence northerly along the Range line between Ranges 28
 1591 and 29 East to the northwest corner of Section 30, Township 22
 1592 South, Range 29 East; thence easterly along the section lines to
 1593 the westerly right-of-way line of U.S. Highway 441; thence
 1594 southerly along the westerly right-of-way line to the
 1595 intersection with the northerly right-of-way line of State Road

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1596 528A; thence easterly along the northerly right-of-way line to
 1597 the intersection with the northerly right-of-way line of State
 1598 Road 528, also known as the Bee Line Expressway; thence easterly
 1599 along the northerly right-of-way line of State Road 528 to the
 1600 intersection with the range line between Township 23 South,
 1601 Range 31 East and Township 23 South, Range 32 East; thence
 1602 southerly along the Range line between Ranges 31 and 32 East to
 1603 the Orange-Osceola County line; thence easterly along said
 1604 county line between Townships 24 and 25 South to the northeast
 1605 corner of Section 5, Township 25 South, Range 32 East; thence
 1606 southerly along the section lines to the southeast corner of
 1607 Section 32, Township 25 South, Range 32 East; thence easterly
 1608 along the Township line between Townships 25 and 26 South to the
 1609 northeast corner of Section 1, Township 26 South, Range 32 East;
 1610 thence southerly along the Range line between Ranges 32 and 33
 1611 East to the southeast corner of Section 36, Township 27 South,
 1612 Range 32 East; thence westerly along the township line between
 1613 Townships 27 and 28 South, to the northeast corner of Section 1,
 1614 Township 28 South, Range 32 East; thence southerly along the
 1615 Range line between Ranges 32 and 33 East to the southeast corner
 1616 of Section 36, Township 29 South, Range 32 East; thence easterly
 1617 along the Township line between Townships 29 and 30 South to the
 1618 northeast corner of Section 1, Township 30 South, Range 33 East;
 1619 thence southerly along the Range line between Ranges 33 and 34
 1620 East to the southeast corner of Section 36, Township 30 South,
 1621 Range 33 East; thence westerly along the Township line between
 1622 Townships 30 and 31 South to the northeast corner of Section 4,
 1623 Township 31 South, Range 33 East; thence southerly along the
 1624 section lines to the Osceola-Okeechobee County line; thence

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easterly along said county line to the northeast corner of Section 3, Township 33 South, Range 34 East; thence southerly along the section lines to the southeast corner of Section 34, Township 34 South, Range 34 East; thence easterly along the Township line between Townships 34 and 35 South to the southwest corner of Section 36, Township 34 South, Range 35 East; thence northerly along the section lines to the northwest corner of Section 13, Township 34 South, Range 35 East; thence easterly along the section line to the Range line between Ranges 35 and 36 East; thence northerly along said Range line to the northwest corner of Section 18, Township 34 South, Range 36 East; thence easterly along the section lines to the southwest corner of Section 10, Township 34 south, Range 36 East; thence northerly along the section line to the northwest corner of said Section 10; thence easterly along the section lines to the Okeechobee-St. Lucie County line; thence northerly along said county line to the south line of Indian River County; thence easterly along the St. Lucie-Indian River County line to the Atlantic Ocean; thence southerly along the Atlantic Ocean to the Gulf of America ~~Mexico~~; thence northerly along the Gulf of America ~~Mexico~~, including the waters of said Ocean and of said gulf and the islands therein within the jurisdiction of the State of Florida, to the point of beginning.

Section 44. Subsection (10) of section 375.031, Florida Statutes, is amended to read:

375.031 Acquisition of land; procedures.—

(10) The department is empowered and authorized to provide matching funds to counties and municipalities of up to 50 percent of the cost of purchasing, exclusive of condemnation,

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rights-of-way for access roads or walkways to public beaches contiguous with the Atlantic Ocean or the Gulf of America ~~Mexico~~.

Section 45. Paragraph (c) of subsection (2) of section 376.25, Florida Statutes, is amended to read:

376.25 Gambling vessels; registration; required and prohibited releases.—

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

(c) "Coastal waters" means waters of the Atlantic Ocean within 3 nautical miles of the coastline of the state and waters of the Gulf of America ~~Mexico~~ within 9 nautical miles of the coastline of the state.

Section 46. Paragraph (a) of subsection (1) of section 377.242, Florida Statutes, is amended to read:

377.242 Permits for drilling or exploring and extracting through well holes or by other means.—The department is vested with the power and authority:

(1)(a) To issue permits for the drilling for, exploring for, or production of oil, gas, or other petroleum products which are to be extracted from below the surface of the land, including submerged land, only through the well hole drilled for oil, gas, and other petroleum products.

1. A ~~No~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed on any submerged land within any bay or estuary.

2. A ~~No~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed within 1 mile seaward of the coastline

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of the state.

3. ~~A~~ ~~ne~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed within 1 mile of the seaward boundary of any state, local, or federal park or aquatic or wildlife preserve or on the surface of a freshwater lake, river, or stream.

4. ~~A~~ ~~ne~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed within 1 mile inland from the shoreline of the Gulf of America ~~Mexico~~, the Atlantic Ocean, or any bay or estuary or within 1 mile of any freshwater lake, river, or stream unless the department is satisfied that the natural resources of such bodies of water and shore areas of the state will be adequately protected in the event of accident or blowout.

5. Without exception, after July 1, 1989, ~~a~~ ~~ne~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed south of 26°00'00" north latitude off Florida's west coast and south of 27°00'00" north latitude off Florida's east coast, within the boundaries of Florida's territorial seas as defined in 43 U.S.C. s. 1301. After July 31, 1990, ~~a~~ ~~ne~~ structure intended for the drilling for, or production of, oil, gas, or other petroleum products may not be permitted or constructed north of 26°00'00" north latitude off Florida's west coast to the western boundary of the state bordering Alabama as set forth in s. 1, Art. II of the State Constitution, or located north of 27°00'00" north latitude off Florida's east coast to the

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northern boundary of the state bordering Georgia as set forth in s. 1, Art. II of the State Constitution, within the boundaries of Florida's territorial seas as defined in 43 U.S.C. s. 1301.

Each permit shall contain an agreement by the permitholder that the permitholder will not prevent inspection by division personnel at any time. The provisions of this section prohibiting permits for drilling or exploring for oil in coastal waters do not apply to any leases entered into before June 7, 1991.

Section 47. Subsection (5) of section 377.2431, Florida Statutes, is amended to read:

377.2431 Conditions for granting permits for natural gas storage facilities.—

(5) A permit may not be issued for a natural gas storage facility that includes a natural gas storage reservoir located beneath an underground source of drinking water unless the applicant demonstrates that the injection, storage, or recovery of natural gas will not cause or allow natural gas to migrate into the underground source of drinking water; in any offshore location in the Gulf of America ~~Mexico~~, the Straits of Florida, or the Atlantic Ocean; or in any solution-mined cavern within a salt formation.

Section 48. Subsection (2) of section 379.101, Florida Statutes, is amended to read:

379.101 Definitions.—In construing these statutes, where the context does not clearly indicate otherwise, the word, phrase, or term:

(2) "Beaches" and "shores" shall mean the coastal and

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 intracoastal shoreline of this state bordering upon the waters of the Atlantic Ocean, the Gulf of ~~America Mexico~~, the Straits of Florida, and any part thereof, and any other bodies of water under the jurisdiction of the State of Florida, between the mean high-water line and as far seaward as may be necessary to effectively carry out the purposes of this act.

Section 49. Subsection (1) of section 379.244, Florida Statutes, is amended to read:

379.244 Crustacea, marine animals, fish; regulations; general provisions.—

(1) OWNERSHIP OF FISH, SPONGES, ETC.—All fish, shellfish, sponges, oysters, clams, and crustacea found within the rivers, creeks, canals, lakes, bayous, lagoons, bays, sounds, inlets, and other bodies of water within the jurisdiction of the state, and within the Gulf of ~~America Mexico~~ and the Atlantic Ocean within the jurisdiction of the state, excluding all privately owned enclosed fish ponds not exceeding 150 acres, are the property of the state and may be taken and used by its residents ~~citizens~~ and persons not residents ~~citizens~~, subject to the reservations and restrictions imposed by these statutes. ~~No~~ Water bottoms owned by the state may not ~~shall~~ ever be sold, transferred, dedicated, or otherwise conveyed without reserving in the people the absolute right to fish thereon, except as otherwise provided in these statutes.

Section 50. Paragraph (a) of subsection (3) of section 379.248, Florida Statutes, is amended to read:

379.248 Sponges; regulation.—

(3) TAKING, POSSESSING COMMERCIAL; SIZE.—

(a) ~~A~~ ~~No~~ person may not take, by any means or method, from

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 the waters of the Gulf of ~~America Mexico~~, the straits of this state or the other waters within the territorial limits of this state, any commercial sponges, measuring, when wet, less than 5 inches in their maximum diameter.

Section 51. Subsection (3) of section 380.0555, Florida Statutes, is amended to read:

380.0555 Apalachicola Bay Area; protection and designation as area of critical state concern.—

(3) DESIGNATION.—Franklin County, as described in s. 7.19, less all federally owned lands, less all lands lying east of the line formed by the eastern boundary of State Road 319 running from the Ochlockonee River to the intersection of State Road 319 and State Road 98 and thence due south to the Gulf of ~~America Mexico~~, and less any lands removed under subsection (4), is hereby designated an area of critical state concern on June 18, 1985. ~~State road~~. For the purpose of this section, the term "state road" has the same meaning as ~~shall be defined as~~ in s. 334.03. For the purposes of this act, this area shall be known as the Apalachicola Bay Area.

Section 52. Section 380.24, Florida Statutes, is amended to read:

380.24 Local government participation.—Units of local government abutting the Gulf of ~~America Mexico~~ or the Atlantic Ocean, or which include or are contiguous to waters of the state where marine species of vegetation listed by rule as ratified in s. 373.4211 constitute the dominant plant community, shall develop a coastal zone protection element pursuant to s. 163.3177. Such units of local government shall be eligible to receive technical assistance from the state in preparing coastal

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 zone protection elements and shall be the only units of local government eligible to apply to the department for available financial assistance. Local government participation in the coastal management program authorized by this act ~~is shall be~~ voluntary. All permitting and enforcement of dredged-material management and other related activities subject to permit under ~~the provisions of~~ chapters 161 and 253 and part IV of chapter 373 for deepwater ports identified in s. 403.021(9)(b) must ~~shall~~ be done through the department consistent with ~~the provisions of~~ s. 403.021(9).

Section 53. For the purpose of incorporating the amendment made by this act to section 161.053, Florida Statutes, in references thereto, paragraphs (b) and (p) of subsection (7) of section 337.401, Florida Statutes, are reenacted to read:

337.401 Use of right-of-way for utilities subject to regulation; permit; fees.—

(7)

(b) As used in this subsection, the term:

1. "Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used in providing wireless services.

2. "Applicable codes" means uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address threats of destruction of property or injury to persons, and includes the National Electric Safety Code and the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual.

3. "Applicant" means a person who submits an application

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 and is a wireless provider.

4. "Application" means a request submitted by an applicant to an authority for a permit to collocate small wireless facilities or to place a new utility pole used to support a small wireless facility.

5. "Authority" means a county or municipality having jurisdiction and control of the rights-of-way of any public road. The term does not include the Department of Transportation. Rights-of-way under the jurisdiction and control of the department are excluded from this subsection.

6. "Authority utility pole" means a utility pole owned by an authority in the right-of-way. The term does not include a utility pole owned by a municipal electric utility, a utility pole used to support municipally owned or operated electric distribution facilities, or a utility pole located in the right-of-way within:

a. A retirement community that:

(I) Is deed restricted as housing for older persons as defined in s. 760.29(4)(b);

(II) Has more than 5,000 residents; and

(III) Has underground utilities for electric transmission or distribution.

b. A municipality that:

(I) Is located on a coastal barrier island as defined in s. 161.053(1)(b)3.;

(II) Has a land area of less than 5 square miles;

(III) Has less than 10,000 residents; and

(IV) Has, before July 1, 2017, received referendum approval to issue debt to finance municipal-wide undergrounding of its

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1857 utilities for electric transmission or distribution.

1858 7. "Collocate" or "collocation" means to install, mount,

1859 maintain, modify, operate, or replace one or more wireless

1860 facilities on, under, within, or adjacent to a wireless support

1861 structure or utility pole. The term does not include the

1862 installation of a new utility pole or wireless support structure

1863 in the public rights-of-way.

1864 8. "FCC" means the Federal Communications Commission.

1865 9. "Micro wireless facility" means a small wireless

1866 facility having dimensions no larger than 24 inches in length,

1867 15 inches in width, and 12 inches in height and an exterior

1868 antenna, if any, no longer than 11 inches.

1869 10. "Small wireless facility" means a wireless facility

1870 that meets the following qualifications:

1871 a. Each antenna associated with the facility is located

1872 inside an enclosure of no more than 6 cubic feet in volume or,

1873 in the case of antennas that have exposed elements, each antenna

1874 and all of its exposed elements could fit within an enclosure of

1875 no more than 6 cubic feet in volume; and

1876 b. All other wireless equipment associated with the

1877 facility is cumulatively no more than 28 cubic feet in volume.

1878 The following types of associated ancillary equipment are not

1879 included in the calculation of equipment volume: electric

1880 meters, concealment elements, telecommunications demarcation

1881 boxes, ground-based enclosures, grounding equipment, power

1882 transfer switches, cutoff switches, vertical cable runs for the

1883 connection of power and other services, and utility poles or

1884 other support structures.

1885 11. "Utility pole" means a pole or similar structure that

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1886 is used in whole or in part to provide communications services

1887 or for electric distribution, lighting, traffic control,

1888 signage, or a similar function. The term includes the vertical

1889 support structure for traffic lights but does not include a

1890 horizontal structure to which signal lights or other traffic

1891 control devices are attached and does not include a pole or

1892 similar structure 15 feet in height or less unless an authority

1893 grants a waiver for such pole.

1894 12. "Wireless facility" means equipment at a fixed location

1895 which enables wireless communications between user equipment and

1896 a communications network, including radio transceivers,

1897 antennas, wires, coaxial or fiber-optic cable or other cables,

1898 regular and backup power supplies, and comparable equipment,

1899 regardless of technological configuration, and equipment

1900 associated with wireless communications. The term includes small

1901 wireless facilities. The term does not include:

1902 a. The structure or improvements on, under, within, or

1903 adjacent to the structure on which the equipment is collocated;

1904 b. Wireline backhaul facilities; or

1905 c. Coaxial or fiber-optic cable that is between wireless

1906 structures or utility poles or that is otherwise not immediately

1907 adjacent to or directly associated with a particular antenna.

1908 13. "Wireless infrastructure provider" means a person who

1909 has been certificated under chapter 364 to provide

1910 telecommunications service or under chapter 610 to provide cable

1911 or video services in this state, or that person's affiliate, and

1912 who builds or installs wireless communication transmission

1913 equipment, wireless facilities, or wireless support structures

1914 but is not a wireless services provider.

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14. "Wireless provider" means a wireless infrastructure provider or a wireless services provider.

15. "Wireless services" means any services provided using licensed or unlicensed spectrum, whether at a fixed location or mobile, using wireless facilities.

16. "Wireless services provider" means a person who provides wireless services.

17. "Wireless support structure" means a freestanding structure, such as a monopole, a guyed or self-supporting tower, or another existing or proposed structure designed to support or capable of supporting wireless facilities. The term does not include a utility pole, pedestal, or other support structure for ground-based equipment not mounted on a utility pole and less than 5 feet in height.

(p) This subsection does not authorize a person to collocate or attach small wireless facilities or micro wireless facilities on a utility pole, unless otherwise permitted by federal law, or erect a wireless support structure in the right-of-way located within a municipality that:

1. Is located on a coastal barrier island as defined in s. 161.053(1)(b)3.;

2. Has a land area of less than 5 square miles;

3. Has fewer than 10,000 residents; and

4. Has, before July 1, 2017, received referendum approval to issue debt to finance municipal-wide undergrounding of its utilities for electric transmission or distribution.

This paragraph does not apply to the installation, placement, maintenance, or replacement of micro wireless facilities on any

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existing and duly authorized aerial communications facilities, provided that once aerial facilities are converted to underground facilities, any such collocation or construction shall be only as provided by the municipality's underground utilities ordinance.

Section 54. For the purpose of incorporating the amendment made by this act to section 327.02, Florida Statutes, in a reference thereto, subsection (1) of section 327.371, Florida Statutes, is reenacted to read:

327.371 Human-powered vessels regulated.—

(1) A person may operate a human-powered vessel within the boundaries of the marked channel of the Florida Intracoastal Waterway as defined in s. 327.02:

(a) When the marked channel is the only navigable portion of the waterway available due to vessel congestion or obstructions on the water. The operator of the human-powered vessel shall proceed with diligence to a location where he or she may safely operate the vessel outside the marked channel of the Florida Intracoastal Waterway.

(b) When crossing the marked channel, provided that the crossing is done in the most direct, continuous, and expeditious manner possible and does not interfere with other vessel traffic in the channel.

(c) When participating in practices or competitions for interscholastic, intercollegiate, intramural, or club rowing teams affiliated with an educational institution identified in s. 1000.21, s. 1002.01(3), s. 1003.01(17), s. 1005.02(4), or s. 1005.03(1)(d), if the adjacent area outside of the marked channel is not suitable for such practice or competition. The

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1973 teams must use their best efforts to make use of the adjacent
 1974 area outside of the marked channel. The commission must be
 1975 notified in writing of the details of any such competition, and
 1976 the notification must include, but need not be limited to, the
 1977 date, time, and location of the competition.
 1978 (d) During an emergency endangering life or limb.
 1979 Section 55. For the purpose of incorporating the amendment
 1980 made by this act to section 327.02, Florida Statutes, in a
 1981 reference thereto, paragraph (p) of subsection (2) of section
 1982 379.2431, Florida Statutes, is reenacted to read:
 1983 379.2431 Marine animals; regulation.—
 1984 (2) PROTECTION OF MANATEES OR SEA COWS.—
 1985 (p) Except in the marked navigation channel of the Florida
 1986 Intracoastal Waterway as defined in s. 327.02 and the area
 1987 within 100 feet of such channel, a local government may
 1988 regulate, by ordinance, motorboat speed and operation on waters
 1989 within its jurisdiction where the best available scientific
 1990 information, as well as other available, relevant, and reliable
 1991 information, which may include but is not limited to, manatee
 1992 surveys, observations, available studies of food sources, and
 1993 water depths, supports the conclusion that manatees inhabit
 1994 these areas on a regular basis. However, such an ordinance may
 1995 not take effect until it has been reviewed and approved by the
 1996 commission. If the commission and a local government disagree on
 1997 the provisions of an ordinance, a local manatee protection
 1998 committee must be formed to review the technical data of the
 1999 commission and the United States Fish and Wildlife Service, and
 2000 to resolve conflicts regarding the ordinance. The manatee
 2001 protection committee must be comprised of:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2002 1. A representative of the commission;
 2003 2. A representative of the county;
 2004 3. A representative of the United States Fish and Wildlife
 2005 Service;
 2006 4. A representative of a local marine-related business;
 2007 5. A representative of the Save the Manatee Club;
 2008 6. A local fisher;
 2009 7. An affected property owner; and
 2010 8. A representative of the Florida Marine Patrol.
 2011
 2012 If local and state regulations are established for the same
 2013 area, the more restrictive regulation shall prevail.
 2014 Section 56. This act shall take effect July 1, 2025.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/2/25
Meeting Date
Fiscal
Committee

SB608
Bill Number or Topic

Amendment Barcode (if applicable)

Name Vance Ahrens Phone _____

Address 2909 W New Haven Ave #365 Email _____
Street
W Melbourne FL 32904
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

- ☒ I am appearing without compensation or sponsorship.
- ☐ I am a registered lobbyist, representing:
- ☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/2/25

Meeting Date

Fiscal Policy

Committee

SB608

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Layne Alvarez

Phone

Address

1020 S Atlantic Ave

Email

Street

Cocoa Beach

City

FL

State

32931

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☒ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 714

INTRODUCER: Fiscal Policy Committee; Appropriations Committee on Health and Human Services;
and Senator Burton

SUBJECT: Nonopioid Advance Directives

DATE: April 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Looke</u>	<u>Brown</u>	<u>HP</u>	Favorable
2.	<u>Gerbrandt</u>	<u>McKnight</u>	<u>AHS</u>	Fav/CS
3.	<u>Looke</u>	<u>Siples</u>	<u>FP</u>	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 714 creates s. 395.3042, F.S., to require the Agency for Health Care Administration (AHCA) to create and post on its website a voluntary nonopioid patient form to allow a person to indicate to a treating health care provider that the person should not be prescribed or administered an opioid drug during an episode of care. The bill defines “episode of care” and allows a person to request the form be filed in the his or her medical record at the health care facility or private office where he or she will be receiving care. The bill specifies that a person may revoke the form for any reason either orally or by written statement and the form expires at the conclusion of the specified episode of care.

The bill has an insignificant negative fiscal impact on state revenues and expenditures. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Opioids

Opioids are a class of natural, semi-synthetic, and synthetic drugs that include both prescription medications and illegal drugs like heroin. Prescription medications such as oxycodone,

hydrocodone, morphine, codeine, fentanyl, and others are mainly used for the treatment of pain. They can also help treat cough or diarrhea. However, like illegal opioids, prescription opioids can be addictive, particularly if they are misused.¹

Health Risks of Opioids

Opioids are addictive. People can quickly lose control over their opioid use and need to keep using them to feel “normal.” High doses can lead to overdose. Opioids can slow breathing to life-threatening levels. As a result, not enough oxygen reaches the brain. This can cause severe brain damage or death.

Opioid use, even as prescribed by a health care provider or only for a short time, can lead to negative health effects.

- Opioid medications may have unpleasant effects, particularly when people take them for a longer time. These include constipation, nausea and vomiting, headache, dizziness, and sleepiness or sleep problems.
- Depending on the dose and how long people use them, opioids can cause cardiovascular changes, such as slower heart rate, low blood pressure, heart failure, and cardiac arrest.
- Opioids can impair the immune system, increasing risk of infection.
- Opioid use, particularly in high doses or for a long period of time, can cause changes in a person’s body that can make them more sensitive to pain.
- Opioid use also has been associated with mental disorders like depression or sexual dysfunction.²

Nonopioid Directives

Several other states and the federal government have either introduced or passed laws that allow for nonopioid directives. See the chart below from 2022 for details:³

¹ National Institute on Drug Abuse, *Opioids*, Nov. 2024, available at <https://nida.nih.gov/research-topics/opioids#health-risks>, (last visited Feb. 27, 2025).

² National Institute on Drug Abuse, *Opioids*, Nov. 2024, available at <https://nida.nih.gov/research-topics/opioids#health-risks>, (last visited Feb. 27, 2025).

³ Bicket MC, Waljee J, Hilliard P. Nonopioid Directives: Unintended Consequences in the Operating Room. *JAMA Health Forum*. 2022;3(6):e221356. doi:10.1001/jamahealthforum.2022.1356 (available at <https://jamanetwork.com/journals/jama-health-forum/fullarticle/2793282>, (last visited Feb. 27, 2025).

Table. US Nonopioid Directive Policies, by Federal or State Legislative Entity, 2022

Legislative entity	Status	Exemption		Year passed	Description	Clinician role
		Intraoperative	Other setting			
US House of Representatives ^a	Proposed	Yes	Emergency care, hospice, SUDT	Pending	Patient must not "be administered (with the exception of intraoperative opioid use) an opioid or offered a prescription for an opioid for pain management."	NS
US Senate ^b	Proposed	Yes	Hospice, SUDT	Pending	Patient must not "be administered (with the exception of intraoperative opioid use) an opioid or offered a prescription for an opioid for pain management."	NS
Alaska ^c	Passed	No	No	2017	Patient certifies refusal of administration of "any opioid medications including in an emergency situation."	Signature for verification
Connecticut ^d	Passed	No	No	2017	Patient certifies refusal of offer or administration of "any opioid medications at any time, including during an emergency situation."	Signature required
Louisiana ^e	Passed	No	No	2018	Patient certifies refusal of offer or administration of "any opioid medications"	Signature permitted
Massachusetts ^f	Passed	No	No	2016	Patient certifies refusal of offer or administration of "any opioid medications at any time, including during an emergency situation."	Signature required
Michigan ^g	Passed	Yes ^h	Emergency care, hospice, SUDT	2017	Patient "must not be administered an opioid or offered a prescription for an opioid."	NS
Pennsylvania ⁱ	Passed	No	Based on professional medical judgment	2016	Patient refuses "offer, supply, prescription or other administration of any controlled substance containing an opioid."	Signature for acknowledgment
West Virginia ^j	Passed	No	No	2018	Patient certifies refusal of offer or administration of "any opioid medications at any time, including during an emergency situation."	Signature required

Abbreviations: NS, none specified; SUDT, substance use disorder treatment.

^a Non-Opioid Directive Act, HR 4098. <https://www.congress.gov/bill/117th-congress/house-bill/4098/text>

^b Non-Opioid Directive Act, S 1292. <https://www.congress.gov/bill/117th-congress/senate-bill/1292>

^c Alaska Department of Health and Social Services. Voluntary Non-opioid Directive. <https://dhss.alaska.gov/dph/Director/Documents/opioids/VoluntaryNonOpioidDirective.pdf>

^d Connecticut Department of Public Health. Voluntary Non-Opioid Directive. https://portal.ct.gov/-/media/DPH/CT-VNOD-Form_FINAL.pdf

^e Louisiana Department of Health. Voluntary Non-Opioid Directive Form. <https://ldh.la.gov/assets/docs/BehavioralHealth/Opioids/VoluntaryNonOpioidFormFINAL9618.pdf>

^f Massachusetts Department of Public Health. Voluntary Non-Opioid Directive. <https://www.mass.gov/doc/voluntary-non-opioid-directive/download>

^g Michigan Department of Health and Human Services. Nonopioid Directive. https://www.michigan.gov/documents/opioids/MDHHS-5793_650584_7.dotx

^h Michigan Public Act 41, HB 5261. <http://legislature.mi.gov/doc.aspx?2021-HB-5261>

ⁱ Pennsylvania Department of Health. Pennsylvania Patient Non-Opioid Directive. <https://www.health.pa.gov/topics/Documents/Opioids/Pennsylvania%20Non-Opioid%20Directive.pdf>

^j West Virginia Department of Health and Human Resources. Voluntary Non-Opioid Directive. <https://dhhr.wv.gov/Office-of-Drug-Control-Policy/Documents/WV%20NonOpioid%20Directive.pdf>

III. Effect of Proposed Changes:

The bill creates s. 395. 3042, F.S., to require the AHCA to create and post on its website a voluntary nonopioid patient form. The form will allow a person to indicate to a treating health care provider that he or she should not be prescribed or administered an opioid drug during a specified episode of care. The bill defines "episode of care" to mean all services provided to a patient to clinically treat a condition, an illness, or a procedure.

The bill requires each health care facility to post the voluntary nonopioid form on its website or provide a link to the form on the AHCA's website. At a person's request before a specified episode of care, the form may be filed in the person's medical record in the health care facility or private office of a health care practitioner who is providing pretreatment or posttreatment care, or both, to the person for that specified episode of care. The bill specifies that the form serves as the person's directive related to treatment using opioid drugs during the episode of care at the facility or during the health care practitioner's pretreatment or posttreatment care.

The bill also allows a person to revoke the form for any reason either by written or oral statement and specifies that the form expires upon the conclusion of the specified episode of care for which it was filed.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has an insignificant negative fiscal impact on the AHCA due to the bill's provisions that require the AHCA to develop a voluntary nonopioid advanced directive form and make it available on their website. These costs can be absorbed within existing agency resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 395.3042 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on April 2, 2025:

The committee substitute replaces the current bill provisions with a new requirement for the AHCA to create a voluntary nonopioid patient form to allow a person to indicate that he or she does not wish to be treated with opioid drugs during a specific episode of care. The amendment defines “episode of care” and requires health care facilities to post the form on their websites. The committee substitute specifies that a form may be revoked at any time by written or oral statement and that the form expires at the conclusion of the specified episode of care.

CS by Appropriations Committee on Health and Human Services on March 18, 2025:

The committee substitute:

- Extends protection from civil and criminal liability to healthcare providers who prescribe, *administer*, and *order* opioids in certain emergency situations to individuals with a nonopioid advance directive.
- Revises the term “medical emergency situation” in the bill to include an emergency medical condition and emergency services and care, as those terms are defined in s. 395.002, F.S.

B. Amendments:

None.



780362

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Burton) recommended the following:

Senate Amendment (with title amendment)

Before line 21

insert:

Section 1. Section 395.3042, Florida Statutes, is created to read:

395.3042 Voluntary nonopioid patient form.—

(1) As used in this section, the term "episode of care" includes all the services provided to a patient to clinically treat a condition, an illness, or a procedure.



780362

(2) The agency shall create and post on its website a voluntary nonopioid patient form that allows a person to indicate to a treating health care provider that the person should not be prescribed or administered an opioid drug during an episode of care. Each health care facility shall post the voluntary nonopioid patient form on the facility's website or provide a link to the form on the agency's website.

(3) At the person's request and before a specified episode of care, the form may be filed in the person's medical record in a health care facility or a private office of a health care practitioner who is providing pretreatment or posttreatment care, or both, to the person for a specified episode of care related to the form. The form serves as a person's directive related to treatment using opioid drugs during the episode of care at the facility or during the health care practitioner's pretreatment or posttreatment care.

(4) A person may revoke a voluntary nonopioid form for any reason and may do so by written or oral statement. The form expires upon the conclusion of the specified episode of care for which it was filed.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 2 and 3
insert:

amending s. 395.3042, F.S.; defining the term "episode of care"; requiring the Agency for Health Care Administration to create and post on its website a voluntary nonopioid patient form; requiring each



780362

40 health care facility to post the form on its website
41 or provide a link to the form on the agency's website;
42 providing for the filing of the form before a
43 specified episode of care; providing for revocation
44 and expiration of the form;



684708

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Burton) recommended the following:

Senate Substitute for Amendment (780362) (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 395.3042, Florida Statutes, is created to read:

395.3042 Voluntary nonopioid patient form.—

(1) As used in this section, the term "episode of care" includes all the services provided to a patient to clinically



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11 treat a condition, an illness, or a procedure.

12 (2) The agency shall create and post on its website a
13 voluntary nonopioid patient form that allows a person to
14 indicate to a treating health care provider that the person
15 should not be prescribed or administered an opioid drug during
16 an episode of care. Each health care facility shall post the
17 voluntary nonopioid patient form on the facility's website or
18 provide a link to the form on the agency's website.

19 (3) At the person's request and before a specified episode
20 of care, the form may be filed in the person's medical record in
21 a health care facility or a private office of a health care
22 practitioner who is providing pretreatment or posttreatment
23 care, or both, to the person for a specified episode of care
24 related to the form. The form serves as a person's directive
25 related to treatment using opioid drugs during the episode of
26 care at the facility or during the health care practitioner's
27 pretreatment or posttreatment care.

28 (4) A person may revoke a voluntary nonopioid form for any
29 reason and may do so by written or oral statement. The form
30 expires upon the conclusion of the specified episode of care for
31 which it was filed.

32 Section 2. This act shall take effect July 1, 2025.

34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete everything before the enacting clause
37 and insert:

38 A bill to be entitled

39 An act relating to nonopioid advance directives;



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amending s. 395.3042, F.S.; defining the term "episode of care"; requiring the Agency for Health Care Administration to create and post on its website a voluntary nonopioid patient form; requiring each health care facility to post the form on its website or provide a link to the form on the agency's website; providing for the filing of the form before a specified episode of care; providing for revocation and expiration of the form; providing an effective date.

By the Appropriations Committee on Health and Human Services;
and Senator Burton

603-02535-25

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A bill to be entitled

An act relating to nonopioid advance directives;
amending s. 765.1103, F.S.; requiring the Department
of Health to develop a voluntary nonopioid advance
directive form for a specified purpose and make the
form available on its website; providing requirements
for the form; providing for the valid execution of the
form; requiring that the form be filed in the
patient's medical record with the facility or provider
of the patient's choosing; authorizing a patient to
revoke the form for any reason, verbally or in
writing; providing health care providers with immunity
from civil and criminal liability for failing to act
in accordance with an advance directive under certain
circumstances; providing exceptions; defining the term
"medical emergency situation"; providing an effective
date.

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

Section 1. Subsection (3) is added to section 765.1103,
Florida Statutes, to read:

765.1103 Pain management and palliative care.—

(3)(a) The Department of Health shall develop a voluntary
nonopioid advance directive form that allows a person to
indicate to a treating health care provider that he or she does
not want to be prescribed or administered an opioid drug for
pain management or palliative care in the event that he or she
should become incapacitated and is unable to personally direct

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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his or her health care. The department shall make the form
available on its website. The form must indicate to a treating
health care provider that the person may not be prescribed or
administered an opioid drug.

(b) A valid nonopioid advance directive form must be signed
by both the patient and a physician licensed under chapter 458
or chapter 459. The form must be filed in the patient's medical
record, either with a health care facility of the patient's
choosing or the patient's primary care physician, or both, and
is transferable to another facility or provider upon the
patient's request.

(c) A person may, verbally or in writing, revoke the
voluntary nonopioid advance directive form for any reason.

(d) A health care provider without actual knowledge of a
patient's nonopioid advance directive form who prescribes,
administers, or orders an opioid for the patient in a medical
emergency situation is not civilly or criminally liable for
failing to act in accordance with the directive unless the act
or omission was the result of a provider's gross negligence or
willful misconduct. For purposes of this paragraph, the term
"medical emergency situation" includes an emergency medical
condition and emergency services and care, as those terms are
defined in s. 395.002.

Section 2. This act shall take effect July 1, 2025.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 738

INTRODUCER: Children, Families, and Elder Affairs Committee and Senator Burton

SUBJECT: Child Care and Early Learning Providers

DATE: April 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Rao</u>	<u>Tuszynski</u>	<u>CF</u>	Fav/CS
2.	<u>Sneed</u>	<u>McKnight</u>	<u>AHS</u>	Favorable
3.	<u>Rao</u>	<u>Siples</u>	<u>FP</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 738 directs the Department of Children and Families (DCF) to create minimum standards for the licensure of child care facilities and revises several requirements. Specifically, the bill:

- Directs the DCF to codify classification levels for violations relating to the health and safety of a child.
- Provides for a 45-day provisional-hire status upon a delayed background screening of child care personnel.
- Adjusts training requirements relating to the introductory course child care personnel must take and cardiopulmonary resuscitation training.
- Limits periodic health examinations to child care facility drivers.
- Removes language that requires facilities to provide parents with pagers or beepers during drop-in child care.
- Removes the requirement for child care facilities to provide parents with information about the influenza virus and the dangers of a distracted adult leaving a child in a vehicle.
- Removes the requirement for child care facilities to develop a program to assist in preventing and avoiding physical and mental abuse.
- Removes the requirement for the DCF to develop standards for specialized child care facilities for the care of mildly ill children.

The bill allows child care facilities, family day care homes, and large family child care homes to receive abbreviated inspections, upon meeting certain conditions.

The bill requires the county commissions of those counties that elect to license their own child care facilities to annually affirm this decision through a majority vote to designate a local licensing agency.

The bill exempts preschools from special assessments levied by municipalities. Further, the bill provides an exemption from licensing, except for the screening of personnel, for a child care facility that solely provides child care to certain eligible children.

The bill exempts from licensure child care facilities and family day care homes certified as a child care facility by the U.S. Department of Defense or the U.S. Coast Guard.

The bill has an indeterminate, but significant negative fiscal impact on state and local government revenues and expenditures. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

The present situation is presented in Section III under the Effect of Proposed Changes.

III. Effect of Proposed Changes:

Child Care Program Licensure

The Florida Department of Children and Families (DCF) provides licensing requirements for child care programs in the state.¹ The program is accountable for the statewide licensure of Florida's child care facilities², specialized child care facilities for the care of mildly ill children³, large family child care homes⁴ and licensure or registration of family day care homes.⁵ The purpose of the program is to ensure a healthy and safe environment for the children in child care

¹ Florida Department of Children and Families, *About Child Care Licensure*, available at:

<https://www.myflfamilies.com/services/child-family/child-care/about-child-care-licensure#:~:text=The%20program%20is%20accountable%20for%20the%20statewide%20licensure,licensure%20or%20registration%20of%20family%20day%20care%20homes>. (last visited 3/4/25).

² Section 402.302(2), F.S. defines a "child care facility" as any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. Certain entities are excluded from the definition of a child care facility. See Section 402.302(2), F.S.

³ The term "Specialized Child Care Facilities for the Care of Mildly Ill Children" refers to a child care facility that provides child care for more than five mildly ill children unrelated to the operator, and receives a payment, fee, or grant for any of the children receiving care. Specialized child care facilities may provide care for mildly ill children in a facility specialized for this purpose or as a component of other child care services offered in a distinct and separate part of a regularly licensed child care facility. See 65C-25.001, F.A.C.

⁴ A "large family child care home" must have operated as a licensed family day care home for 2 years, with an operator who has had a child development associate credential or its equivalent for 1 year, before seeking licensure as a large family child care home. See Section 402.302(11), F.S.

⁵ A "family day care home" regularly provides child care for children from at least two unrelated families and receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Family day care homes are restricted in the number of children it can provide child care to, based on the ages of the group of children in the family day care home. See Section 402.302(8), F.S.

settings and to improve the quality of their care. The DCF ensures that licensing requirements are met through on-going inspections of child care facilities and homes.⁶

Local Licensing Agencies

Present Situation

Florida law allows any county whose licensing standards meet or exceed the state minimum standards to designate a local licensing agency to license child care facilities, rather than the DCF licensure.⁷ Counties that do not choose to administer their own child care licensing programs are licensed by the DCF.⁸ Currently, the DCF child care licensing staff are responsible for the inspection and licensure of child care facilities and homes in 63 out of 67 counties.⁹ Local licensing agencies regulate child care programs in the following four counties: Broward, Palm Beach, Pinellas, and Sarasota.¹⁰

The following table displays the number of providers the DCF and local licensing agencies regulate:¹¹

Statewide Child Care Facility Licensure as of January 2025			
	DCF	Local Licensing Agency	Statewide
Facilities	7,697	1,820	9,517
Family Day Care Homes	1,601	433	2,034
Large Family Child Care Homes	330	78	408
Mildly Ill Facilities	1	0	1
Total	9,629	2,331	11,960

Effect of the Proposed Language

The bill amends s. 402.306, F.S., to require a county commission that has designated a local licensing agency to annually affirm that designation by majority vote.

⁶ A “family day care home” regularly provides child care for children from at least two unrelated families and receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Family day care homes are restricted in the number of children it can provide child care to, based on the ages of the group of children in the family day care home. See Section 402.302(8), F.S.

⁷ Section 402.306, F.S.

⁸ Florida Department of Children and Families, *About Child Care Licensure*, available at: <https://www.myflfamilies.com/services/child-family/child-care/about-child-care-licensure#:~:text=The%20program%20is%20accountable%20for%20the%20statewide%20licensure,licensure%20or%20regi%20of%20family%20day%20care%20homes>. (last visited 3/4/25).

⁹ Florida Department of Children and Families, *About Child Care Licensure*, available at: <https://www.myflfamilies.com/services/child-family/child-care/about-child-care-licensure#:~:text=The%20program%20is%20accountable%20for%20the%20statewide%20licensure,licensure%20or%20regi%20of%20family%20day%20care%20homes>. (last visited 3/4/25).

¹⁰ Florida Department of Children and Families, *Senate Bill 738 Agency Analysis*, p. 2 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

¹¹ *Id.*, p. 3.

State Minimum Standards for Child Care Facilities

Present Situation

Current law requires minimum standards for child care personnel that include minimum requirements as to:¹²

- Good moral character based on level 2 background screening.
- Fingerprint submission.
- Exemptions from disqualification from working with children or the developmentally disabled.
- Minimum age requirements.
- Minimum training requirements. Periodic health examinations.
- Credentials for child care facility directors.

Background Screening

The DCF establishes minimum standards for child care personnel that include minimum requirements for good moral character based upon background screening.¹³ This screening must be conducted using the level 2 standards for screening which include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and the child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding five years.¹⁴

A level 2 background screening is a multi-agency effort and includes the Florida Department of Law Enforcement and the Federal Bureau of Investigation.¹⁵ While background screenings typically take a few business days, the request for additional out-of-state documents, incomplete information, or variations in agency processing times may delay the process of the background screening and delay employment of child care personnel.¹⁶

Training

The DCF also establishes minimum training requirements for child care personnel. The DCF has adopted the Child Care Facility Handbook to describe these requirements in detail.¹⁷ Child care personnel must successfully complete 40 hours of child care training and pass competency examinations offered by the DCF.¹⁸ This training must commence within 90 days of employment, and be completed within one year after the date on which the training began.¹⁹ The training courses cover the following topic areas:²⁰

¹² Section 402.305, F.S.

¹³ Section 402.302(15), F.S.

¹⁴ Section 402.305(2), F.S.

¹⁵ Upon the initiation of a background screening, fingerprints are sent to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI). Results from FDLE and the FBI are typically available within 24 to 48 hours; however, FDLE standards require results within 72 hours. See Florida Department of Children and Families, *Senate Bill 738 Analysis*, p. 6 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

¹⁶ *Id.*

¹⁷ Florida Department of Children and Families, *Child Care Facility Handbook*, October 2021, available at: https://www.myflfamilies.com/sites/default/files/2022-12/FacilityHandbook_0.pdf (last visited 3/5/25).

¹⁸ *Id.*

¹⁹ Section 402.305(2), F.S.

²⁰ Section 402.305(2), F.S.

- State and local rules and regulations which govern child care.
- Health, safety, and nutrition.
- Identifying and reporting child abuse and neglect.
- Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.
- Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.
- Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to five years of age, as determined by the DCF, for owner-operators and child care personnel of a child care facility.
- Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

Minimum Licensing Standards

Florida law has extensive licensing requirements for child care facilities that address the health, sanitation, safety, and adequate physical surroundings for all children in child care; the health and nutrition of all children in child care; and the child development needs of all children in child care.²¹

Sanitation and Safety

Current law includes minimum standards for sanitary and safety conditions that include cardiopulmonary resuscitation (CPR). At least one staff person trained in CPR must be present at all times the children are present.²² There must be current documentation of course completion to be in compliance with Florida law.²³

Additionally, minimum safety standards require a parent whose child is in drop-in child care to receive a communications system such as a pager or beeper to ensure the child can be immediately returned to the parent.²⁴

Information

Each year, child care facilities must provide parents of children enrolled in the facility detailed information regarding:²⁵

- The causes, symptoms, and transmission of the influenza virus and the importance of immunizing their children.
- The potential for a distracted adult to fail to drop off a child at the facility and instead leave the child in the adult's vehicle upon arrival at the adult's destination.

²¹ Section 402.305(1), F.S.

²² Section 402.305(7), F.S.

²³ *Id.*

²⁴ Drop-in child care refers to child care provided occasionally in a child care facility in a shopping mall or business establishment where a child is in care for no more than a 4-hour period and the parent remains on the premises of the shopping mall or business establishment at all times. See Section 402.302(6), F.S.

²⁵ Section 402.305(9), F.S.

Written Plans

Each child care facility is required to implement a written plan for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child.²⁶

Specialized Facilities for Mildly Ill Children

The DCF oversees and implements minimum standards for specialized child care facilities for the care of mildly ill children.²⁷ The term mildly ill children refers to children with short term illness or symptoms of an illness or disability, provided either as an exclusive service in a center specialized for this purpose, or as a component of other child care services offered in a regularly licensed child care facility.²⁸ The DCF requires child care facilities to have one licensed health caregiver, at a minimum, that physically assesses the child; provides ongoing daily oversight; makes decisions on the exclusion of an ineligible child; and be present at the facility at all times during the hours of operation.²⁹

Violations

If a child care facility is in noncompliance with licensing standards, Florida law allows the DCF to administer disciplinary sanctions for violations.³⁰ The DCF utilizes three classification levels for violations of licensing standards.³¹

- Class 1 violations are the most serious in nature, pose an imminent threat to a child include abuse or neglect and which could or does result in death or serious harm to the health, safety, and well-being of a child.
- Class 2 violations are less serious in nature than Class 1 violations and could be anticipated to pose a threat to the health, safety, or well-being of a child, although the threat is not imminent.
- Class 3 violations are less serious in nature than Class 1 or Class 2 violations and pose a low potential for harm to children.

The following table shows the number of violations recorded in Fiscal Year 2023-24.³²

Violations in Fiscal Year 2023-24	
Classification	Number of Violations
Class 1	145
Class 2	3,908
Class 3	12,352
Total	16,405

²⁶ Section 402.305(13), F.S.

²⁷ Section 402.305(17), F.S.

²⁸ Florida Department of Children and Families, *Senate Bill 738 Analysis*, p. 6 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

²⁹ 65C-25.002, F.A.C.

³⁰ Section 402.310, F.S.

³¹ Florida Department of Children and Families, *Senate Bill 738 Analysis*, p. 3 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

³² *Id.*

A majority (75%) of the violations recorded in FY 2023-24 were classified as Class 3 violations. Specifically, 803 programs accumulated over five Class 3 violations during the fiscal year.³³

Effect of Proposed Changes

The bill amends s. 402.305, F.S., to modify the minimum licensing standards child care facilities must follow. Specifically, the bill:

- Allows the Department of Children and Families (DCF) to create up to three classification levels of violations of licensing standards that relate to the health and safety of a child. The bill clarifies a class three violation as the least serious in nature and must be the same incident of noncompliance that occurs at least three times within a two year period.
- Requires the DCF to complete the background screening for child care personnel and provide the results to the child care facility within three business days from the receipt of the criminal history records check.
 - Upon failure to do so, the bill requires the DCF to issue the current or prospective child care personnel a 45-day provisional-hire status while all information is being requested and the DCF is awaiting results, unless the DCF believes a disqualifying factor may exist.
 - During the 45-day period, the current or prospective child care personnel must be under the direct supervision of a screened and trained staff member when in contact with children.
- Requires the 40-clock-hour introductory course in child care that must be taken by child care personnel to cover specified topics areas.
- Removes the requirement for the introductory course in child care to stress an interdisciplinary approach to the study of children.
- Limits periodic health examinations to child care facility drivers.
- Requires that the required training in cardiopulmonary resuscitation (CPR) must be in-person training.
- Removes language that requires facilities that provide drop-in child care to provide pagers or beepers to parents.
- Removes the requirement for child care facilities to provide parents with information about the influenza virus and the influenza vaccine during the months of August and September.
- Removes the requirement for child care facilities to provide parents with information on the dangers of a distracted adult leaving a child in a vehicle, and resources for avoiding this occurrence, during the months of April and September.
- Removes the requirement for a program to be implemented periodically by a child care facility to assist in preventing and avoiding physical and mental abuse.
- Removes a requirement for the DCF in conjunction with the Department of Health to develop standards for specialized child care facilities for the care of mildly ill children.

³³ Florida Department of Children and Families, *Senate Bill 738 Analysis*, p. 3 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

Child Care Personnel Training and Testing

Present Situation

Coursework Requirements

Child care personnel must complete specific mandatory introductory training. Training requirements and time frames for training completions vary for the different types of providers. Provider types subject to mandatory training include:

- Child Care Facilities: 40 hours introductory training as shown through passing competency exams. The individual must start training within 90 days after employment and complete within 15 months.
- Family Day Care Homes: 30 hours introductory training as shown through passing competency exams for operators and substitutes working 40 hours or more per month. Must be completed prior to licensure.
- Large Family Child Care Homes: 30 hours of introductory training as shown through passing competency exams for operators. Must be completed prior to licensure.
- Registered Family Day Care Homes: 30 hours introductory training as shown by proof of completion. It must be completed prior to registration.

Mandatory training courses are currently offered online and in-person. Employees are responsible for payment. Each online course costs \$10.00, while instructor-led courses typically range from \$1.00 to \$10.00 per instructional-hour.

The completion of mandatory training is shown through passing competency exams for each course taken. The Department contracts with 13 Training Coordinating Agencies (TCAs) to administer and coordinate in-person courses and exams throughout the state's 67 counties. The training fee is paid through the Department's training system and passed through to the appropriate TCA. In addition to the training fees, TCAs are paid through Department contracts to support the cost of administration of training and examinations. The combined annual total of the 13 TCA contracts is \$838,062.00. TCAs are located at some state colleges/universities, within some county school districts, or are private providers:

Provider	Annual Contract Amount
Early Education and Care, Inc.	\$134,956.50
Florida State College at Jacksonville	\$27,500.00
Daytona State College	\$89,448.50
Community Coordinated Care for Children, Inc.	\$37,686.00
Child Care of Southwest Florida	\$39,794.00
Palm Beach State College	\$61,683.00
Nova Southeastern University	\$65,239.00
Miami Dade College	\$99,115.00
Childhood Development Services, Inc.	\$38,725.00
Polk State College	\$52,249.00

Indian River State College	\$42,410.00
Hillsborough County School Board	\$80,891.00
Pinellas County School Board	\$68,365.00
Total	\$838,062.00

TCAs are responsible for entering and maintaining data in the Child Care Training Application (CCTA) relating to child care training courses and exams, maintaining all pertinent documentation related to their contracts and ensuring proper registration for student coursework. Each exam costs \$1.00 per training hour of the corresponding course; the student is responsible for paying the cost of the coursework, although some employers may pay or reimburse this cost. In FY 2023-24, TCAs collected \$3,038,070 in coursework fees from child care personnel seeking certification.

The DCF currently coordinates with 13 Training Coordinating Agencies (TCAs) to administer and coordinate in-person coursework and in-person exams. The total amount of the 13 TCA contracts is \$838,062 and the breakdown of these contracts is listed in the analysis. In addition to the funding the TCAs receive through their contract, they also receive \$1 per hour for online coursework. They also charge fees for the exams. The bill requires that the online coursework now be free.

The DCF anticipates that if the TCAs can no longer collect this money, the TCAs will need more funding from DCF to offset this loss. The TCA contracts are currently in the process of being renewed for an execution date of July 1, 2025.

Child Care Personnel Exam

Currently the only option for the competency exams is in person. The TCAs are responsible for scheduling and administering these in-person exams.

Effect of Proposed Changes

The bill amends s. 402.305, F.S. to require the DCF to provide online training coursework and testing at no cost to child care personnel. Additionally, the bill will now require that the DCF offer online exams.

Abbreviated Inspections for Child Care Facilities

Present Situation

The DCF and local licensing agencies are tasked with eliminating duplicative and unnecessary inspections of child care facilities.³⁴

Child care facilities that have had no Class 1 or Class 2 deficiencies for at least two consecutive years are eligible to receive an abbreviated inspection, rather than a full routine inspection.³⁵

³⁴ Section 402.3115, F.S.

³⁵ Section 402.3115, F.S.; and Florida Department of Children and Families, *Senate Bill 738 Analysis*, p. 6 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

Abbreviated inspections include elements identified by the DCF and local licensing agency that ensure a child care facility continues to provide quality care and programming.³⁶

In 2022, the DCF expanded the providers eligible for abbreviated inspections to include family day care homes and large family child care homes that meet the following criteria:³⁷

- Have been licensed for at least two consecutive years.
- Have had no Class 1 or Class 2 violations for at least two consecutive years.
- Have received at least two full onsite renewals in the most recent two years.
- Have no current uncorrected violations.
- Have no open regulatory or active child protective services investigations.

The following table shows the number of inspections that were abbreviated in Fiscal Year 2023-24.³⁸

Abbreviated Inspections of Child Care Facilities FY 2023-24	
Total Inspections Statewide	33,717
Abbreviated Inspections	2,044

Effect of Proposed Changes

The bill amends s. 402.3115, F.S., to allow child care facilities, family day care homes, and large family child care homes to receive an abbreviated inspection upon meeting all of the following conditions:

- Have been licensed for at least two consecutive years.
- Have not had a Class 1 deficiency for at least two consecutive years.
- Have not had more than three of the same Class 2 deficiencies for at least two consecutive years.
- Have received at least two full onsite renewal inspections in the most recent two years.
- Do not have any current uncorrected violations.
- Do not have any open regulatory complaints or active child protective services investigations.

The bill removes local governmental agencies' ability to identify elements included in the abbreviated inspection and leaves the responsibility solely to the DCF.

The bill requires the DCF to review and update the elements included in the abbreviated inspection every five years and revise the overall plan as necessary.

³⁶ *Id.*

³⁷ Florida Department of Children and Families, *Senate Bill 738 Analysis*, p. 6 (Mar. 5, 2025) (on file with the Children, Families, and Elder Affairs Committee).

³⁸ *Id.*, p. 7.

Child Care Licensure Exemptions

Present Situation

Florida exempts child care facilities that are an integral part of a church or parochial school which is accredited by, or is a member of, an organization that publishes and requires compliance with its standards for health, safety, and sanitation from the child care licensure requirements.³⁹ However, child care facilities that are exempt from licensure must meet the child care personnel background screening requirements.⁴⁰ If the child care facility desires licensure by the DCF, the facility must notify the DCF to obtain a license.⁴¹ Once licensed by the DCF, the facility cannot withdraw its licensure and continue to operate.⁴²

Any county or city with state or local child care licensing programs that were in existence on July 1, 1974, are authorized to continue to license the child care facilities covered under such programs until and unless the licensing agency makes the determination to exempt the child care facility from licensure.⁴³

The Department of Defense (DoD) provides military families with access to quality, affordable Child Development Programs (CDPs) with the intention of improving the efficiency and retention of servicemembers.⁴⁴ The DoD is the country's largest employer-sponsored child care program.⁴⁵

CDPs provide access and referral to available and affordable quality programs and services that meet the basic needs of children from birth through 12 years of age, in a safe, healthy, and nurturing environment.⁴⁶

The Department of Defense certifies four types of child care programs to provide care to children of military families.⁴⁷ The following table displays the programs the DoD provides.⁴⁸

³⁹ Section 402.316, F.S.

⁴⁰ *Id.*

⁴¹ Section 402.316(3), F.S.

⁴² *Id.*

⁴³ Section 402.316, F.S.

⁴⁴ Department of Defense, *Report to the Congressional Defense Committees on Department of Defense Child Development Programs 2020*, available at: <https://securefamiliesinitiative.org/wp-content/uploads/2021/04/Report-on-DoD-Child-Development-Programs-June-2020.pdf> (last visited 3/10/25).

⁴⁵ *Id.*

⁴⁶ DoDI6060.02

⁴⁷ Military OneSource, *Military Child Care Programs*, available at: <https://www.militaryonesource.mil/benefits/military-child-care-programs/> (last visited 3/10/25).

⁴⁸ DoDI6060.02, available at: <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodi/606002p.pdf> (last visited 3/10/25).

Department of Defense Sanctioned Child Care Programs	
Child Development Centers	Located on military installations to offer care for infants through preschool age children. Provides full-day and part-day care Monday-Friday during standard work hours. Varies in size. Has the DoD certification and accreditation from a national accrediting body such as the National Association for the Education of Young Children.
Family Child Care	Provides child care for infants through school-age children in their homes, either on or off a military installation. Offers a flexible schedule including full-day, part-day, and school year care, summer camp, hourly care, and in some cases, 24/7 and extended care. Limited to no more than six children under eight years of age, and no more than three children under two years of age. Certified by the military installation, but individual providers may voluntarily seek national accreditation.
School-age Care	Provides care to children in kindergarten through sixth grade in DoD youth centers, child development centers, or other facilities. Provides care before and after school, during non-school days and summer vacations. DoD certified and accredited by a national accrediting body.
Supplemental Child Care	Provides short-term alternative child care options in settings located on and off military installations.

There are over 460 child development centers nationwide.⁴⁹ In Federal Fiscal Year 2019, over 200,000 children were served in a child development program.⁵⁰

Programs that provide child care must meet specific criteria to obtain a DoD Certificate to Operate.⁵¹ The criteria included in the Certificate to Operate follow general programmatic areas

⁴⁹ Military Installations, *Programs and Services Contacts Child Development Centers*, available at:

<https://installations.militaryonesource.mil/search?program-service=29/view-by=ALL> (last visited 3/10/25).

⁵⁰ Department of Defense, *Report to the Congressional Defense Committees on Department of Defense Child Development Programs 2020*, available at: <https://securefamiliesinitiative.org/wp-content/uploads/2021/04/Report-on-DoD-Child-Development-Programs-June-2020.pdf> (last visited 3/10/25).

⁵¹ Military Childcare, *Military-Operated Child Care Programs*, available at: <https://public.militarychildcare.csd.disa.mil/mcc-central/mcchome/military-operated-child-care-programs> (last visited 3/10/25).

relating to logistics surrounding health, safety, and risk management, as well as programming criteria such as parental involvement.⁵²

Federal law provides that each facility operated by the federal government that hires individuals to care for children under the age of 18 years must undergo a criminal background check.⁵³

The background check must be⁵⁴:

- Based on a set of the employee's fingerprints obtained by a law enforcement officer and on other identifying information;
- Conducted through the Identification Division of the Federal Bureau of Investigation and through the State criminal history repositories of all States that an employee or prospective employee lists as current and former residences in an employment application; and
- Initiated through the personnel programs of the applicable Federal agencies.

DoD Specific Child Care Background Screening Requirements

DoD requires all individuals who have regular contact with children under 18 years of age in a DoD-sanctioned child care services program must undergo a criminal history background check.⁵⁵ Additionally, individuals must undergo a reverification every 5 years.⁵⁶

The DoD initiates a background check for individuals that generally include:

- FBI fingerprint check.
- Installation Records Check (IRC)
- Tier 1 investigation with Child Care Investigation for Non-Sensitive Positions.
- State Criminal History Repository (SCHR) Check.

Child Care Training Requirements

The DoD requires all newly hired CDP personnel and FCC providers to complete 40 hours of orientation that begins prior to working with children.⁵⁷ The orientation includes:

- Working with children of different ages, including developmentally appropriate activities and environmental observations.
- Age-appropriate guidance and discipline techniques.
- Applicable regulations, policies, and procedures.
- Child safety and fire prevention.
- Child abuse prevention, identification, and reporting.
- Parent and family relations.
- Health and sanitation procedures, including pediatric CPR and first aid.
- Safe infant sleep practices and Sudden Infant Death Syndrome prevention.

⁵² Military Childcare, *Military-Operated Child Care Programs*, available at: <https://public.militarychildcare.csd.disa.mil/mcc-central/mcchome/military-operated-child-care-programs> (last visited 3/10/25).

⁵³ 34 U.S.C. s. 20351

⁵⁴ 34 U.S.C. s. 20351

⁵⁵ DoDI6060.02, available at: <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodi/606002p.pdf> (last visited 3/10/25).

⁵⁶ *Id.*

⁵⁷ DoDI6060.02, available at: <https://www.esd.whs.mil/portals/54/documents/dd/issuances/dodi/606002p.pdf> (last visited 3/10/25).

- Nutrition, obesity prevention, and meal service.
- Working with children with special needs.
- Accountability and child supervision training.
- For FCC providers only, infant and child CPR and first aid must be completed prior to accepting children for care. Training shall be updated as necessary to maintain current certifications.
- For FCC providers only, training in business operations.

Effect of Proposed Language

The bill amends s. 402.316, F.S., to provide an exemption from licensing, except for the screening of personnel, for a child care facility that solely provides child care to eligible children. The bill utilizes the same definition of eligible child that is used in s. 402.261, F.S., which refers to the child or grandchild of an employee of a taxpayer, if such employee is the child's or grandchild's caregiver.

The bill also exempts from licensure a child care facility or a family day care home that is authorized by the Department of Defense (DoD) or U.S. Coast Guard to provide child care services and has completed background screening by the DoD and received a favorable suitability and fitness determination. The exemption does not extend to a child care facility or family day care home that elects to serve children not eligible for care under the DoD Instruction 6060.02.

The bill gives the Department of Children and Families (DCF) and local licensing agencies rulemaking authority to administer provisions relating to child care licensure exemptions, including, but not limited to, assessments of previous licensure history.

Special Assessments

Present Situation

There are 67 county governments⁵⁸ and over 400 municipal governments⁵⁹ in the state of Florida. Municipalities levy and collect special assessments to fund capital improvements and municipal services including, but not limited to, fire protection, emergency medical services, garbage disposal, sewer improvement, street improvement, and parking facilities.⁶⁰ Small municipalities with a population of fewer than 100 persons may use special assessments to fund special security and crime prevention services and facilities.⁶¹

Florida law exempts certain properties from special assessments levied by municipalities. Currently, the following entities are exempt from special assessments:⁶²

⁵⁸ Florida Department of State, *County Governments*, available at: <https://dos.fl.gov/library-archives/research/florida-information/government/local-resources/fl-counties/> (last visited 3/4/25).

⁵⁹ Florida Department of State, *Florida Cities*, available at: <https://dos.fl.gov/library-archives/research/florida-information/government/local-resources/fl-cities/> (last visited 3/4/25).

⁶⁰ Section 170.201(1), F.S.

⁶¹ *Id.*

⁶² Section 170.201(2), F.S.

- Property owned or occupied by a religious institution and used as a place of worship or education;
- Property owned or occupied by a public or private elementary, middle, or high school; or
- Property owned or occupied by a governmentally financed, insured, or subsidized housing facility that is used primarily for persons who are elderly or disabled.

As of 2023, there were over 8,500 licensed preschools in Florida.⁶³

Effect of Proposed Changes

The bill amends s. 170.201, F.S., to include properties owned or occupied by a preschool to be included in the exemption from special assessments levied by local governments and municipalities.

The bill defines a preschool as a child care facility licensed under s. 402.305, F.S.

Other

The bill updates cross references and makes other conforming changes to align statute with the substantive changes of the language.

The bill provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,⁶⁴ which is \$2.3 million or less for Fiscal Year 2025-2026.⁶⁵

The bill, in part, limits the authority to collect special assessments on preschools. The Revenue Estimating Conference determined that this provision in a previous version of this bill [SB 820 (2024)] would reduce the authority of local governments to raise revenue by \$4.4 million in Fiscal Year 2024-2025 and adjusted to \$4.5 million for Fiscal

⁶³ Department of Children and Families, *Child Care Provider List 11-1-2024*, available at: <https://www.myflfamilies.com/sites/default/files/2023-11/Public%20-%202023-11-1%20-%20Statewide.pdf> (last visited 3/4/25).

⁶⁴ FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See Florida Senate Committee on Community Affairs, *Interim Report 2012-115: Insignificant Impact*, (September 2011), available at <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited March 8, 2025).

⁶⁵ Based on the Demographic Estimating Conference's estimated population adopted on April 1, 2024; Florida Population Estimates by County and Municipality Estimate, available at: https://edr.state.fl.us/Content/population-demographics/data/2024_Pop_Estimates.pdf (last visited March 8, 2025).

Year 2025-2026. Therefore, this bill may be a mandate requiring a two-thirds vote of the membership of each house of the Legislature for approval.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Not applicable. The bill does not impose or raise a state tax or fee which would be subject to the provisions of Article VII, s. 19 of the Florida Constitution.

E. Other Constitutional Issues:

None Identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will have an indeterminate, likely significant recurring negative fiscal impact on local government as the bill reduces the ability of local governments to levy special assessments on preschools. The Revenue Estimating Conference determined that this provision will reduce the authority of local governments to raise revenue by \$5.9 million in Fiscal Year 2025-2026.⁶⁶

C. Government Sector Impact:

The bill will have a significant negative indeterminate fiscal impact on state government. The bill requires the Department of Children and Families (DCF) to provide online training coursework to child care personnel at no cost to the student. The DCF currently contracts with 13 training coordinating agencies (TCA) to administer and coordinate in-person courses and exams. Currently, TCAs receive training fees paid by child care personnel and through DCF contracts. TCAs received over \$3 million in Fiscal Year 2023-2024 from child care personnel for online coursework and \$838,062 through the DCF contracts. If the TCAs no longer charge child care personnel for the courses, the cost of the contracts that the DCF has with the TCAs could significantly increase.⁶⁷ The

⁶⁶ EDR, *Revenue Estimating Impact Conference (March 24, 2025)*, available at https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2025/_pdf/page193-195.pdf (last visited March 30, 2025).

⁶⁷ Florida Department of Children and Families, *CS for Senate Bill 738 Analysis*, p. 6 (Mar. 10, 2025) (on file with the Senate Appropriations Committee on Health and Human Services).

bill also requires the DCF to offer competency exams for child care personnel online. The DCF estimates that moving to an online exam will have a significant negative indeterminate fiscal impact on the agency due to the significant cost associated with the development, procurement and administration of testing. Unless the cost is passed on to the employee, the DCF would be unable to absorb the cost through existing resources.⁶⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 170.201, 402.305, 402.306, 402.3115, 402.316, and 1002.59.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 12, 2025:

- Amends technical language.
- Requires the DCF to provide background screening results to child care facilities within three business days upon receipt of the criminal history record check.
- Requires the DCF and local licensing agencies to develop and implement abbreviated inspections for family day care homes and large family child care homes.
- Removes amendments to s. 627.70161, F.S., which prevented large family child care homes from experiencing cancelation, denial, or nonrenewal of residential property insurance solely on the basis of the services provided at the residence.
- Exempts from licensure child care facilities and family day care homes that are authorized by the U.S. Department of Defense or the U.S. Coast Guard and have completed proper background screenings and receive favorable suitability and fitness determinations.
- Authorizes the DCF and local licensing agencies to adopt rules to administer provisions relating to child care licensure exemptions, including, but not limited to, assessments of previous licensure history.

⁶⁸ Florida Department of Children and Families, *CS for Senate Bill 738 Analysis*, p. 6 (Mar. 10, 2025) (on file with the Senate Appropriations Committee on Health and Human Services).

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Children, Families, and Elder Affairs; and
Senator Burton

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1 A bill to be entitled
2 An act relating to child care and early learning
3 providers; amending s. 170.201, F.S.; exempting public
4 and private preschools from specified special
5 assessments levied by a municipality; defining the
6 term "preschool"; amending s. 402.305, F.S.; revising
7 licensing standards for all licensed child care
8 facilities and minimum standards and training
9 requirements for child care personnel; requiring the
10 Department of Children and Families to conduct
11 specified screenings of child care personnel within a
12 specified timeframe and issue provisional approval of
13 such personnel under certain conditions; providing an
14 exception; revising minimum standards for sanitation
15 and safety of child care facilities; making technical
16 changes; deleting provisions relating to educating
17 parents and children about specified topics; deleting
18 provisions relating to specialized child care
19 facilities for the care of mildly ill children;
20 amending s. 402.306, F.S.; requiring a county
21 commission to affirm annually certain decisions;
22 amending s. 402.3115, F.S.; expanding the types of
23 providers to be considered when developing and
24 implementing a plan to eliminate duplicative and
25 unnecessary inspections; revising requirements for an
26 abbreviated inspection plan for certain child care
27 facilities, family day care homes, and large family
28 child care homes; requiring the department to review
29 and update certain elements included in such

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30 abbreviated inspections; requiring the department to
31 revise the abbreviated inspection plan as necessary;
32 amending s. 402.316, F.S.; providing that certain
33 child care facilities and family day care homes are
34 exempt from specified requirements; deleting a
35 provision requiring a county or city with certain
36 child care licensing programs in existence on a
37 specified date to continue to license certain
38 facilities under certain circumstances; authorizing
39 certain exempt child care facilities to submit an
40 application for licensure to the department or a local
41 licensing agency; requiring the department and the
42 local licensing agency to adopt rules; amending s.
43 1002.59, F.S.; conforming a cross-reference; providing
44 an effective date.

46 Be It Enacted by the Legislature of the State of Florida:

48 Section 1. Subsection (2) of section 170.201, Florida
49 Statutes, is amended to read:

50 170.201 Special assessments.—

51 (2) Property owned or occupied by a religious institution
52 and used as a place of worship or education; by a public or
53 private preschool, elementary school, middle school, or high
54 school; or by a governmentally financed, insured, or subsidized
55 housing facility that is used primarily for persons who are
56 elderly or disabled shall be exempt from any special assessment
57 levied by a municipality to fund any service if the municipality
58 so desires. As used in this subsection, the term "religious

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institution" means any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on and the term "governmentally financed, insured, or subsidized housing facility" means a facility that is financed by a mortgage loan made or insured by the United States Department of Housing and Urban Development under s. 8, s. 202, s. 221(d)(3) or (4), s. 232, or s. 236 of the National Housing Act and is owned or operated by an entity that qualifies as an exempt charitable organization under s. 501(c)(3) of the Internal Revenue Code. As used in this subsection, the term "preschool" means any child care facility licensed under s. 402.305.

Section 2. Paragraphs (a) and (c) of subsection (1), paragraphs (a), (e), and (f) of subsection (2), paragraphs (a) and (c) of subsection (7), and subsections (9), (13), and (17) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

(1) LICENSING STANDARDS.—The department shall establish licensing standards that each licensed child care facility must meet regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility.

(a) The standards shall be designed to address ~~the following areas:~~

~~1. the health and nutrition, sanitation, safety, developmental needs, and sanitary adequate physical conditions surroundings~~ for all children served by in child care facilities.

~~2. The health and nutrition of all children in child care.~~

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~~3. The child development needs of all children in child care.~~

(c) The minimum standards for child care facilities shall be adopted in the rules of the department and shall address the areas delineated in this section.

1. The department, in adopting rules to establish minimum standards for child care facilities, shall recognize that different age groups of children may require different standards.

2. The department may adopt different minimum standards for facilities that serve children in different age groups, including school-age children.

3. The department may create up to three classification levels for violations of licensing standards that directly relate to the health and safety of a child. A class three violation is the least serious in nature and must be the same incident of noncompliance that occurs at least three times within a 2-year period.

4. The department shall ~~also~~ adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in accordance with federal regulations and standards. The

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Department of Health shall consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the department, and the meals meet AMP requirements. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

(2) PERSONNEL.—Minimum standards for child care personnel shall include minimum requirements as to:

(a) Good moral character based upon screening as defined in s. 402.302(15). This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening provided set forth in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years. The department shall complete the screening and provide the results to the child care facility within 3 business days from the receipt of the criminal history record check. If the department is unable to complete the screening within 3 business days, the department shall issue the current or prospective child care personnel a 45-day provisional-hire status while all required information is being requested and the department is awaiting results unless the department has reason to believe a disqualifying factor may exist. During the 45-day period, the current or prospective child care personnel must be under the direct supervision of a screened and trained staff member when in contact with children.

(e) Minimum training requirements for child care personnel.

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1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers ~~at least~~ the following topic areas:

a. State and local rules and regulations which govern child care.

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.

e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.

f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

g. Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

h. Online training coursework, provided at no cost by the department, to meet minimum training standards for child care personnel.

Within 90 days after employment, child care personnel shall

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begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of an in-person or online ~~a~~ competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25. Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

~~2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.~~

~~2.3-~~ The introductory course shall cover recognition and prevention of shaken baby syndrome; prevention of sudden infant death syndrome; recognition and care of infants and toddlers with developmental disabilities, including autism spectrum disorder and Down syndrome; and early childhood brain development within the topic areas identified in this paragraph.

~~3.4-~~ On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child

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care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

~~4.5-~~ Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 3.

~~4-~~

~~5.6-~~ Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum standards. It is recommended that the state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and career programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.

~~6.7-~~ Training requirements do ~~shall~~ not apply to certain occasional or part-time support staff, including, but not limited to, swimming instructors, piano teachers, dance instructors, and gymnastics instructors.

~~7.8-~~ The child care operator shall be required to take basic training in serving children with disabilities within 5

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years after employment, either as a part of the introductory training or the annual 8 hours of inservice training.

(f) Periodic health examinations for child care facility drivers.

(7) SANITATION AND SAFETY.—

(a) Minimum standards must ~~shall~~ include requirements for sanitary and safety conditions, first aid treatment, emergency procedures, and pediatric cardiopulmonary resuscitation. The minimum standards must ~~shall~~ require that at least one staff person trained in person in cardiopulmonary resuscitation, as evidenced by current documentation of course completion, ~~must~~ be present at all times that children are present.

~~(c) Some type of communications system, such as a pocket pager or beeper, shall be provided to a parent whose child is in drop-in child care to ensure the immediate return of the parent to the child, if necessary.~~

(9) ADMISSIONS AND RECORDKEEPING.—

(a) Minimum standards must ~~shall~~ include requirements for preadmission and periodic health examinations, requirements for immunizations, and requirements for maintaining emergency information and health records on all children.

~~(b) During the months of August and September of each year, each child care facility shall provide parents of children enrolled in the facility detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.~~

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~~(c) During the months of April and September of each year, at a minimum, each facility shall provide parents of children enrolled in the facility information regarding the potential for a distracted adult to fail to drop off a child at the facility and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The child care facility shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which child care facilities may choose to reproduce and provide to parents to satisfy the requirements of this paragraph.~~

~~(b)(d)~~ Because of the nature and duration of drop-in child care, requirements for preadmission and periodic health examinations and requirements for medically signed records of immunization required for child care facilities do ~~shall~~ not apply. A parent of a child in drop-in child care shall, however, be required to attest to the child's health condition and the type and current status of the child's immunizations.

~~(c)(e)~~ Any child shall be exempt from medical or physical examination or medical or surgical treatment upon written request of the parent or guardian of such child who objects to the examination and treatment. However, the laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption from or variation of the health and immunization minimum standards.

(13) PLAN OF ACTIVITIES.—Minimum standards shall ensure that each child care facility has and implements a written plan

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for the daily provision of varied activities and active and quiet play opportunities appropriate to the age of the child. ~~The written plan must include a program, to be implemented periodically for children of an appropriate age, which will assist the children in preventing and avoiding physical and mental abuse.~~

~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF MILDLY ILL CHILDREN. Minimum standards shall be developed by the department, in conjunction with the Department of Health, for specialized child care facilities for the care of mildly ill children. The minimum standards shall address the following areas: personnel requirements; staff to child ratios; staff training and credentials; health and safety; physical facility requirements, including square footage; client eligibility, including a definition of "mildly ill children"; sanitation and safety; admission and recordkeeping; dispensing of medication; and a schedule of activities.~~

Section 3. Subsection (1) of section 402.306, Florida Statutes, is amended to read:

402.306 Designation of licensing agency; dissemination by the department and local licensing agency of information on child care.—

(1) (a) Any county whose licensing standards meet or exceed state minimum standards may:

1. (a) Designate a local licensing agency to license child care facilities in the county; or

2. (b) Contract with the department to delegate the administration of state minimum standards in the county to the department.

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(b) The decision to designate a local licensing agency under subparagraph (a)1. must be annually affirmed by a majority vote of the county commission.

Section 4. Section 402.3115, Florida Statutes, is amended to read:

402.3115 Elimination of duplicative and unnecessary inspections; abbreviated inspections.—

(1) The Department of Children and Families and local governmental agencies that license child care facilities shall develop and implement a plan to eliminate duplicative and unnecessary inspections of child care facilities, family day care homes, and large family child care homes.

(2) (a) In addition, The department and the local governmental agencies shall develop and implement an abbreviated inspection plan for child care facilities, family day care homes, and large family child care homes that meet all of the following conditions:

1. Have been licensed for at least 2 consecutive years.

2. Have not had a ~~no~~ Class 1 deficiency, as defined by rule, for at least 2 consecutive years.

3. Have not had more than three of the same ~~or~~ Class 2 deficiencies, as defined by rule, for at least 2 consecutive years.

4. Have received at least two full onsite renewal inspections in the most recent 2 years.

5. Do not have any current uncorrected violations.

6. Do not have any open regulatory complaints or active child protective services investigations.

(b) The abbreviated inspection must include those elements

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identified by the department ~~and the local governmental agencies~~
as being key indicators of whether the child care facility
continues to provide quality care and programming. The
department shall review and update these elements every 5 years.

(3) The department shall revise the plan under subsection
(1) as necessary to maintain the validity and effectiveness of
inspections.

Section 5. Section 402.316, Florida Statutes, is amended to
read:

402.316 Exemptions.—

(1) The provisions of ss. 402.301-402.319, except for the
requirements regarding screening of child care personnel, do
~~shall~~ not apply to a child care facility which is an integral
part of church or parochial schools, or a child care facility
that solely provides child care to eligible children as defined
in s. 402.261(1)(c), conducting regularly scheduled classes,
courses of study, or educational programs accredited by, or by a
member of, an organization which publishes and requires
compliance with its standards for health, safety, and
sanitation. However, such facilities shall meet minimum
requirements of the applicable local governing body as to
health, sanitation, and safety and shall meet the screening
requirements pursuant to ss. 402.305 and 402.3055. Failure by a
facility to comply with such screening requirements shall result
in the loss of the facility's exemption from licensure.

(2) The provisions of ss. 402.301-402.319 do not apply to a
child care facility or family day care home if the child care
facility or family day care home has a certificate issued by the
United States Department of Defense or by the United States

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Coast Guard to provide child care and has completed background
screening by the United States Department of Defense pursuant to
34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a
favorable suitability and fitness determination. If the child
care facility or family day care home elects to serve children
ineligible for care under the United States Department of
Defense Instruction 6060.02, the child care facility or family
day care home must be licensed under chapter 402.

~~(3)(2)~~ Any county or city with state or local child care
licensing programs in existence on July 1, 1974, will continue
to license the child care facility facilities as covered by such
programs, notwithstanding the exemption under provisions of
subsection (1) which desires to be licensed may submit an
application to the department or local licensing agency pursuant
to s. 402.308(4), until and unless the licensing agency makes a
determination to exempt them.

~~(4)(3)~~ The department and the local licensing agency
pursuant to s. 402.308(4) shall adopt rules to administer and
implement this section, including, but not limited to, any
assessments of previous licensure history ~~Any child care~~
~~facility covered by the exemption provisions of subsection (1),~~
~~but desiring to be included in this act, is authorized to do so~~
~~by submitting notification to the department. Once licensed,~~
~~such facility cannot withdraw from the act and continue to~~
~~operate.~~

Section 6. Subsection (1) of section 1002.59, Florida
Statutes, is amended to read:

1002.59 Emergent literacy and performance standards
training courses.—

586-02324-25

2025738c1

(1) The department, in collaboration with the Just Read, Florida! Office, shall adopt minimum standards for courses in emergent literacy for prekindergarten instructors. Each course must consist of 5 clock hours and provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that students will encounter in grades K-12, consistent with the evidence-based content and strategies grounded in the science of reading identified pursuant to s. 1001.215(7). The course standards must be reviewed as part of any review of subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas conducted pursuant to s. 1012.586. Each course must also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(e)4., 402.313(6), and 402.3131(5) ~~ss. 402.305(2)(e)5., 402.313(6), and 402.3131(5).~~

Section 7. This act shall take effect July 1, 2025.

April 2, 2025

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

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SB 738

Bill Number or Topic

Amendment Barcode (if applicable)

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PLEASE CHECK ONE OF THE FOLLOWING:

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Florida Chamber of Commerce

☐ I am not a lobbyist, but received
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate

APPEARANCE RECORD

April 2, 2025

Meeting Date

738

Bill Number or Topic

Fiscal Policy

Committee

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Amendment Barcode (if applicable)

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Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
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(travel, meals, lodging, etc.),
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FLORIDA ASSOCIATION FOR CHILD CARE MANAGEMENT

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 756

INTRODUCER: Banking and Insurance Committee and Senator Burton

SUBJECT: Health Insurance Coverage for Individuals with Developmental Disabilities

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Knudson	BI	Fav/CS
2. Barr	McKnight	AHS	Favorable
3. Johnson	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 756 revises eligibility provisions relating to coverage of autism spectrum disorder (ASD), thereby expanding coverage and access to coverage in the large group market (coverage through an employer with more than 50 employees). Autism spectrum disorder (ASD) is a neurological and developmental disorder that affects how individuals interact with others, communicate, learn, and behave. Although ASD can be diagnosed at any age, it is described as a “developmental disorder” because symptoms generally appear in the first two years of life.¹

The bill revises the definition of the term, “autism spectrum disorder,” to conform with the definition provided in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders.²

The bill also eliminates the age eligibility limitations on providing large group insurance coverage for ASD, thereby expanding eligibility for coverage to all individuals with ASD, , rather than just individuals with ASD who are under 18 years of age and individuals with ASD in high school at age 18 or older who were diagnosed with a developmental disability before age 9.

¹ National Institute of Health, Autism Spectrum Disorder (Dec. 2024), <https://www.nimh.nih.gov/health/topics/autism-spectrum-disorders-asd> (last visited Mar. 1, 2025).

² American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders DSM-5-TR (Mar. 2022). The DSM is standard classification of mental disorders used by mental health professionals in the United States to diagnose mental disorders.

The bill may have an indeterminate impact on the state group health insurance program. **See Section V. Fiscal Impact Statement.**

The bill takes effect January 1, 2026.

II. Present Situation:

Autism spectrum disorder (ASD) is a neurological and developmental disorder that affects how individuals interact with others, communicate, learn, and behave. Although ASD can be diagnosed at any age, it is described as a “developmental disorder” because symptoms generally appear in the first two years of life.³ About 1 in 36 children have been identified with ASD.⁴ ASD is nearly 4 times more common among boys than among girls.⁵

Diagnosis of Autism Spectrum Disorder

Diagnosing ASD usually relies on parents’ or caregivers’ descriptions of their child’s development and a licensed professional’s observation of the child’s behavior. The American Psychiatric Association’s Diagnostic and Statistical Manual (DSM-5-TR), provides standardized criteria to help diagnose ASD.⁶

The term, “autism spectrum disorder”, reflects a scientific consensus that four previously separate disorders are a single condition with different levels of symptom severity in two core domains.⁷ ASD now encompasses the previous DSM-IV autistic disorder (autism), Asperger’s disorder, childhood disintegrative disorder, and pervasive developmental disorder not otherwise specified.⁸ ASD is characterized by (1) deficits in social communication and social interaction and (2) restricted repetitive behaviors, interests, and activities (RRBs). Because both components are required for diagnosis of ASD, social communication disorder is diagnosed if no RRBs are present.

To meet diagnostic criteria for ASD pursuant to DSM-5-TR, a child must have persistent deficits in each of three areas of social communication and interaction (see A.1. through A.3. below) plus at least two of four types of restricted, repetitive behaviors (see B.1. through B.4. below):

³ National Institute of Health, Autism Spectrum Disorder (Dec. 2024), <https://www.nimh.nih.gov/health/topics/autism-spectrum-disorders-asd> (last visited Mar. 1, 2025).

⁴ Centers for Disease Control, [Prevalence and Characteristics of Autism Spectrum Disorder Among Children Aged 8 Years — Autism and Developmental Disabilities Monitoring Network, 11 Sites, United States, 2020 | MMWR](#) (Mar. 24, 2023), (last visited Feb. 28, 2025).

⁵ *Id.*

⁶ American Psychiatric Association, Frequently Asked Questions, <https://www.psychiatry.org/psychiatrists/practice/dsm/frequently-asked-questions#:~:text=What%20is%20DSM%20and%20why,the%20diagnosis%20of%20mental%20disorders> (last visited Feb. 28, 2025).

⁷ American Psychiatric Association, Highlights of Changes from DSM-IV-TR to DSM-5 (2022) [APA DSM Changes from DSM-IV-TR -to DSM-5.pdf](#). (last visited Mar. 1, 2025).

⁸ *Id.*

- A. Persistent deficits in social communication and social interaction across multiple contexts, as manifested by all the following, currently or by history (examples are illustrative, not exhaustive):
1. Deficits in social-emotional reciprocity, ranging, for example, from abnormal social approach and failure of normal back-and-forth conversation; to reduced sharing of interests, emotions, or affect; to failure to initiate or respond to social interactions.
 2. Deficits in nonverbal communicative behaviors used for social interaction, ranging, for example, from poorly integrated verbal and nonverbal communication; to abnormalities in eye contact and body language or deficits in understanding and use of gestures; to a total lack of facial expressions and nonverbal communication.
 3. Deficits in developing, maintaining, and understanding relationships, ranging, for example, from difficulties adjusting behavior to suit various social contexts; to difficulties in sharing imaginative play or in making friends; to absence of interest in peers.
- B. Restricted, repetitive patterns of behavior, interests, or activities, as manifested by at least two of the following, currently or by history (examples are illustrative, not exhaustive; see text):
1. Stereotyped or repetitive motor movements, use of objects, or speech (e.g., simple motor stereotypes, lining up toys or flipping objects, echolalia, idiosyncratic phrases).
 2. Insistence on sameness, inflexible adherence to routines, or ritualized patterns of verbal or nonverbal behavior (e.g., extreme distress at small changes, difficulties with transitions, rigid thinking patterns, greeting rituals, need to take same route or eat same food every day). Highly restricted, fixated interests that are abnormal in intensity or focus (e.g., strong attachment to or preoccupation with unusual objects, excessively circumscribed or perseverative interests).
 3. Highly restricted, fixated interests that are abnormal in intensity or focus (e.g., strong attachment to or preoccupation with unusual objects, excessively circumscribed or perseverative interests).
 4. Hyperreactivity or hyporeactivity to sensory input or unusual interest in sensory aspects of the environment (e.g., apparent indifference to pain/temperature, adverse response to specific sounds or textures, excessive smelling or touching of objects, visual fascination with lights or movement).⁹

Treatment and Intervention for ASD¹⁰

Current treatments for ASD seek to reduce symptoms that interfere with daily functioning and quality of life. Treatments can be given in education, health, community, or home settings, or a combination of settings. As individuals with ASD leave high school and grow into adulthood, additional services can help improve health and daily functioning and facilitate social and community engagement.

⁹ See Centers for Disease Control, Autism Spectrum Disorder, Clinical Testing and Diagnosis for Autism Spectrum Disorder, [Clinical Testing and Diagnosis for Autism Spectrum Disorder | Autism Spectrum Disorder \(ASD\) | CDC](#) (last visited Feb. 28, 2025). Additional diagnostic criteria for ASD is described.

¹⁰ Centers for Disease Control, Treatment and Intervention for Autism Spectrum Disorder (May 16, 2024), [Treatment and Intervention for Autism Spectrum Disorder | Autism Spectrum Disorder \(ASD\) | CDC](#) (last visited Mar. 1, 2025).

There are many types of treatments available. These treatments generally can be broken down into the following categories, although some treatments involve more than one approach:

- Behavioral
- Educational.
- Social-relational.
- Pharmacological.
- Psychological.
- Complementary and alternative.

Requirements Related to the Federal Mental Health Parity and Addiction Equity Act¹¹

On December 23, 2024, final rules for amending regulations implementing the Paul Wellstone and Pete Domenici Mental Parity and Addiction Equity Act of 2008 (MHPAEA) were released.¹² These final rules aim to further MHPAEA's fundamental purpose to ensure that individuals with group health plans or group or individual health insurance coverage who seek treatment for covered mental health (MH) conditions or substance use disorders (SUDs) do not face greater burdens on access to benefits for those conditions or disorders than they would face when seeking coverage for the treatment of a medical condition or a surgical procedure. Specifically, these final rules amend the existing non-quantitative treatment limitations (NQTL) standard to prohibit group health plans and health insurance issuers offering group or individual health insurance coverage from using NQTLs that place greater restrictions on access to mental health and substance use disorder benefits as compared to medical/surgical benefits.

The Employee Benefits Security Administration and the Centers for Medicare and Medicaid are responsible for enforcing MHPAEA, together with states that have the authority to enforce MHPAEA.¹³ Florida has not enacted legislation that authorizes the Office of Insurance Regulation to enforce the provisions of MHPAEA. Although the law requires a general equivalence in the way MH/SUD and medical/surgical benefits are treated with respect to annual and lifetime dollar limits, financial requirements and treatment limitations, MHPAEA does not require group health plans or health insurers to cover MH/SUD benefits. However, the Patient Protection and Affordable Care Act¹⁴ builds on MHPAEA and requires coverage of mental

¹¹ Centers for Medicare and Medicaid Services, <https://www.cms.gov/marketplace/private-health-insurance/mental-health-parity-addiction-equity> (last visited Mar. 7, 2025).

¹² See Public Law 116-260 and 45 C.F.R. Parts 146 and 147.

¹³ U.S. Department of Labor, FY 2022 MHPAEA Enforcement Fact Sheet, <https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/mental-health-parity/mhpaea-enforcement-2022#:~:text=These%20protections%20are%20vital%20for,MHPAEA%2C%20together%20with%20the%20states.> (last visited Mar. 7, 2025).

¹⁴ P.L. 111-148, 124 Stat. 119-1945 (2010). PPACA was amended by P.L. 111-152, the Health Care and Education Reconciliation Act of 2010.

health and substance use disorder services as one of ten essential health benefits categories in non-grandfathered individual and small group plans.

State Regulation of Insurance in Florida

The Office of Insurance Regulation (OIR),¹⁵ is responsible for all activities concerning health maintenance organizations (HMOs), health insurers and other risk-bearing entities, including licensing, rates, policy forms, market conduct, claims, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Florida Insurance Code.¹⁶ To transact business in Florida, a health insurer or HMO must obtain a certificate of authority from the OIR.¹⁷ The Agency for Health Administration (Agency) regulates the quality of care provided by HMOs under part III of ch. 641, F.S. Prior to receiving a certificate of authority from the OIR, an HMO must receive a Health Care Provider Certificate from the Agency.¹⁸ As part of the certification process used by the Agency, an HMO must provide information to demonstrate that the HMO has the ability to provide quality of care consistent with the prevailing standards of care.¹⁹

Coverage for Autism Spectrum Disorder in Florida

The Florida Insurance Code provides coverage for autism spectrum disorder for the insureds or members in the large group market,²⁰ including the state group insurance plan,²¹ for eligible individuals.²² Under current statute, “autism spectrum disorder”²³ is any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

- Autistic disorder;
- Asperger’s syndrome; and
- Pervasive developmental disorder not otherwise specified.

“An eligible individual” means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.²⁴

Such coverage must include, at a minimum, the following benefits:²⁵

- Well-baby and well-child screening for diagnosing the presence of autism spectrum disorder.

¹⁵ The OIR is a unit under the Financial Services Commission, which is composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. Commission members serve as the agency head for purposes of rulemaking under ch. 120, F.S. See s. 20.121(3), F.S.

¹⁶ Section 20.121(3)(a), F.S.

¹⁷ Sections 624.401 and 641.49, F.S.

¹⁸ Section 641.495, F.S.

¹⁹ *Id.*

²⁰ A large group plan provides coverage for an employer with more than 50 employees.

²¹ Section 110.123, F.S.

²² Section 627.6686, F.S. applies to insurers and s. 641.31098, F.S., applies to health maintenance organizations.

²³ Sections 627.6686(2)(b), F.S., and 641.31098(2)(b), F.S.

²⁴ Sections 627.6686(2)(c), and 641.31098(2)(c), F.S.

²⁵ Sections 627.6686(3) and 641.31098(3), F.S.

- Treatment of autism spectrum disorder and Down syndrome through speech therapy, occupational therapy, physical therapy, and applied behavior analysis. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17,²⁶ F.S., or an individual licensed under ch. 490²⁷ or ch. 491.²⁸

The coverage mandated under this section is subject to the following requirements:²⁹

- Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.
- Such coverage is limited to \$36,000 annually and may not exceed \$200,000 in total lifetime benefits. The maximum benefits must be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the United States Department of Labor
- Coverage may not be denied on the basis that provided services are habilitative in nature.
- Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

Coverage for Mental and Nervous Disorders

Section 627.668, F.S., requires insurers and health maintenance organization group health plans to make available to the policyholder (i.e. employer) as part of the application, for an appropriate additional premium, under a hospital and medical expense-incurred insurance policy, under a prepaid health care contract, and under a hospital and medical service plan contract, coverage for mental and nervous disorders. Under group policies or contracts, inpatient hospital benefits, partial hospitalization benefits, and outpatient benefits consisting of durational limits, dollar amounts, deductibles, and coinsurance factors shall not be less favorable than for physical illness generally, except that:

- Inpatient benefits may be limited to not less than 30 days per benefit year as defined in the policy or contract. If inpatient hospital benefits are provided beyond 30 days per benefit year, the durational limits, dollar amounts, and coinsurance factors thereto need not be the same as applicable to physical illness generally.
- Outpatient benefits may be limited to \$1,000 for consultations with a licensed physician, a psychologist licensed pursuant to ch. 490, F.S., a mental health counselor licensed pursuant to ch. 491, F.S., a marriage and family therapist licensed pursuant to ch 491, F.S., and a clinical social worker licensed pursuant to ch 491, F.S. If benefits are provided beyond the \$1,000 per benefit year, the durational limits, dollar amounts, and coinsurance factors thereof need not be the same as applicable to physical illness generally.

²⁶ Behavior analysts.

²⁷ Practice of psychology.

²⁸ The scope of this chapter includes the practice of clinical social work, practice of marriage and family therapy, practice of mental health counseling.

²⁹ Sections 627.668(4) and 641.31098(4), F.S.

- Partial hospitalization benefits shall be provided under the direction of a licensed physician. For purposes of this part, the term “partial hospitalization services” is defined as those services offered by a program that is accredited by an accrediting organization whose standards incorporate comparable regulations required by this state. Alcohol rehabilitation programs accredited by an accrediting organization whose standards incorporate comparable regulations required by this state or approved by the state and licensed drug abuse rehabilitation programs shall also be qualified providers under this section. In a given benefit year, if partial hospitalization services or a combination of inpatient and partial hospitalization are used, the total benefits paid for all such services may not exceed the cost of 30 days after inpatient hospitalization for psychiatric services, including physician fees, which prevail in the community in which the partial hospitalization services are rendered. If partial hospitalization services benefits are provided beyond the limits set forth in this paragraph, the durational limits, dollar amounts, and coinsurance factors thereof need not be the same as those applicable to physical illness generally.

III. Effect of Proposed Changes:

Sections 1 and 2 amend ss. 627.6696 and 641.31098, F.S., relating to health insurance and health maintenance organization coverage of autism spectrum disorders (ASD) in the large group market, respectively.

The sections revise the definition of ASD to mean as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association and removes from statute the enumerate disorders that have been incorporated into the new DSM definition. Under current law, ASD is defined to mean any of the following disorders as defined by the DSM of the American Psychiatric Association:

- Autistic disorder.
- Asperger’s syndrome.
- Pervasive developmental disorder not otherwise specified.

The term “eligible individual,” as it applies to ASD coverage, is revised to eliminate the general age cap of age 18 for coverage and the associated age cap for diagnosis. Under current law, an eligible individual must be under age 18 or be an individual 18 years of age or older who is in high school who has been diagnosed with a developmental disability at 8 years of age or younger.

Sections 3 and 4 reenact ss. 409.906(26) and 943.1727, F.S., to incorporate the bill’s amendments to s. 627.6686, F.S.

Section 5 provides the bill takes effect January 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Since the bill removes the current age limit and diagnosis restriction by age 8 for coverage of an individual in the large group market who has been diagnosed with a developmental disorder, additional individuals diagnosed with autism spectrum disorder will be eligible for coverage, and existing insureds or members can continue coverage beyond age 18.

C. Government Sector Impact:

The Office of Insurance Regulation and the Agency for Health Care Administration report no immediate impacts to state revenues or expenditures.^{30,31} However, increased utilization of services due to changes in eligibility criteria for autism spectrum disorder could have an indeterminate impact on future capitation rates under the Florida Medicaid Program. The Department of Management Services estimates that the fiscal impact of the bill, as it relates to the State Group Insurance Program, is less than \$650,000 across all plans.³²

VI. Technical Deficiencies:

None.

³⁰ Office of Insurance Regulation, *Senate Bill 756 Analysis* (Feb. 24, 2025) (on file with the Senate Appropriations Committee on Health and Human Services).

³¹ Agency for Health Care Administration, *Senate Bill 756 Analysis* (Feb. 25, 2025) (on file with the Senate Appropriations Committee on Health and Human Services).

³² Department of Management Services, *Senate Bill 756 Agency Analysis* (Mar. 10, 2025) (on file with the Senate Appropriations Committee on Health and Human Services).

VII. Related Issues:

The heading or catchline for s. 627.6696, F.S., is “Coverage for individuals with autism spectrum disorder required; exceptions.” However, the section relates to coverage for a broader group of individuals. Therefore, the catchline could be amended to “Coverage for individuals with developmental disorders; exceptions.”

VIII. Statutes Affected

This bill substantially amends the following sections of statute: 627.6686 and 641.31098.

This bill reenacts the following sections of statute: 409.906 and 943.1727.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Banking and Insurance on March 7, 2026:

The CS changes the effective date of the bill from July 1, 2025, to January 1, 2026.

- B. **Amendments:**

None.

By the Committee on Banking and Insurance; and Senator Burton

597-02251-25

2025756c1

A bill to be entitled

An act relating to health insurance coverage for individuals with developmental disabilities; amending ss. 627.6686 and 641.31098, F.S.; revising the definitions of the terms "autism spectrum disorder" and "eligible individual"; reenacting ss. 409.906(26) and 943.1727, F.S., relating to optional Medicaid services and continued employment training relating to autism spectrum disorder, respectively, to incorporate the amendment made to s. 627.6686, F.S., in references thereto; providing an effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (2) of section 627.6686, Florida Statutes, are amended to read:

627.6686 Coverage for individuals with autism spectrum disorder required; exception.—

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

(b) "Autism spectrum disorder" has the same meaning as ~~means any of the following disorders as~~ defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

~~1. Autistic disorder.~~

~~2. Asperger's syndrome.~~

~~3. Pervasive developmental disorder not otherwise specified.~~

(c) "Eligible individual" means an individual ~~under 18 years of age or an individual 18 years of age or older who is in~~

597-02251-25

2025756c1

~~high school~~ who has been diagnosed as having a developmental disability ~~at 8 years of age or younger.~~

Section 2. Paragraphs (b) and (c) of subsection (2) of section 641.31098, Florida Statutes, are amended to read:

641.31098 Coverage for individuals with developmental disabilities.—

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

(b) "Autism spectrum disorder" has the same meaning as ~~means any of the following disorders as~~ defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

~~1. Autistic disorder.~~

~~2. Asperger's syndrome.~~

~~3. Pervasive developmental disorder not otherwise specified.~~

(c) "Eligible individual" means an individual ~~under 18 years of age or an individual 18 years of age or older who is in~~ ~~high school~~ who has been diagnosed as having a developmental disability ~~at 8 years of age or younger.~~

Section 3. For the purpose of incorporating the amendment made by this act to section 627.6686, Florida Statutes, in a reference thereto, subsection (26) of section 409.906, Florida Statutes, is reenacted to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be

597-02251-25

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provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES FOR AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 393.063, autism spectrum disorder as defined in s. 627.6686, or Down syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21. Coverage for such services shall be limited to \$36,000

597-02251-25

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annually and may not exceed \$108,000 in total lifetime benefits. The agency shall submit an annual report on January 1 to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 4. For the purpose of incorporating the amendment made by this act to section 627.6686, Florida Statutes, in a reference thereto, section 943.1727, Florida Statutes, is reenacted to read:

943.1727 Continued employment training relating to autism spectrum disorder.—The department shall establish a continued employment training component relating to autism spectrum disorder as defined in s. 627.6686. The training component shall include, but need not be limited to, instruction on the recognition of the symptoms and characteristics of an individual on the autism disorder spectrum and appropriate responses to an individual exhibiting such symptoms and characteristics. Completion of the training component may count toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer required under s. 943.135.

Section 5. This act shall take effect January 1, 2026.

April 2, 2025

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 756

Bill Number or Topic

Amendment Barcode (if applicable)

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State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
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Autism Speaks

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 774

INTRODUCER: Appropriations Committee on Criminal and Civil Justice and Senator Wright

SUBJECT: Electronic Transmittal of Court Orders

DATE: April 1, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bond	Cibula	JU	Favorable
2.	Kolich	Harkness	ACJ	Fav/CS
3.	Bond	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 774 requires the clerk of court to electronically deliver to the sheriff, within 6 business hours of entry of an order by a judge, certain court orders requiring prompt attention by the sheriff for the sake of public safety. The orders requiring prompt delivery are an order to detain an individual for involuntary mental health examination, an order to detain an individual for involuntary substance abuse evaluation, or an order to take possession of firearms and ammunition from an individual pursuant to a risk protection order. The 6 business hours limit always applies, including nights, weekends, holidays, and during natural disasters.

The bill does not have a fiscal impact on revenues or expenditures. See Section V. Fiscal Impact Statement.

The bill is effective July 1, 2025.

II. Present Situation:

Involuntary Mental Health Examination

In 1971, the Legislature adopted the Florida Mental Health Act, known as the Baker Act.¹ The Baker Act includes Florida's mental health commitment laws, and includes legal procedures for mental health examination and treatment, including voluntary and involuntary examinations.² The Baker Act also protects the rights of all individuals examined or treated for mental illness in Florida.³

Individuals suffering from an acute mental health crisis may require emergency treatment to stabilize their condition. Emergency mental health examination and stabilization services may be provided on a voluntary or involuntary basis.⁴ An involuntary examination is required if there is reason to believe that the person has a mental illness and because of his or her mental illness:

- The person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination or is unable to determine whether examination is necessary; and
- Without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services; or
- There is a substantial likelihood that without care or treatment the person will cause serious bodily harm to himself or herself or others in the near future, as evidenced by recent behavior.⁵

The involuntary examination may be initiated by:

- A court entering an ex parte order stating that a person appears to meet the criteria for involuntary examination, based on sworn testimony;⁶
- A law enforcement officer taking a person who appears to meet the criteria for involuntary examination into custody and delivering the person or having him or her delivered to a receiving facility for examination;⁷ or
- A physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker executing a certificate stating that he or she has examined a person within the preceding 48 hours and finds that the person appears to meet the criteria for involuntary examination, including a statement of the professional's observations supporting such conclusion.⁸

¹ Ch. 71-131, Laws of Fla. The Baker Act is contained in ch. 394, F.S. The "Baker Act" is named in honor of the legendary state representative Maxine Baker of Miami who served from 1963 to 1972. She was strongly interested in mental health issues, served as chair of the House Committee on Mental Health, and sponsored the bill.

² Sections 394.451-394.47891, F.S.

³ Section 394.459, F.S.

⁴ Sections 394.4625 and 394.463, F.S.

⁵ Section 394.463(1), F.S.

⁶ Section 394.463(2)(a)1., F.S. In addition, the order of the court must be made a part of the patient's clinical record.

⁷ Section 394.463(2)(a)2., F.S.

⁸ Section 394.463(2)(a)3., F.S.

A law enforcement officer who delivers an individual to a receiving facility must execute a written report detailing the circumstances under which the person was taken into custody, and the report must be made a part of the patient's clinical record.⁹ Any facility accepting the patient based on this certificate must send a copy of the certificate to the DCF within 5 working days.¹⁰ The same reporting requirements apply in instances where a law enforcement officer delivers a person to a receiving facility pursuant to a certificate executed by a health care professional.¹¹

Involuntary Substance Abuse Examination

In 1993, legislation was adopted to combine ch. 396 and 397, F.S., into a single law, the Hal S. Marchman Alcohol and Other Drug Services Act (Marchman Act).¹² The Marchman Act encourages individuals to seek services on a voluntary basis within the existing financial and space capacities of a service provider. An individual who wishes to enter treatment may apply to a service provider for voluntary admission.¹³ Within the financial and space capabilities of the service provider, the individual must be admitted to treatment when sufficient evidence exists that he or she is impaired by substance abuse and his or her medical and behavioral conditions are not beyond the safe management capabilities of the service provider.¹⁴ However, denial of addiction is a prevalent symptom of substance use disorder (SUD), creating a barrier to timely intervention and effective treatment.¹⁵ As a result, treatment typically must stem from a third party providing the intervention needed for SUD treatment.¹⁶

The Marchman Act establishes a variety of methods under which substance abuse assessment, stabilization, and treatment can be obtained on an involuntary basis. There are five involuntary admission procedures that can be broken down into two categories depending upon whether the court is involved.¹⁷ Three of the procedures do not involve the court, while two require direct petitions to the circuit court. The same criteria for involuntary admission apply regardless of the admission process used.¹⁸

An individual meets the criteria for an involuntary admission under the Marchman Act if there is good faith reason to believe the individual is substance abuse impaired and, because of such impairment, has lost the power of self-control with respect to substance use, and either:

- Needs substance abuse services and, because of substance abuse impairment, his or her judgment has been so impaired that he or she is incapable of appreciating his or her need for such services and of making a rational decision in that regard;¹⁹ or

⁹ Section 394.463(2)(a)2., F.S.

¹⁰ *Id.*

¹¹ Section 394.463(2)(a)3., F.S.

¹² Ch. 93-39, s. 2, L.O.F. (creating ch. 397, F.S., effective October 1, 1993).

¹³ Section 397.601(1), F.S.

¹⁴ Section 397.601(2), F.S.

¹⁵ Darran Duchene and Patrick Lane, *Fundamentals of the Marchman Act*, Risk RX, Vol. 6 No. 2 (Apr. – Jun. 2006) State University System of Florida Self-Insurance Programs, available at <http://flbog.sip.ufl.edu/risk-rx-article/fundamentals-of-the-marchman-act/> (last visited March 8, 2025) (hereinafter cited as “Fundamentals of the Marchman Act”).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Section 397.675(2)(a), F.S. However, mere refusal to receive services does not constitute evidence of lack of judgment with respect to the person's need for such services.

- Without care or treatment:
 - The person is likely to suffer from neglect or refuse to care for himself or herself;
 - The neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and
 - It is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services; or
 - There is substantial likelihood that the person:
 - Has inflicted, or threatened to or attempted to inflict physical harm on himself, herself, or another; or
 - Is likely to inflict physical harm on himself, herself, or another unless he or she is admitted.²⁰

Involuntary Seizure of Firearms from Certain Individuals

In 2018, the Florida Legislature passed the Marjory Stoneman Douglas High School Public Safety Act (Act) in response to a tragic school shooting.²¹ In addition to other provisions in the Act, the law addresses public safety by restricting firearm and ammunition possession by a person who poses a danger to himself or herself or others.

Section 790.401, F.S., contains a process for a law enforcement officer or a law enforcement agency to petition a circuit court for a temporary ex parte risk protection order and a final risk protection order.²² The intent of the process and court intervention is to temporarily prevent a person from accessing firearms when there is demonstrated evidence that the person poses a significant danger to himself or herself or others, including significant danger as a result of a mental health crisis or violent behavior. The process strikes a balance between the rights of the person (respondent) including due process of law, and reducing death or injury as a result of his or her use of firearms during a mental health crisis.²³

To issue a risk protection order the court must find by clear and convincing evidence that the respondent poses a significant danger of causing personal injury to himself or herself or others by having in his or her custody or control, or by purchasing, possessing, or receiving, a firearm.²⁴

A court, in determining whether grounds for a risk protection order exist may consider any relevant evidence including, but not limited to:

- A recent act or threat of violence by the respondent against himself or herself or others, regardless of whether the violence or threat of violence involves a firearm;

²⁰ Section 397.675(2)(b), F.S.

²¹ Chapter 2018-3, s. 16, L.O.F.

²² The law enforcement officer or law enforcement agency petitioning the court for a risk protection order (petitioner) must make a good faith effort to provide notice to a family or household member of the respondent and to any known third party who may be at risk of violence. The notice must state that the petitioner intends to petition the court for a risk protection order or has already done so and must include referrals to appropriate resources, including mental health, domestic violence, and counseling resources. The petitioner must attest in the petition to having provided such notice or must attest to the steps that will be taken to provide such notice. Section 790.401(2)(f), F.S.

²³ Chapter 2018-3, s. 14, L.O.F.

²⁴ Section 790.401(3)(b), F.S.

- An act or threat of violence by the respondent within the past 12 months, including, but not limited to, acts or threats of violence by the respondent against himself or herself or others;
- Evidence of the respondent being seriously mentally ill or having recurring mental health issues;
- A violation by the respondent of a protection order or a no contact order issued under ss. 741.30, 784.046, or 784.0485, F.S.;
- A previous or existing risk protection order issued against the respondent;
- A violation of a previous or existing risk protection order issued against the respondent;
- Whether the respondent, in this state or any other state, has been convicted of, had adjudication withheld on, or pled nolo contendere to a crime that constitutes domestic violence as defined in s. 741.28, F.S.;
- Whether the respondent has used, or has threatened to use, against himself or herself or others any weapons;
- The unlawful or reckless use, display, or brandishing of a firearm by the respondent;
- The recurring use of, or threat to use, physical force by the respondent against another person, or the respondent stalking another person;
- Whether the respondent, in this state or any other state, has been arrested, convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of violence;
- Corroborated evidence of the abuse of controlled substances or alcohol by the respondent;
- Evidence of recent acquisition of firearms by the respondent;
- Any relevant information from family and household members concerning the respondent; and
- Witness testimony, taken while the witness is under oath, relating to the matter before the court.²⁵

If the court issues a risk protection order, it may do so for a period that it deems appropriate, up to and including but not exceeding 12 months.²⁶

Florida law allows the petitioner to request that a court issue a temporary ex parte risk protection order, without notice to the respondent, before the hearing for a final risk protection order has occurred. To issue the ex parte order, the court must find that the respondent poses a significant danger of causing personal injury to himself or herself or to others in the near future by having in his or her custody or control or by purchasing, possessing, or receiving a firearm or ammunition.²⁷ The court must consider all relevant evidence, including the evidence described above, in determining whether to issue an ex parte risk protection order.²⁸

Upon issuance of a risk protection order, including a temporary ex parte risk protection order, the court must order the respondent to surrender to the local law enforcement agency all firearms and ammunition in the respondent's custody, control, or possession, and any license to carry a concealed weapon or firearm issued under s. 790.06, F.S.²⁹

²⁵ Section 790.401(3)(c)1.-15., F.S.

²⁶ Section 790.401(3)(b), F.S.

²⁷ Section 790.401(4)(a), F.S.

²⁸ Section 790.401(4)(b), F.S.

²⁹ Sections 790.401(3)(g), (4)(e), and (7)(a), F.S.

The law enforcement officer serving a risk protection order, including a temporary ex parte risk protection order, must request that the respondent immediately surrender all firearms and ammunition in his or her custody, control, or possession and any license to carry a concealed weapon or firearm issued under s. 790.06, F.S. The law enforcement officer must take possession of all firearms and ammunition belonging to the respondent that are surrendered.³⁰

Time for Transmittal of Court Orders

The risk protection order law requires the clerk to furnish the court order, petition, and notice of hearing to the sheriff on or before the next business day.³¹ The Baker Act and the Marchman Act do not address the issue of when the clerk must transmit the operative paperwork to the sheriff for the sheriff to take custody of the individual. These orders can and are often sought on an expedited or emergency basis requiring prompt action by the sheriff. Judicial circuits are required to have one or more judges available to serve nights, weekends, holidays, and during natural disasters.³²

III. Effect of Proposed Changes:

The bill amends ss. 394.463, 397.68151, and 790.401, F.S., relating to involuntary mental health examinations, involuntary substance abuse examinations, and the issuance of risk protection orders, respectively, to require that the clerk of the circuit court transmit the operative paperwork to the county sheriff by electronic means and no later than 6 business hours after the court entered the order. No exception is made for nights, weekends, holidays, or natural disasters.

The bill is effective July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

³⁰ Section 790.401(7)(b), F.S.

³¹ Section 790.401(3)(a)1., F.S.

³² Section 26.20, F.S.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not have an impact on revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 394.463, 397.68151, and 790.401.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)\

CS by Appropriations Committee on Criminal Justice on March 24, 2025:

The committee substitute requires the clerk of the circuit court to transmit the operative paperwork for involuntary mental health examinations, involuntary substance abuse examinations, and the issuance of risk protection orders to the county sheriff by electronic means and no later than 6 business hours, rather than 6 hours, after the court entered the order.

B. Amendments:

None.

By the Appropriations Committee on Criminal and Civil Justice;
and Senator Wright

604-02782-25

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1 A bill to be entitled
2 An act relating to electronic transmittal of court
3 orders; amending s. 394.463, F.S.; requiring the clerk
4 of the court, within a certain timeframe after a court
5 issues an ex parte order for involuntary commitment,
6 to submit the order electronically to the sheriff or
7 law enforcement agency in the county where the order
8 is to be served; amending s. 397.68151, F.S.;
9 requiring the clerk of the court, within a certain
10 timeframe after a certain summons is issued, to submit
11 the summons electronically and, if applicable, a copy
12 of the petition for involuntary services and a notice
13 of the hearing to a law enforcement agency to effect
14 service on certain persons; amending s. 790.401, F.S.;
15 requiring the clerk of the court to transmit
16 electronically, within a certain timeframe after the
17 court issues a risk protection order and notice of
18 hearing, a copy of the order, notice of hearing,
19 petition to the appropriate law enforcement agency for
20 service upon the respondent; requiring the clerk of
21 the court to transmit electronically, within a certain
22 timeframe after the court issues a temporary ex parte
23 risk protection order or risk protection order, a copy
24 of the notice of hearing, petition, and temporary ex
25 parte risk protection order or risk protection order,
26 as applicable, to the sheriff; requiring that an
27 electronic copy of a temporary ex parte risk
28 protection order or a risk protection order be
29 certified by the clerk of the court and that the

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30 electronic copy be served in the same manner as the
31 certified copy; providing an effective date.
32
33 Be It Enacted by the Legislature of the State of Florida:
34
35 Section 1. Paragraph (a) of subsection (2) of section
36 394.463, Florida Statutes, is amended to read:
37 394.463 Involuntary examination.—
38 (2) INVOLUNTARY EXAMINATION.—
39 (a) An involuntary examination may be initiated by any one
40 of the following means:
41 1. A circuit or county court may enter an ex parte order
42 stating that a person appears to meet the criteria for
43 involuntary examination and specifying the findings on which
44 that conclusion is based. The ex parte order for involuntary
45 examination must be based on written or oral sworn testimony
46 that includes specific facts that support the findings. If other
47 less restrictive means are not available, such as voluntary
48 appearance for outpatient evaluation, a law enforcement officer,
49 or other designated agent of the court, must ~~shall~~ take the
50 person into custody and deliver him or her to an appropriate, or
51 the nearest, facility within the designated receiving system
52 pursuant to s. 394.462 for involuntary examination. The order of
53 the court must ~~shall~~ be made a part of the patient's clinical
54 record. A fee may not be charged for the filing of an order
55 under this subsection. A facility accepting the patient based on
56 this order must send a copy of the order to the department
57 within 5 working days. Within 6 business hours after the court
58 issues an order, the clerk of the court shall electronically

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59 submit the order to the sheriff or a law enforcement agency in
 60 the county where the order is to be served ~~may be submitted~~
 61 ~~electronically through existing data systems, if available.~~ The
 62 order ~~is~~ shall be valid only until the person is delivered to
 63 the facility or for the period specified in the order itself,
 64 whichever comes first. If a time limit is not specified in the
 65 order, the order is valid for 7 days after the date that the
 66 order was signed.

67 2. A law enforcement officer may take a person who appears
 68 to meet the criteria for involuntary examination into custody
 69 and deliver the person or have him or her delivered to an
 70 appropriate, or the nearest, facility within the designated
 71 receiving system pursuant to s. 394.462 for examination. A law
 72 enforcement officer transporting a person pursuant to this
 73 section shall restrain the person in the least restrictive
 74 manner available and appropriate under the circumstances. If
 75 transporting a minor and the parent or legal guardian of the
 76 minor is present, before departing, the law enforcement officer
 77 must ~~shall~~ provide the parent or legal guardian of the minor
 78 with the name, address, and contact information for the facility
 79 within the designated receiving system to which the law
 80 enforcement officer is transporting the minor, subject to any
 81 safety and welfare concerns for the minor. The officer shall
 82 execute a written report detailing the circumstances under which
 83 the person was taken into custody, which must be made a part of
 84 the patient's clinical record. The report must include all
 85 emergency contact information for the person that is readily
 86 accessible to the law enforcement officer, including information
 87 available through electronic databases maintained by the

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88 Department of Law Enforcement or by the Department of Highway
 89 Safety and Motor Vehicles. Such emergency contact information
 90 may be used by a receiving facility only for the purpose of
 91 informing listed emergency contacts of a patient's whereabouts
 92 pursuant to s. 119.0712(2)(d). Any facility accepting the
 93 patient based on this report must send a copy of the report to
 94 the department within 5 working days.

95 3. A physician, a physician assistant, a clinical
 96 psychologist, a psychiatric nurse, an advanced practice
 97 registered nurse registered under s. 464.0123, a mental health
 98 counselor, a marriage and family therapist, or a clinical social
 99 worker may execute a certificate stating that he or she has
 100 examined a person within the preceding 48 hours and finds that
 101 the person appears to meet the criteria for involuntary
 102 examination and stating the observations upon which that
 103 conclusion is based. If other less restrictive means, such as
 104 voluntary appearance for outpatient evaluation, are not
 105 available, a law enforcement officer must ~~shall~~ take into
 106 custody the person named in the certificate and deliver him or
 107 her to the appropriate, or nearest, facility within the
 108 designated receiving system pursuant to s. 394.462 for
 109 involuntary examination. The law enforcement officer shall
 110 execute a written report detailing the circumstances under which
 111 the person was taken into custody and include all emergency
 112 contact information required under subparagraph 2. Such
 113 emergency contact information may be used by a receiving
 114 facility only for the purpose of informing listed emergency
 115 contacts of a patient's whereabouts pursuant to s.
 116 119.0712(2)(d). The report and certificate must ~~shall~~ be made a

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part of the patient's clinical record. Any facility accepting the patient based on this certificate must send a copy of the certificate to the department within 5 working days. The document may be submitted electronically through existing data systems, if applicable.

When sending the order, report, or certificate to the department, a facility shall, at a minimum, provide information about which action was taken regarding the patient under paragraph (g), which information must ~~shall~~ also be made a part of the patient's clinical record.

Section 2. Subsection (3) of section 397.68151, Florida Statutes, is amended to read:

397.68151 Duties of court upon filing of petition for involuntary services.—

(3) A copy of the petition and notice of the hearing must be provided to the respondent; the respondent's parent, guardian, or legal custodian, in the case of a minor; the respondent's attorney, if known; the petitioner; the respondent's spouse or guardian, if applicable; and such other persons as the court may direct. If the respondent is a minor, a copy of the petition and notice of the hearing must be personally delivered to the respondent. The clerk shall also issue a summons to the person whose admission is sought, and, unless a circuit court's chief judge authorizes disinterested private process servers to serve parties under this chapter, within 6 business hours after the summons being issued, the clerk of the court shall electronically submit the summons and, if applicable, a copy of the petition and notice of hearing to a

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law enforcement agency to ~~must~~ effect such service on the person whose admission is sought for the initial treatment hearing.

Section 3. Paragraph (a) of subsection (3) and subsection (5) of section 790.401, Florida Statutes, are amended to read:

790.401 Risk protection orders.—

(3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE.—

(a) Upon receipt of a petition, the court must order a hearing to be held no later than 14 days after the date of the order and must issue a notice of hearing to the respondent for the same.

1. The clerk of the court shall electronically transmit within 6 business hours after the court issues an order and notice of hearing ~~cause~~ a copy of the order, notice of hearing, and petition ~~to be forwarded on or before the next business day~~ to the appropriate law enforcement agency for service upon the respondent as provided in subsection (5).

2. The court may, as provided in subsection (4), issue a temporary ex parte risk protection order pending the hearing ordered under this subsection. Such temporary ex parte order must be served concurrently with the notice of hearing and petition as provided in subsection (5).

3. The court may conduct a hearing by telephone pursuant to a local court rule to reasonably accommodate a disability or exceptional circumstances. The court must receive assurances of the petitioner's identity before conducting a telephonic hearing.

(5) SERVICE.—

(a) Within 6 business hours after the court issues a temporary ex parte risk protection order or risk protection

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175 ~~order,~~ the clerk of the court shall electronically transmit
 176 ~~furnish~~ a copy of the notice of hearing, petition, and temporary
 177 ex parte risk protection order or risk protection order, as
 178 applicable, to the sheriff of the county where the respondent
 179 resides or can be found, who shall serve it upon the respondent
 180 as soon thereafter as possible on any day of the week and at any
 181 time of the day or night. An electronic ~~When requested by the~~
 182 ~~sheriff, the clerk of the court may transmit a facsimile~~ copy of
 183 a temporary ex parte risk protection order or a risk protection
 184 order must be ~~that has been~~ certified by the clerk of the court,
 185 and the electronic ~~this facsimile~~ copy must ~~may~~ be served in the
 186 same manner as a certified copy. Upon receiving an electronic ~~a~~
 187 ~~facsimile~~ copy, the sheriff must verify receipt with the sender
 188 before attempting to serve it upon the respondent. The clerk of
 189 the court is ~~shall be~~ responsible for furnishing to the sheriff
 190 information on the respondent's physical description and
 191 location. Notwithstanding any other ~~provision of~~ law to the
 192 contrary, the chief judge of each circuit, in consultation with
 193 the appropriate sheriff, may authorize a law enforcement agency
 194 within the jurisdiction to effect service. A law enforcement
 195 agency effecting service pursuant to this section shall use
 196 service and verification procedures consistent with those of the
 197 sheriff. Service under this section takes precedence over the
 198 service of other documents, unless the other documents are of a
 199 similar emergency nature.

200 (b) All orders issued, changed, continued, extended, or
 201 vacated after the original service of documents specified in
 202 paragraph (a) must be certified by the clerk of the court and
 203 delivered to the parties at the time of the entry of the order.

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204 The parties may acknowledge receipt of such order in writing on
 205 the face of the original order. If a party fails or refuses to
 206 acknowledge the receipt of a certified copy of an order, the
 207 clerk must ~~shall~~ note on the original order that service was
 208 effected. If delivery at the hearing is not possible, the clerk
 209 must ~~shall~~ mail certified copies of the order to the parties at
 210 the last known address of each party. Service by mail is
 211 complete upon mailing. When an order is served pursuant to this
 212 subsection, the clerk shall prepare a written certification to
 213 be placed in the court file specifying the time, date, and
 214 method of service and shall notify the sheriff.

215 Section 4. This act shall take effect July 1, 2025.

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April 2, 2025

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

CS/SB 774

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Sara Sanders Bremer**

Phone **850-921-0808**

Address **3544 Maclay Boulevard**

Email **sbremer@flclerks.com**

Street

Tallahassee

FL

32312

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

**Florida Court Clerks &
Comptrollers**

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

April 2, 2025

APPEARANCE RECORD

CS/SB 774

Meeting Date

Fiscal Policy

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name The Honorable Karen Rushing, Clerk of Court, Sarasota Co.

Phone 941-861-7400

Address 2000 Main Street
Street

Email krushing@sarasotaclerkandcomptroller.com

Sarasota
City

FL
State

34237
Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Fiscal Policy
Meeting Date

SB 774
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Molly Hudson for Volusia Sheriff's Office

Phone

(386) 214-5536

Address

123 W. Indiana Ave

Email

MHudson@volusia-sheriff.gov

Street

Deland, fl. 32720

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Volusia
Sheriff's
Office

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 810

INTRODUCER: Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; and Senator Burgess

SUBJECT: Stormwater Management Systems

DATE: April 2, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	<u>Favorable</u>
2. <u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Fav/CS</u>
3. <u>Barriero</u>	<u>Siples</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 810 requires each municipal separate storm sewer (MS4) entity to conduct an operation and maintenance inspection of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026. As part of this inspection, the MS4 entity must identify any infrastructure within the MS4, or any component thereof, which:

- Has a significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies; and
- Upon operational failure, would result in flooding and property damage.

Any infrastructure identified as vulnerable during the initial inspection must be inspected annually by June 1. The bill requires MS4 entities to complete a stormwater facility inspection checklist any time an MS4 is inspected and submit it to the Department of Environmental Protection and the Division of Emergency Management by September 1, 2026, and, as applicable, by September 1 of each year thereafter. Each checklist must include any vulnerable infrastructure within the MS4 identified by the inspection.

The bill may have an indeterminate, negative fiscal impact on MS4 entities. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Environmental Resource Permitting (ERP)

Part IV of ch. 373, F.S., and Rule 62-330, F.A.C., regulate the statewide ERP program, which is the primary tool used by the Department of Environmental Protection (DEP) and the water management districts (WMDs) for preserving natural resources and fish and wildlife, minimizing degradation of water resources caused by stormwater discharges, and providing for the management of water and related land resources. The program governs the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and other works such as docks, piers, structures, dredging, and filling located in, on, or over wetlands or other surface waters.¹

The ERP regulatory framework also includes inspection requirements. For example, s. 373.423, F.S., provides that, during the construction or alteration of any stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, the DEP or the governing board of a water management district must make periodic inspections to ensure conformity with the approved plans and specifications included in the permit.² Additionally, once the work is completed, the executive director of the water management district or the DEP must ensure periodic inspections are conducted to protect public health, safety, and natural resources.³

Inspection requirements for stormwater management systems will be discussed in further detail below.

Stormwater Runoff

Florida averages 40-60 inches of rainfall a year, depending on the location, with about two-thirds falling between June and October.⁴ Stormwater runoff generated during these rain events flows over land or impervious surfaces, such as paved streets, parking lots, driveways, sidewalks, and rooftops, and picks up pollutants like trash, chemicals, oils, and sediment along the way. This unfiltered water ends up in streams, ponds, lakes, bays, wetlands, oceans, and groundwater. Construction sites, lawns, improperly stored hazardous wastes, and illegal dumping are all potential sources of stormwater pollutants.⁵

¹ Fla. Admin. Code R. 62-330.010(2).

² Section 373.423(1), F.S.

³ Section 373.423(2), F.S.

⁴ University of Florida Institute of Food and Agricultural Sciences, *Florida Rainfall Data Sources and Types*, 1 (2023), available at <https://edis.ifas.ufl.edu/publication/AE517>.

⁵ U.S. Environmental Protection Agency (EPA), *Urbanization and Stormwater Runoff*, <https://www.epa.gov/sourcewaterprotection/urbanization-and-stormwater-runoff> (last visited Mar. 3, 2025).

Polluted stormwater runoff is one of the greatest threats to clean water in the United States.⁶ Over 40 percent of waters assessed by the states are too polluted for fishing or swimming.⁷ Nonpoint sources associated with stormwater account for over 40 percent of these polluted waters.⁸ Conversely, traditional point sources (i.e., wastewater treatment plants) account for only about 10 percent of these polluted or “impaired” waters.⁹ Hundreds of impaired waters in Florida have lost their designated use due, in part, to stormwater pollution.¹⁰

Moreover, when prolonged or heavy rains saturate the ground, such as during a hurricane or other storm event, stormwater retention ponds may overflow and yards and streets may flood, causing sanitary sewer systems to also overflow.¹¹ Some stormwater management structures may fail during severe storm events when overwhelmed by flood volumes that exceed the facility’s design capacity or by defects or lack of maintenance that result in reduced storage capacity.¹²

Inadequate stormwater management can also increase stormwater flows and velocities, contribute to erosion, overtax the carrying capacity of streams and other conveyances, and reduce groundwater recharge.¹³

Stormwater Management Rules and Municipal Separate Storm and Sewer (MS4) Entities

In 2020, the Florida Legislature passed Senate Bill 712, also known as the Clean Waterways Act (the Act).¹⁴ This legislation passed with unanimous, bipartisan support and included a wide range of water-quality protection provisions aimed at minimizing the impact of known sources of nutrient pollution and strengthening regulatory requirements. Among other things, the Act directed the DEP and water management districts to update stormwater rules using the latest scientific information.¹⁵ In 2024, the Legislature ratified those rules. Among other things, the revised rules:

- Created new minimum performance standards for all ERP stormwater systems;

⁶ South Florida Water Management District (SFWMD), *Your Impact on the Environment*, <https://www.sfwmd.gov/community-residents/what-can-you-do> (last visited Mar. 3, 2025); EPA, *Soak Up the Rain: What’s the Problem?*, <https://www.epa.gov/soakuptherain/soak-rain-whats-problem#:~:text=Runoff%20picks%20up%20fertilizer%2C%20oil,clean%20water%20in%20the%20U.S.> (last visited Mar. 5, 2025).

⁷ DEP, *Stormwater Support*, <https://floridadep.gov/water/engineering-hydrology-geology/content/stormwater-support> (last visited Mar. 3, 2025). A recent study examining water quality across the U.S. shows Florida ranks first in the nation for total acres of lakes classified as impaired for swimming and aquatic life (873,340 acres), and second for total lake acres listed as impaired for any use (935,808 acres). Environmental Integrity Project, *The Clean Water Act at 50*, 28 (2022), available at <https://environmentalintegrity.org/wp-content/uploads/2022/03/CWA@50-report-3-17-22.pdf>. Florida also has the second most total square miles of impaired estuaries (2,533 square miles). *Id.* at 29.

⁸ DEP, *Stormwater Support*, <https://floridadep.gov/water/engineering-hydrology-geology/content/stormwater-support> (last visited Mar. 3, 2025).

⁹ *Id.*

¹⁰ *Id.*

¹¹ DEP, *Water Conservation Tips*, <https://floridadep.gov/comm/press-office/content/water-conservation-tips> (last visited Mar. 4, 2025).

¹² U.S. Federal Emergency Management Agency, *Hurricane and Flood Mitigation Handbook for Public Facilities: Fact Sheet 2.2: Basins*, 1 (2022), available at https://www.fema.gov/sites/default/files/documents/fema_p-2181-fact-sheet-2-2-basins.pdf?utm_source=chatgpt.com.

¹³ Fla. Admin. Code R. 62-40.431(2)(b).

¹⁴ Ch. 2020-150, Laws of Fla.

¹⁵ *Id.* at s. 5 (amending s. 373.4131, F.S., effective July 1, 2020).

- Required applicants to demonstrate through modeling and calculations based on local conditions and annual runoff volumes that their proposed stormwater treatment system is designed to discharge to the required treatment level; and
- Created new requirements for periodic inspections and the operation and maintenance of stormwater treatment systems.

Under the revised rules, operation and maintenance entities—other than municipal separate storm sewer system (MS4) entities—are required to submit a written operation and maintenance plan and conduct periodic inspections to ensure that the stormwater management system, and each component thereof, continues to function as designed and permitted.¹⁶ The table below provides the default inspection frequencies for common stormwater best management practices. These inspection frequencies may be altered by the permitting agency.¹⁷

TYPE OF SYSTEM	INSPECTION FREQUENCY
Dry Retention basins	Once every 3 years
Exfiltration trenches	Once every 2 Years
Underground retention	Once every Year
Sand or Media Filters	Once every Year
Underdrain System	Once every 2 Years
Underground vault/chambers	Once every Year
Pump Systems	Twice every Year
Swales (treatment)	Once every 3 years
Wet Detention systems	Once every 3 years
Wet Detention systems with littoral zones	Once every 2 years
Vegetated Natural Buffers	Once every 5 years
Manufactured Devices	As manufacturer recommends in specifications, minimum once every year
Dam Systems	Once every Year
All other	Once every Year

The new inspection requirements under the revised rules do not apply to MS4 entities. An MS4 is a publicly-owned conveyance or system of conveyances (i.e., ditches, curbs, catch basins, underground pipes, etc.) for collecting or conveying stormwater and discharges to surface waters of the state.¹⁸ Examples of MS4 entities include, but are not limited to, municipalities, counties, community development districts, universities, military bases or federal correctional facilities.¹⁹ MS4 entities must conduct and report inspections in accordance with their MS4 permit requirements and any associated standard operating procedures.²⁰ MS4 entities do not need to provide a written operation and maintenance plan under the revised rules.²¹ MS4 entities must nonetheless ensure that operation and maintenance activities are sufficient to perpetually

¹⁶ DEP, *ERP Applicant's Handbook: Vol I*, ss. 12.4.1 and 12.5(a), (2024), available at <https://flrules.org/Gateway/reference.asp?No=Ref-15342>.

¹⁷ DEP, *ERP Applicant's Handbook: Vol I* at s. 12.5(g), table 12.1.

¹⁸ DEP, *Municipal Separate Storm Sewer Systems (MS4)*, <https://floridadep.gov/water/stormwater/content/municipal-separate-storm-sewer-systems-ms4#:~:text=A%20municipal%20separate%20storm%20sewer%20system%20%28MS4%29%20is,that%20discharges%20to%20surface%20waters%20of%20the%20state> (last visited Mar. 4, 2025).

¹⁹ *Id.*

²⁰ DEP, *ERP Applicant's Handbook: Vol. I* at s. 12.5(b).

²¹ *Id.* at s. 12.4.1.

maintain the performance of the ERP stormwater management system so that it functions as designed and permitted and must conduct operation and maintenance in accordance with their MS4 permit requirements.²²

Operators of large, medium, and regulated small MS4s are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge to waters of the state.²³ For large and medium MS4 discharges, the permit application must include a proposed management program, including priorities and procedures for inspections, to detect and remove illicit discharges and improper disposal into the sewer system.²⁴ Permittees may also be required to allow the DEP personnel to inspect facilities, equipment, practices, and operations regulated under a NPDES generic permit.²⁵

III. Effect of Proposed Changes:

Section 1 amends s. 373.423, F.S., relating to the stormwater management system inspections. The bill provides that MS4 means a municipal separate storm sewer as defined in 40 C.F.R. s. 122.26(b), which in turn defines the term as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;
- Designed or used for collecting or conveying storm water;
- Which is not a combined sewer; and
- Which is not part of a publicly owned treatment works.²⁶

The bill requires each MS4 entity²⁷ to conduct an operation and maintenance inspection of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026. As part of the inspection, the MS4 entity must identify any infrastructure within the MS4, or any component thereof, which:

- Has a significant vulnerability to obstruction, blockage, deterioration, failure, or other deficiencies; and
- Upon operational failure, would result in flooding and property damage.

²² *Id.*

²³ DEP, *Municipal Separate Storm Sewer Systems (MS4)*, <https://floridadep.gov/water/stormwater/content/municipal-separate-storm-sewer-systems-ms4#:~:text=A%20municipal%20separate%20storm%20sewer%20system%20%28MS4%29%20is,that%20discharges%20to%20surface%20waters%20of%20the%20state> (last visited Mar. 4, 2025). See also Fla. Admin. Code R. 62-624.400; 40 C.F.R. 122.26.

²⁴ 40 C.F.R. 122.26(d)(2)(iv)(B)(1).

²⁵ Fla. Admin. Code Form 62-621.300(7)(a), available at <https://floridadep.gov/water/stormwater/forms/phase-ii-ms4-generic-permit-2021>.

Any infrastructure that meets either of these conditions must be inspected annually by June 1. The bill requires the MS4 entity to complete the stormwater facility inspection checklist developed by the Department of Environmental Protection (DEP) for any time an MS4 is inspected pursuant to this bill. The completed checklist must be submitted to the DEP and the Division of Emergency Management by September 1, 2026, and, as applicable, by September 1 of each year thereafter. Each checklist must include any infrastructure within the MS4, or any component thereof, that is identified as vulnerable or that would result in flooding and property damage upon operational failure.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The municipality/county mandates provision of Art. VII, s. 18(a) of the Florida Constitution may apply to this bill. The Florida Constitution limits the ability of the State to impose unfunded mandates on local governments. This bill requires political subdivisions to expend funds to annually inspect known works under their control. However, the law would likely have an insignificant fiscal impact. Therefore, an exemption from Art. VII, s. 18(a) of the Florida Constitution likely applies.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. **Government Sector Impact:**

Municipal separate storm sewer entities may be required to expend funds to conduct annual inspections of vulnerable infrastructure within their stormwater management systems.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends section 373.423 of the Florida Statutes.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on April 2, 2025:

The committee substitute:

- Provides that annual inspections are only required for certain vulnerable infrastructure within the MS4.
- Extends the deadline for submitting inspection checklists from June 1 to September 1 each year.

CS by Appropriations Committee on Transportation, Tourism, and Economic Development on March 24, 2025:

The committee substitute:

- Provides that the bill applies to municipal separate storm sewer (MS4) entities.
- Requires MS4s to conduct annual inspections of all permitted stormwater management systems owned or operated by the MS4 entity.
- Requires the MS4 entity to identify vulnerable infrastructure within the MS4, or any component thereof, which upon operational failure would result in flooding and property damage.
- Requires the MS4 entity to complete a stormwater facility inspection checklist and submit it to the Department of Environmental Protection and the Division of Emergency Management by September 1, 2026, and by June 1 of each year thereafter. Each checklist must include any vulnerable infrastructure within the MS4 identified by the inspection.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



115182

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete lines 23 - 37
and insert:

(b) Each MS4 entity shall conduct an operation and maintenance inspection of all permitted stormwater management systems owned or operated by the MS4 entity by September 1, 2026. As part of such inspection, the MS4 entity must identify any infrastructure within the MS4, or any component thereof, which:



115182

11 1. Has a significant vulnerability to obstruction,
12 blockage, deterioration, failure, or other deficiencies; and

13 2. Upon operational failure, would result in flooding and
14 property damage.

15 (c) Any infrastructure that satisfies the conditions in
16 either subparagraph (b)1. or subparagraph (b)2. must be
17 inspected annually by each June 1 thereafter.

18 (d) The MS4 entity shall complete the stormwater facility
19 inspection checklist developed by the department any time an MS4
20 is inspected pursuant to this subsection. A completed checklist
21 must be submitted to the department and the Division of
22 Emergency Management by September 1, 2026, and as applicable,
23 each September 1 thereafter. Each checklist must include any
24 infrastructure

25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete lines 5 - 10

29 and insert:

30 an annual operation and maintenance inspection of
31 certain stormwater management systems; providing
32 requirements for such inspection; requiring that
33 certain infrastructure be inspected annually by a
34 specified date; requiring each MS4 entity to complete
35 a stormwater facility inspection checklist; requiring
36 that such checklist be submitted to specified entities
37 by a specified date;

By the Appropriations Committee on Transportation, Tourism, and
Economic Development; and Senator Burgess

606-02760-25

2025810c1

A bill to be entitled

An act relating to stormwater management systems;
amending s. 373.423, F.S.; defining the terms "MS4"
and "MS4 entity"; requiring each MS4 entity to conduct
annual operation and maintenance inspections of
certain stormwater management systems; providing
requirements for such inspections; requiring each MS4
entity to complete a stormwater facility inspection
checklist; requiring that such checklist be submitted
to specified entities annually by a specified date;
requiring that each checklist include certain
information; providing an effective date.

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

Section 1. Subsection (4) is added to section 373.423,
Florida Statutes, to read:

373.423 Inspection.—

(4)(a) For purposes of this subsection:

1. "MS4" means a municipal separate storm sewer as defined
in 40 C.F.R. s. 122.26(b).

2. "MS4 entity" means an MS4 permittee.

(b) Each MS4 entity shall conduct annual operation and
maintenance inspections of all permitted stormwater management
systems owned or operated by the MS4 entity. As part of such
inspections, the MS4 entity must identify any infrastructure
within the MS4, or any component thereof, which:

1. Has a significant vulnerability to obstruction,
blockage, deterioration, failure, or other deficiencies; and

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

606-02760-25

2025810c1

2. Upon operational failure, would result in flooding and
property damage.

(c) The MS4 entity shall complete the stormwater facility
inspection checklist developed by the department for each MS4
inspected pursuant to this subsection. The completed checklist
must be submitted to the department and the Division of
Emergency Management by September 1, 2026, and by June 1 of each
year thereafter. Each checklist must include any infrastructure
within the MS4, or any component thereof identified pursuant to
paragraph (b).

Section 2. This act shall take effect July 1, 2025.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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4/2/25
Meeting Date

810
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Kevin Coyne

Phone

805-827-5648

Address

Street

Email

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida Stormwater Association

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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4/2

Meeting Date

Fiscal Policy

Committee

SB 810

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jared Grigas

Phone

(850) 322-0229

Address

100 S Monroe St

Email

jgrigas@fl-counties.com

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

FL. Assoc. of Counties

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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April 2, 2025

Meeting Date

Fiscal Policy

Committee

810

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Matthew Singer

Phone

850-701-3652

Address

301 S. Bronaugh St, #300

Email

MSINGER@FLCities.com

Street

Tallahassee

City

FL

State

32301

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida League of Cities

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/3/2025

Meeting Date

Fiscal Policy

Committee

210

Bill Number or Topic

Amendment Barcode (if applicable)

Name

DAPHNEE SAINVIL

Phone

954-299-7806

Address

101 NE 3rd Ave.

Street

Email

DSAINVIL@FORTLAUDERDALE.GOV

FT. LAUDERDALE

City

FL

State

33301

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

CITY OF FORT
LAUDERDALE

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 958

INTRODUCER: Appropriations Committee on Health and Human Services; Health Policy Committee;
and Senator Bernard

SUBJECT: Type 1 Diabetes Early Detection Program

DATE: April 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Morgan</u>	<u>Brown</u>	<u>HP</u>	<u>Fav/CS</u>
2.	<u>Gerbrandt</u>	<u>McKnight</u>	<u>AHS</u>	<u>Fav/CS</u>
3.	<u>Morgan</u>	<u>Siples</u>	<u>FP</u>	<u>Favorable</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 958 creates s. 381.992, F.S., to require the Florida Department of Health (DOH), in collaboration with early learning coalitions, school districts, school boards, and charter schools, to develop Type 1 diabetes informational materials, and make such material available on its website by September 29, 2025. The bill requires the DOH to annually notify parents and guardians of VPK, kindergarten, and first-grade students of the availability of the informational materials.

The bill has an insignificant, negative fiscal impact on state expenditures that can be absorbed within existing resources. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Diabetes

Diabetes is a chronic health condition that affects how the human body converts food into energy.

The human digestive system breaks down carbohydrates consumed as food into glucose¹ and releases it into the bloodstream, which increases the blood's glucose level. Such an increase in blood glucose should signal the pancreas² to release the hormone insulin, which acts as a catalyst to allow the body's cells to metabolize the glucose and convert it to energy, or to convert the glucose into forms suitable for short-term or long-term storage.

Depending on the type of diabetes, the pancreas either does not make any insulin or does not make enough insulin, or the body cannot use insulin as well as it should. When there is not enough insulin, or cells stop responding to insulin, blood glucose levels elevate and stay elevated for extended periods. Over time, that can cause serious health problems, such as heart disease, vision loss, kidney disease, vascular disease, and other maladies. Such outcomes are often known as long-term complications of diabetes.

Type 1 Diabetes

Type 1 diabetes is thought to be caused by an autoimmune reaction in which the body's immune system attacks and destroys the cells in the pancreas that normally produce insulin. Roughly 5 to 10 percent of people with diabetes have Type 1. Symptoms of Type 1 often develop quickly. It is usually diagnosed in children, teens, and young adults. Someone with Type 1 diabetes must take insulin, usually through subcutaneous injection, on a regular basis to survive, one or more times per day. Currently, Type 1 diabetes can neither be prevented nor cured.³ In 2022-2023, there were 6,568 students with Type 1 diabetes in Florida public schools.⁴

While the exact cause of Type 1 diabetes remains unknown, scientists believe there is a strong genetic component. The risk of developing the disease with no family history is approximately 0.4 percent. If an individual's biological mother has Type 1 diabetes, the risk of developing the condition is 1 to 4 percent. If an individual's biological father has Type 1 diabetes, the risk of developing the disease is 3 to 8 percent. If both biological parents have Type 1 diabetes, the risk of developing the condition is as high as 30 percent.⁵

Scientists also believe certain factors, such as a virus or environmental toxins, can trigger the immune system to attack cells in the pancreas if an individual has a genetic predisposition for developing Type 1 diabetes.⁶

¹ Glucose is the simplest type of carbohydrate (chemical formula C₆H₁₂O₆), and all carbohydrates consumed as food must be broken down into glucose before the body can metabolize them.

² The pancreas is an organ located in the abdomen. It plays an essential role in converting food into fuel. The pancreas has two main functions: an exocrine function that helps in digestion and an endocrine function that regulates blood sugar. See: <https://columbiasurgery.org/pancreas/pancreas-and-its-functions> (last visited Mar. 15, 2025).

³ Centers for Disease Control and Prevention, *What Is Diabetes?*, available at:

<https://www.cdc.gov/diabetes/basics/diabetes.html> (last visited Mar. 15, 2025).

⁴ Florida Department of Health, *Florida Diabetes Advisory Council Legislative Report (January 2025)*, available at <https://www.floridahealth.gov/%5C/provider-and-partner-resources/dac/ documents/2025-dac-report.pdf> (last visited Mar. 14, 2025).

⁵ Cleveland Clinic, *Type 1 Diabetes*, available at <https://my.clevelandclinic.org/health/diseases/21500-type-1-diabetes#management-and-treatment> (last visited Mar. 15, 2025).

⁶ *Id.*

Symptoms of Type 1

Symptoms of Type 1 diabetes are typically mild in the beginning, becoming progressively worse or more intense over time as the pancreas makes less insulin. Symptoms of Type 1 diabetes include:⁷

- Excessive thirst;
- Frequent urination, including frequent full diapers in infants and bedwetting in children;
- Excessive hunger;
- Unexplained weight loss;
- Fatigue;
- Blurred vision;
- Slow healing of cuts and sores; and
- Vaginal yeast infections.

Management and Treatment

People with Type 1 diabetes need synthetic insulin every day, multiple times a day, in order to live and be healthy. Insulin can be taken in the following ways:⁸

- Multiple daily injections using a vial and syringe – Insulin should be injected into fatty tissue in the belly, upper arm, thigh, or buttocks. Injections are usually the least expensive way to take insulin.
- Pre-filled insulin pens – Disposable pen needles can be more convenient than syringes, as well as a good option for individuals with poor vision.
- Insulin pumps – Devices that deliver insulin continuously and on-demand, mimicking the pancreas. Pumps deliver insulin through a tiny catheter that goes in a fleshy area of the body.
- Rapid-acting inhaled insulin – Works more quickly than other types of insulin and is inhaled through the mouth, much like an asthma inhaler.

The amount of insulin needed daily varies over time and under specific circumstances. For instance, a larger dose of insulin is typically needed during puberty, pregnancy, and while taking steroid medication.⁹

People with Type 1 diabetes must monitor blood sugar levels closely throughout the day. Maintaining a healthy blood sugar range is the best way to avoid health complications. Blood sugar can be monitored using a blood glucose meter¹⁰ or a continuous glucose monitor.^{11,12}

⁷ Cleveland Clinic, *Type 1 Diabetes*, available at <https://my.clevelandclinic.org/health/diseases/21500-type-1-diabetes#management-and-treatment> (last visited Mar. 15, 2025).

⁸ *Id.*

⁹ *Id.*

¹⁰ A finger is pricked with a lance, and a small drop of blood is placed on the meter's test strip. The blood glucose level appears on the meter within seconds. A blood glucose meter is usually the least expensive home testing option, but it only reports blood sugar at the time of the check.

¹¹ There are different types of continuous glucose monitors (CGMs), but most require a small sensor to be inserted under the skin at home every seven to 14 days. Some CGMs are implanted by a health care provider. The sensor continuously records blood glucose levels. People using a CGM require fewer finger sticks. CGM systems can be more expensive than fingerstick blood glucose meters but provide much more information about glucose levels, including previous and future trends. Different alarms can be set to alert the user when blood sugar is trending too low or too high.

¹² *Id.*

A large part of Type 1 diabetes management is monitoring the carbohydrates in food and drinks consumed to determine proper doses of insulin. Carbohydrate counting at its basic level involves counting the number of grams of carbohydrate in a meal by reading nutrition labels and then matching the dose of insulin. An insulin-to-carb ratio is used to calculate the amount of insulin that should be taken to manage blood sugars when eating. Insulin-to-carb ratios vary from person to person and may even be different at different times of the day.¹³

Complications

Low blood sugar (hypoglycemia) can occur from taking too much insulin based on food intake and/or activity level and needs to be treated right away. Hypoglycemia is usually considered to be below 70 milligrams per deciliter. Symptoms and consequences may include:¹⁴

- Shaking, trembling, sweating, and chills;
- Dizziness, lightheadedness, and faster heart rate;
- Headaches;
- Hunger;
- Nausea;
- Nervousness or irritability;
- Disorientation and confusion;
- In severe instances, seizure; and
- In the most severe instances, brain damage or death.

Poorly managed diabetes, over the long-term, results in continuous high blood sugar, leading to numerous complications, such as:¹⁵

- Eye problems, including diabetes-related retinopathy, diabetes-related macular edema, cataracts, and glaucoma;
- Foot problems, including ulcers and infections that can lead to gangrene and amputation;
- Heart disease;
- High blood pressure;
- Kidney disease;
- Oral health problems;
- Diabetes-related neuropathy or nerve damage;
- Skin conditions, including dry skin, bacterial and fungal infections, and diabetes-related dermopathy; and
- Strokes.

The School Health Services Program of the DOH

In partnership with the Florida Department of Education (DOE), the DOH's School Health Services Program (program) provides services required in ss. 381.0056, 381.0057, and 402.3026, F.S. School health services are intended to minimize health barriers to learning for public school students in pre-kindergarten through grade 12. To ensure the provision of safe and

¹³ Cleveland Clinic, *Type 1 Diabetes*, available at <https://my.clevelandclinic.org/health/diseases/21500-type-1-diabetes#management-and-treatment> (last visited Mar. 15, 2025).*Id.*

¹⁴ *Id.*

¹⁵ *Id.*

appropriate county-level school health services, the program provides funding, technical assistance, and oversight of health services provided in Florida's public schools. The three program components are: basic school health services, comprehensive school health services, and full-service schools.¹⁶

Basic School Health Services

Basic school health services are required by s. 381.0056, F.S., to promote student health through a variety of day-to-day health services to public school students. All 67 counties provide basic school health services, which include:¹⁷

- Nursing assessments, health counseling, referrals, and follow-up for suspected or confirmed health problems;
- Individualized health care plan development;
- In-school care management for chronic and acute health conditions, such as *diabetes*, asthma, allergies, and epilepsy;
- Assistance with medication administration and health care procedures;
- Vision, hearing, scoliosis, and growth and development screenings;
- First-aid and emergency health services;
- Communicable disease prevention and intervention; and
- Emergency preparedness.

School Health Services Plan

Every two years, the program ensures each county health department (CHD) and school district submits a School Health Services Plan (plan). This plan details how the local program will meet the requirements for school health services. Each local CHD and school district collaborates to meet the requirements outlined in its plan. The plan includes provisions related to the management and care of students living with diabetes, in accordance with s. 1002.20(3)(j), F.S. Additional guidance from the DOE can be found in Rule 6A-6.0253, F.A.C.¹⁸

Currently, school districts are required to have appropriate personnel, whether licensed nurses or trained school personnel, assigned to each school a student with diabetes would otherwise attend if he or she did not have diabetes. School districts must ensure that such personnel are available to provide the necessary diabetes care throughout the school day and during school-sponsored activities.¹⁹

Guidelines for the Care and Delegation of Care for Students with Diabetes in Florida Schools²⁰

In 2014, the DOH collaborated with multiple partners to develop the “Guidelines for the Care and Delegation of Care for Students with Diabetes in Florida Schools.” This reference manual is

¹⁶ Florida Department of Health, *School Health Program*, available at <https://www.floridahealth.gov/programs-and-services/childrens-health/school-health/school-health-program.html> (last visited Mar. 14, 2025).

¹⁷ *Id.*

¹⁸ Florida Department of Health, *House Bill 723 Analysis* (Mar. 3, 2025) (on file with Senate Committee on Health Policy).

¹⁹ Rule 6A-6.0253, F.A.C.

²⁰ Florida Department of Health, *Guidelines for the Care and Delegation of Care for Students with Diabetes in Florida Schools*, available at <https://www.floridahealth.gov/programs-and-services/childrens-health/school->

a key resource for Florida school health nurses and local programs serving students with diabetes. The DOH is in the process of revising this manual.²¹

Program Infographic: “Helping your Child with Type 1 Diabetes Succeed in School”²²

HELPING YOUR CHILD WITH TYPE 1 DIABETES SUCCEED AT SCHOOL



Complete and submit the school's annual student emergency card (form) at the

beginning of the school year and sign written permissions to authorize treatment at school to share your child's health related information as necessary to ensure their health and safety at school.



Meet with the registered school nurse (RN) at the

beginning of each school year and any staff who will have contact with your child during the school day and participate in individualized education plan (IEP) or 504 plan meetings that include the RN.



Ensure that the school clinic receives a diabetes medical management plan

(DMMP) with the most up-to-date information provided by your child's doctor and every school year (and every time your child's medication or medication dose changes), complete, sign and submit medication authorization forms for each medication your child needs to take while at school. Your school district may require that your child's doctor sign the medication authorization also.



Provide the school clinic with your child's diabetes equipment, medication, supplies and snacks in their original containers and packages. Make sure the expiration dates for your child's insulin, glucose test strips and ketone strips have not passed.



If you are unable to pay for your child's diabetes medications, equipment and supplies, speak to the registered school nurse assigned to your child's school. They can assist you in obtaining no-cost or reduced-price supplies.

**Florida
HEALTH**

FL Dept. of Health 11/18

[health/ documents/diabetes-guidelines-for-the-care-delegation-of-care-for-students-with-diabetes-in-florida-schools.pdf](https://www.floridahealth.gov/documents/diabetes-guidelines-for-the-care-delegation-of-care-for-students-with-diabetes-in-florida-schools.pdf) (last visited Mar. 14, 2025).

²¹ Florida Department of Health, *House Bill 723 Analysis* (Mar. 3, 2025) (on file with Senate Committee on Health Policy).

²² Florida Department of Health, *Helping your Child with Type 1 Diabetes Succeed at School*, available at <https://www.floridahealth.gov/programs-and-services/childrens-health/school-health/diabetes-school-card-2up.pdf> (last visited Mar. 14, 2025).

III. Effect of Proposed Changes:

The bill creates s. 381.992, F.S., to require the Department of Health (DOH), in collaboration with early learning coalitions, school districts, school boards, and charter schools, throughout the state, to develop Type 1 diabetes informational materials for the parents and guardians of students. The informational materials must be made available to each school district, school board, and charter school through the DOH's website.

Within 90 days after July 1, 2025, the DOH must develop the materials related to the early detection of Type 1 diabetes and post the information on its website. The DOH must develop a standardized methodology for each school district, school board, and charter school for the notification of the parents or guardians of public school VPK, kindergarten, and first-grade students. Parents and guardians must be notified of the availability of the Type 1 diabetes early detection materials by September 30, 2025, and annually thereafter.

The bill requires the informational materials on Type 1 diabetes to include, at minimum:

- A description of Type 1 diabetes.
- A description of the risk factors and warning signs associated with Type 1 diabetes.
- A description of the process for screening students for early detection of Type 1 diabetes using a blood autoantibody test.
- A recommendation for further evaluation for students displaying warning signs associated with Type 1 diabetes or positive early detection screening results.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 958 has an insignificant, negative fiscal impact on state expenditures. According to the Department of Health, the fiscal impact can be absorbed within existing resources.²³

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Department of Health (DOH) indicates that rulemaking authority would better allow the department to implement the methodology under which schools are required to notify parents and guardians of the informational materials, however, no such authority is provided to the DOH.²⁴

VIII. Statutes Affected:

This bill creates section 381.992 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Appropriations Committee on Health and Human Services on March 26, 2025:**

The committee substitute adds the Early Learning Coalition to the list of the entities that the Department of Health must make certain materials available to and who must follow a standardized methodology for the dissemination of certain materials.

CS by Health Policy on March 18, 2025:

The committee substitute:

- Creates the Type 1 Diabetes Early Detection Program within ch. 381, F.S., instead of ch. 385, F.S.

²³ Florida Department of Health, *House Bill 723 Analysis* (Mar. 3, 2025) (on file with Senate Committee on Health Policy).

²⁴ *Id.*

- Includes school boards, in addition to the previously included school districts and charter schools, as parties to whom the bill's informational materials must be available.
- Includes parents of VPK and kindergarten students, in addition to first-grade students, as parties who must be notified of the availability of the materials.
- Adjusts the timeframes for the development of informational materials and the notification of the availability of the materials to parents and guardians, i.e. the DOH must develop the materials within 90 days after July 1, 2025, and parents or guardians must be notified of the availability of the materials by September 30, 2025, and annually thereafter.

B. Amendments:

None.

By the Appropriations Committee on Health and Human Services;
the Committee on Health Policy; and Senator Bernard

603-02911-25

2025958c2

A bill to be entitled

An act relating to a Type 1 diabetes early detection program; creating s. 381.992, F.S.; requiring the Department of Health, in collaboration with school districts throughout the state, to develop informational materials; amending s. 1002.53, F.S.; requiring early learning coalitions to notify parents and guardians of the availability of specified informational materials; providing an effective date.

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

Section 1. Section 381.992, Florida Statutes, is created to read:

381.992 Type 1 diabetes early detection program.—

(1) The Department of Health, in collaboration with school districts throughout the state, shall develop informational materials for the early detection of Type 1 diabetes for parents and guardians of students. The informational materials shall be made available to each early learning coalition, school district, school board, and charter school through the department's website.

(2) Within 90 days after July 1, 2025, the department shall develop the materials related to the early detection of Type 1 diabetes and post the information on its website. The department shall develop a standardized methodology for each early learning coalition, school district, school board, and charter school for the notification of the parents or guardians of public school voluntary prekindergarten, kindergarten, and first-grade

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603-02911-25

2025958c2

students, by September 30, 2025, and annually thereafter, of the availability of the Type 1 diabetes early detection materials.

(3) Information provided to parents and guardians must include, but not be limited to, all of the following:

(a) A description of Type 1 diabetes.

(b) A description of the risk factors and warning signs associated with Type 1 diabetes.

(c) A description of the process for screening students for early detection of Type 1 diabetes using a blood autoantibody test.

(d) A recommendation for further evaluation for students displaying warning signs associated with Type 1 diabetes or positive early detection screening results.

Section 2. Subsection (5) of section 1002.53, Florida Statutes, is amended to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(5) The early learning coalition shall provide each parent enrolling a child in the Voluntary Prekindergarten Education Program with a profile of every private prekindergarten provider and public school delivering the program within the county where the child is being enrolled. The profiles must ~~shall~~ be provided to parents in a format prescribed by the department in accordance with s. 1002.92(3). The early learning coalition shall also annually notify parents and guardians of the availability of informational materials for the early detection of Type 1 diabetes pursuant to s. 381.992.

Section 3. This act shall take effect July 1, 2025.

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The Florida Senate

APPEARANCE RECORD

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CS/SB 958

Bill Number or Topic

4/2/25

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

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Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 994

INTRODUCER: Senator Collins

SUBJECT: Driver License Education Requirements

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Wells	Nortelus	ATD	Favorable
3. Shutes	Siples	FP	Favorable

I. Summary:

SB 994 provides that each applicant for a driver license who is 18 years of age or older must complete an approved traffic law and substance abuse education course.

The bill also provides that each applicant for learner's driver license must satisfactorily complete a driver education course approved by the Department of Highway Safety and Motor Vehicles which meets or exceeds the Department of Education Driver Education/Traffic Safety-Classroom #1900300 current course description.

The bill does not appear to have a fiscal impact to state or local governments. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Traffic Law and Substance Abuse Education Program for Driver License Applicants (TLSAE)

Under Florida law, each applicant for a driver license who is not already licensed in another jurisdiction must complete a TLSAE course, unless the applicant has satisfactorily completed a Department of Education driver education course.¹ The Department of Highway Safety and Motor Vehicles (DHSMV) approves TLSAE courses, and course materials must be designed to promote safety, education, and driver awareness.² Approved TLSAE courses must be updated at the DHSMV's request, and a course provider's failure to do so within 90 days after such request

¹ Section 322.095(1), F.S.

² Section 322.095(2), F.S.

results in the suspension of the course's approval until such time that the updates are submitted to and approved by the DHSMV.³

In addition to the TLSAE course, the DHSMV approves and regulates various other driver improvement courses.⁴

Driver Education/Traffic Safety Classroom (#1900300)

The purpose of the Driver Education/Traffic Safety-Classroom #1900300 course is to introduce students to Florida driving laws/rules of the road and safe driving behavior.⁵ It also provides an in-depth study of the contributing factors to vehicle crashes and their solutions. The content includes, but is not limited to, the following:

- Meaning and responsibilities of a driver license;
- Laws that govern the operation of a motor vehicle;
- Knowledge of Florida's Graduated Driver Licensing laws
- Vehicle control and traffic procedures;
- Knowledge of sharing the road with other types of vehicles and vulnerable road users;
- Defensive driving strategies;
- Physical and mental factors that affect driving ability; and
- Effects of alcohol and other drugs on driving performance⁶

Driver License Requirements

The DHSMV may issue a learner's driver license to a person who is at least 15 years of age so as long as they meet the following criteria:

- Has passed a written examination for a learner's driver license;
- Has passed the vision and hearing examination administered under s. 322.12, F.S.;
- Has completed the traffic law and substance abuse education course as prescribed in s. 322.095, F.S.; and
- Meets all other requirements set forth by law and by rule of the DHSMV.⁷

When operating a motor vehicle, the holder of the learner's driver license must be accompanied at all times by a driver who:

- Holds a valid license to operate the type of vehicle being operated; and
- Is at least 21 years of age; and occupies the closest seat of the driver of the motor vehicle.⁸

³ Section 322.095(7), F.S.

⁴ Department of Highway Safety and Motor Vehicles, *Driver Improvement Schools*, <https://www.flhsmv.gov/driver-licenses-id-cards/education-courses/driver-improvement-schools/#:~:text=All%20first%2Dtime%20drivers%20must,have%20to%20take%20the%20TLSAE> (last visited March 3, 2025).

⁵ Florida Department of Education, *Driver Education/Traffic Safety-Classroom #1900300*, <https://www.fldoe.org/core/fileparse.php/20017/urlt/19-8.pdf> (last visited March 3, 2025).

⁶ *Id.*

⁷ Section 322.1615(1), F.S.

⁸ Section 322.1615(2), F.S.

A person who holds a learner's driver license may operate the vehicle only during daylight hours, except that the holder of a learner's driver license may operate a vehicle until 10 p.m., after three months following the issuance of the learner's driver license.⁹

The DHSMV is prohibited from issuing a Class E driver license to a person who is at least 16 years of age but is under 18 years of age unless the person meets the requirements of s. 322.091, F.S., and holds a valid: (1) learner's driver license for at least 12 months, with no moving traffic convictions, before applying for a license; (2) learner's driver license for at least 12 months and who has a moving traffic conviction but elects to attend a traffic driving school for which adjudication must be withheld; or (3) license that was issued in another state or in a foreign jurisdiction and that would not be subject to suspension or revocation under the laws of this state.¹⁰

A person who is at least 16 years of age but who is under 18 years of age, must provide certification that a parent, guardian, or other responsible adult meeting the requirements of s. 322.09, F.S., has accompanied the applicant for a total of not less than 50 hours behind-the-wheel experience, of which not less than 10 hours must be at night.¹¹

III. Effect of Proposed Changes:

The bill amends s. 322.095, F.S., to provide that each applicant for a driver license who is 18 years of age or older (currently all driver license applicants) must complete a TLSAE course, unless the applicant has been licensed in another jurisdiction or has satisfactorily completed a Department of Education driver education course offered pursuant to s. 1003.48, F.S.

The bill also amends s. 322.1615, F.S., to eliminate the requirement that each applicant for a learner's driver license must complete a TLSAE course, and instead, specifies that such applicant must satisfactorily complete a driver education course approved by the DHSMV which meets or exceeds the Department of Education/Traffic Safety-Classroom 1900300 current course description.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁹ Section 322.1615(3), F.S.

¹⁰ Section 322.05(2), F.S.

¹¹ Section 322.05(3), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not appear to have a fiscal impact to state and local governments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 322.095 and 322.1615.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Collins

14-00675A-25

2025994__

1 A bill to be entitled
 2 An act relating to driver license education
 3 requirements; amending s. 322.095, F.S.; specifying
 4 the age at which an applicant for a driver license
 5 must complete a traffic law and substance abuse
 6 education course; amending s. 322.1615, F.S.;
 7 requiring an applicant for a learner's driver license
 8 to complete a certain driver education course approved
 9 by the Department of Highway Safety and Motor
 10 Vehicles; providing an effective date.
 11
 12 Be It Enacted by the Legislature of the State of Florida:
 13
 14 Section 1. Subsection (1) of section 322.095, Florida
 15 Statutes, is amended to read:
 16 322.095 Traffic law and substance abuse education program
 17 for driver license applicants.—
 18 (1) Each applicant for a driver license who is 18 years of
 19 age or older must complete a traffic law and substance abuse
 20 education course, unless the applicant has been licensed in
 21 another jurisdiction or has satisfactorily completed a
 22 Department of Education driver education course offered pursuant
 23 to s. 1003.48.
 24 Section 2. Subsection (1) of section 322.1615, Florida
 25 Statutes, is amended to read:
 26 322.1615 Learner's driver license.—
 27 (1) The department may issue a learner's driver license to
 28 a person who is at least 15 years of age and who:
 29 (a) Has passed the written examination for a learner's

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14-00675A-25

2025994__

30 driver license;
 31 (b) Has passed the vision and hearing examination
 32 administered under s. 322.12;
 33 (c) Has satisfactorily completed a driver education course
 34 approved by the department which meets or exceeds the Department
 35 of Education Driver Education/Traffic Safety-Classroom 1900300
 36 current course description ~~the traffic law and substance abuse~~
 37 ~~education course prescribed in s. 322.095;~~ and
 38 (d) Meets all other requirements set forth in law and by
 39 rule of the department.
 40 Section 3. This act shall take effect July 1, 2025.

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The Florida Senate

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4/2/25

Meeting Date

Fiscal Policy

Committee

994

Bill Number or Topic

Amendment Barcode (if applicable)

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/CS/SB 1070

INTRODUCER: Fiscal Policy Committee; Health Policy Committee; Education Pre-K - 12 Committee;
and Senator Simon

SUBJECT: Electrocardiograms for Student Athletes

DATE: April 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Brown</u>	<u>Brown</u>	<u>HP</u>	<u>Fav/CS</u>
3.	<u>Sabitsch</u>	<u>Siples</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 1070 amends Florida law to require electrocardiogram (EKG) assessments for student athletes participating in interscholastic athletic competitions at Florida public and private schools. Specifically, the bill:

- Provides that, once enacted, it may be cited as the “Second Chance Act.”
- Amends s. 1002.20, F.S., to require that prior to participating in athletics a student must receive an EKG, when applicable under s. 1006.20, F.S., with exceptions.
- Amends s. 1006.20, F.S., to provide that the bylaws adopted by the Florida High School Athletic Association (FHSAA) must require that, beginning with the 2028-2029 school year, all students participating or seeking to participate in interscholastic athletic competition for the first time must pass an EKG screening prior to participation based on standards established by the FHSAA’s Sports Medicine Advisory Committee.
- Requires the FHSAA to further develop the preparticipation physical evaluation and history form to include information about the practitioner performing the EKG, information related to referrals based on the EKG, and advisement to students concerning the results of the EKG. The bill requires a section of the form to record medical clearances for participation in athletics based on the results of the medical evaluation and EKG or recommendations for follow-up treatment by a health care practitioner with specific training.
- Requires the FHSAA to develop a standard form for exceptions to the required EKG that documents exemptions based on religious grounds or a medical exemption when documented

by a physician, and requires submission of a notarized form signed by the parent and received by the FHSA prior to participation.

- Adds the required EKG to limitations on liability when there is an exemption based on religious grounds or a medical exemption.

The bill provides an effective date of July 1, 2025.

II. Present Situation:

About Electrocardiograms

An electrocardiogram (EKG)¹ is a recording of the heart's electrical activity. An EKG is an integral part of the initial evaluation of a patient suspected of having a cardiac-related medical problem.²

The inventor of the EKG in 1902, William Einthoven, was named the “father of electrocardiography” and was awarded the Nobel Prize in Medicine in 1924 for his work that laid the foundation of the most fundamental technique for investigating heart disorders. The EKG was soon recognized as a robust screening and clinical diagnostic tool, and today it is used globally in almost every health care setting.³

The EKG is a non-invasive diagnostic modality that has a substantial clinical impact on investigating the severity of cardiovascular diseases. The use of an electrocardiogram has expanded from simple heart rate and essential rhythm monitoring to interpreting complex arrhythmias, myocardial infarction, and other abnormalities. The EKG is increasingly being used for monitoring patients who are taking antiarrhythmics or other drugs, as an integral part of preoperative assessment of patients undergoing non-cardiac surgery, and for screening individuals in high-risk occupations and those participating in sports. Also, the EKG serves as a research tool for surveillance and experimental trials of drugs with recognized cardiac effects.⁴

Electrocardiograms for High School Student Athletes

In 2021 the Office of Program Policy Analysis and Governmental Accountability (OPPAGA) published a report that collected information on the following topics:⁵

- Benefits and challenges of requiring EKG assessments for student athletes.
- Cost of EKG assessments.
- Accuracy of EKG assessments.
- Current school district practices related to requiring or recommending EKGs for student athletes.

¹ EKG and ECG are both used as abbreviations for electrocardiogram.

² National Library of Medicine, National Center for Biotechnology Information, *Electrocardiogram*, <https://www.ncbi.nlm.nih.gov/books/NBK549803/> (last visited Mar. 17, 2025).

³ *Id.*

⁴ *Id.*

⁵ OPPAGA Report, Office of Program Policy Analysis and Governmental Accountability, *Electrocardiograms for High School Student Athletes*, (Dec. 2021), available at <https://oppaga.fl.gov/Documents/Presentations/OPPAGA%20Dec%201%202021%20Presentation%20Slides--EKG--Sec%20Ed%20and%20Career%20Dev.pdf>, at slide 2. (last visited Mar. 17, 2025).

- Nationally recognized or accepted criteria to identify athletes who should receive an EKG assessment.

The report stated that sudden cardiac death, while rare, is the leading cause of non-traumatic deaths among young athletes and provided the following:

- The incidence of sudden cardiac death among high school athletes ranges from 1 in 23,000 to 1 in 300,000.
- Intense athletic activity can trigger sudden cardiac death.
- Athletes often have no symptoms of obvious injury prior to sudden cardiac death.
- Hypertrophic cardiomyopathy is the leading cause of sudden cardiac death in athletes and its prevalence among athletes ranges from 1-in-1,426 to 1-in-1,667. (The prevalence in the general population is 1-in-500.)⁶

The OPPAGA report stated that EKG assessments may detect certain heart abnormalities by recording the heart's electrical signals and providing information on strength, speed, rhythm, and number of heart beats. The EKG may help identify 60 percent of diagnoses related to sudden cardiac death.⁷ The EKG is non-invasive, only takes a few minutes, and if abnormal results are found, the individual is recommended to seek follow-up with a cardiologist who is trained in diagnosing and treating conditions of the heart and blood vessels.

The OPPAGA report contained information from a study conducted by the Brevard County School District that showed that fewer than one percent of student athletes who received an EKG assessment in 2019-2020 had a heart condition that put them at risk for sudden cardiac arrest. Of 5,877 students who received an EKG assessment, 199 (3.4 percent) of those students had abnormal EKG assessment results, but only eight (one-tenth of one percent) reported a diagnosis that put them at risk of sudden cardiac arrest.⁸ The Brevard County School District began requiring EKG assessments in the 2019-2020 school year for grades 7-12 but authorized parents to opt-out for any reason. In the 2020-2021 school year, 35 percent of student athletes opted-out of receiving an EKG assessment.⁹

The OPPAGA report provided information from two other states, Texas and Pennsylvania, that at that time had passed recent legislation to address the use of EKG assessments. Neither state has mandated EKG assessments but have stressed providing information to students and parents about sudden cardiac arrests and EKGs.¹⁰

The American Heart Association (AHA) asserts that annual prescreening of competitive athletes can improve detection of cardiac abnormalities and minimize the risks associated with athletic participation. However, the AHA does not recommend the use of tests such as a standard 12-lead EKG¹¹ or echocardiogram¹² in mandatory pre-participation screening programs. Instead, the

⁶ *Id.* at slide 4.

⁷ *Id.* at slide 5.

⁸ *Id.* at slide 19.

⁹ *Id.* at slide 18.

¹⁰ *Id.* at slide 11.

¹¹ The standard EKG provides a comprehensive view of the heart's electrical activity from 12 different angles using 10 electrodes. Simplified versions use six leads or only one lead under certain circumstances.

¹² An echocardiogram uses sound waves to show how blood flows through the heart and heart valves.

AHA claims these tests are best used as follow-up if an initial screening raises suspicions about the presence of a cardiovascular disease. Reasons given include the strain on the health care system, access to testing, and the rate of false-positive results.¹³

Regulation of Florida High School Athletics

The Florida High School Athletic Association (FHSAA) is designated in Florida law as a governing nonprofit organization of athletics in Florida public schools.¹⁴ Any high school in Florida, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. Membership in the FHSAA is not mandatory for any school. A private school that wishes to engage in high school athletic competition with a public high school can become a member of the FHSAA. Florida middle schools may also become members of the FHSAA.

The FHSAA is required to adopt bylaws that, unless specifically provided otherwise by statute, establish eligibility requirements for all students who participate in high school athletic competition in its member schools.

The FHSAA is specifically required to adopt bylaws that require all students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year before participating in interscholastic athletic competition. Such participation includes engaging in any practice, tryout, workout, conditioning, or other physical activity, during or outside the school year, associated with the student's candidacy for an interscholastic athletic team. The medical evaluation must be conducted by a practitioner licensed under ch. 458 or ch. 459, F.S.,¹⁵ a practitioner licensed under ch. 460, F.S.,¹⁶ or an advanced practice registered nurse licensed under s. 464.012, F.S.,¹⁷ and such practitioner must be in good standing with his or her regulatory board.¹⁸

The FHSAA conducts an annual Sports Participation Survey. The most recent survey found that for the 2023-2024 school year, there were 299,383 student athletes among 19 different sports from an overall student enrollment population of 873,804 from member schools (grades 9-12).¹⁹

¹³ American Heart Association, *Pre-participation Cardiovascular Screening of Young Competitive Athletes: Policy Guidance*, available at <https://www.heart.org/-/media/Files/About-Us/Policy-Research/Policy-Positions/Healthy-Children-and-Schools/Athlete-Screening.pdf> (last visited Mar. 16, 2025)

¹⁴ Section 1006.20(1), F.S.

¹⁵ Chapter 458, F.S., is the Medical Practice Act, and chapter 459, F.S., is the Osteopathic Medicine Practice Act. Allopathic physicians, osteopathic physicians, physician assistants, anesthesiologist assistants, and medical assistants are all practitioners who are licensed under those two chapters.

¹⁶ Chapter 460, F.S., is the Chiropractic Medicine Practice Act. Chiropractic physicians and certified chiropractic physician's assistants are practitioners licensed under that chapter.

¹⁷ Chapter 464, F.S., is the Nurse Practice Act, and governs licensure for a registered nurse or licensed practical nurse.

¹⁸ Section 1006.20(2)(c), F.S.

¹⁹ Florida High School Athletic Association, *Sports Participation Survey (2023-2024)*, available at https://fhsaa.com/documents/2024/7/11/2023_24_Total_Participation_Study_for_website.pdf?id=5591 (last visited Mar. 16, 2025)

III. Effect of Proposed Changes:

CS/CS/CS/SB 1070, the “Second Chance Act,”²⁰ amends s. 1002.20, F.S., requiring that students receive an electrocardiogram (EKG) before participating in athletics, as applicable under Florida High School Athletics Association (FHSAA) requirements in s. 1006.20, F.S. The bill includes the EKG requirement in the current exception that applies to the requirement for a medical evaluation, i.e., when a student’s parent objects in writing based on religious tenets or practices. The bill also creates an additional exception to the EKG requirement if a student’s parent provides a written statement from a physician licensed under ch. 458 or ch. 459, F.S.,²¹ stating that the student does not require an EKG, in accordance with s. 1006.20(2)(d), F.S.

The bill requires the FHSAA to require that, by the 2028-2029 school year, each high school student who participates or seeks to participate in interscholastic athletic competition has received at least one EKG prior to participation for the first time.

The bill also specifies, in s. 1006.20(2)(d), F.S., that if a parent objects to the student receiving an EKG on the grounds of the parent’s or student’s religious tenets or practices, the parent must provide an objection in writing as well as a required FHSAA form. Additionally, a parent may provide a certificate of medical exemption prepared by a physician licensed under ch. 458 or ch. 459, F.S., in good standing with either the Board of Medicine or Board of Osteopathic Medicine in addition to the required FHSAA form.

The FHSAA is required by the bill to develop a standard form for exceptions to the bill’s EKG requirement and the existing requirement for a medical evaluation.

The bill provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

²⁰ The bill provides this citation in honor of Chance Gainer, an 18-year old senior and Port St. Joe High School football player who died after collapsing during a football game on September 6, 2024.

²¹ *Supra*, note 15.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill requires an EKG as part of the medical evaluation requirement for student athletes, which could be a cost to the student's parent or health insurance, unless the EKG is provided free of charge or one of the bill's exceptions applies.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.20 and 1006.20.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Fiscal Policy on April 2, 2025:

The committee substitute clarifies provisions in the bill by:

- Clarifying that the Electrocardiogram (EKG) is a separate requirement from the annual medical examination and is required prior to participation in athletics.
- Setting requirements for the Florida High School Athletic Association (FHSAA) to adopt bylaws for the required passage of an EKG beginning in the 2028-2029 school year for each first-time high school participant in interscholastic athletic competition.
- Requiring modifications to the preparticipation physical evaluation and history form related to EKGs, requires the development of a specific form for exemptions based on religious beliefs or a medical exception, and requires the submission of forms by parents.

- Maintaining provisions to limit liability for injury or death when a student is participating in athletics under an exemption.

CS/CS by Health Policy on March 18, 2025:

The committee substitute clarifies provisions in the underlying bill by:

- Specifying that a written medical opinion designed to trigger an exception to the bill's EKG requirement must be issued by a physician licensed under ch. 458 or ch. 459, F.S., not by other types of physicians or practitioners; and
- Providing that the FHSAA must include in its bylaws the criteria for determining which students must have an EKG, as opposed to specifying the students who must have one.

CS by Education Pre-K – 12 on March 11, 2025:

The committee substitute establishes the bill as the “Second Chance Act” and requires that, beginning with the 2026-2027 school year, participating and prospective student athletes identified by the Florida High School Athletic Association (FHSAA) must receive an EKG as part of the student athlete’s medical evaluation, unless one of the underlying bill’s exceptions applies. The bill requires the FHSAA to develop a schedule to require that, by the 2028-2029 school year, each participating and prospective student athlete has received at least one EKG prior to participation. The bill also requires the FHSAA bylaws to specify those students who must receive an EKG in the 2029-2030 school year and thereafter.

B. Amendments:

None.



968268

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Fiscal Policy (Simon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Second Chance Act."

Section 2. Paragraph (b) of subsection (17) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information



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regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(b) *Medical evaluation.*—Students must satisfactorily pass a medical evaluation each year and, as applicable under s. 1006.20, receive an electrocardiogram before participating in athletics, unless the parent objects in writing based on religious tenets or practices or secures a certificate of medical exception, in accordance with ~~the provisions of s. 1006.20(2)(d).~~

Section 3. Paragraphs (c) and (d) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(c) 1. The FHSAA shall adopt bylaws that require all students participating or seeking to participate in interscholastic athletic competition ~~or who are candidates for an interscholastic athletic team~~ to ~~satisfactorily~~ pass a medical evaluation each year before participating in interscholastic athletic competition or engaging in any practice, tryout, workout, conditioning, or other physical activity associated with the student's candidacy for an interscholastic athletic team, including activities that occur outside of the school year. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012 or registered under s. 464.0123 and in good standing with the practitioner's regulatory



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board.

2. The FHSAA shall adopt bylaws that require all students participating or seeking to participate in interscholastic athletic competition to pass an electrocardiogram (ECG) screening before participating in interscholastic athletic competition or engaging in any practice, tryout, workout, conditioning, or other physical activity associated with the student's candidacy for an interscholastic athletic team, including activities that occur outside of the school year. The electrocardiogram screening must be conducted in accordance with standards established by the FHSAA's Sports Medicine Advisory Committee. Beginning in the 2028-2029 school year and thereafter, every high school student participating or seeking to participate in interscholastic athletic competition for the first time must complete at least one electrocardiogram screening. FHSAA member schools are encouraged to collaborate with public and private partners to offer low cost or free electrocardiogram screenings for this purpose.

3. The FHSAA bylaws must ~~shall~~ establish requirements for eliciting a student's medical history and performing the medical evaluation and electrocardiogram required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form must: ~~shall~~

a. Incorporate the recommendations of the American Heart Association for participation cardiovascular screening.

b. ~~and shall~~ Provide a place for the signature of the practitioner performing the evaluation with an attestation that



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each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form must ~~shall~~ also contain a place for the practitioner to indicate whether ~~if~~ a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form must ~~shall~~ provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination.

c. ~~The preparticipation physical evaluation form shall~~
Advise students to complete a cardiovascular assessment and electrocardiogram, shall include information concerning alternative cardiovascular evaluation and diagnostic tests, and require the- results of such medical evaluation to ~~must~~ be provided to the school.

d. Include a section to record either a medical clearance
by the practitioner allowing the student to participate in
interscholastic athletic competition or recommendations for
follow-up treatment by an appropriate health care practitioner
trained in the diagnosis, evaluation, and management of
cardiovascular abnormalities in athletes as defined by the
FHSAA's Sports Medicine Advisory Committee.

4. A student is not eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.

(d) Notwithstanding ~~the provisions of~~ paragraph (c), a



968268

student may participate in interscholastic athletic competition
or be a candidate for an interscholastic athletic team if:

1. The parent of the student objects in writing to the
student undergoing a medical evaluation or receiving an
electrocardiogram because such evaluation or electrocardiogram
is contrary to his or her religious tenets or practices.

2. A practitioner licensed under chapter 458, chapter 459,
chapter 460, or s. 464.012 or registered under s. 464.0123 and
in good standing with the practitioner's regulatory board
provides a certificate of medical exception. However, in such
case, there ~~is shall be~~ no liability on the part of any person
or entity in a position to otherwise rely on the results of such
medical evaluation or electrocardiogram for any damages
resulting from the student's injury or death arising directly
from the student's participation in interscholastic athletics
where an undisclosed medical condition that would have been
revealed in the medical evaluation or electrocardiogram is a
proximate cause of the injury or death.

3. The student submits a standard form, developed by the
FHSAA, to document exceptions granted under this paragraph which
must be signed and notarized by a student's parent or legal
guardian and received by the FHSAA member school before a
student may participate in any interscholastic activity.

Section 4. This act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:



968268

A bill to be entitled

An act relating to electrocardiograms for student athletes; providing a short title; amending s. 1002.20, F.S.; conforming provisions to changes made by the act; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association (FHSAA) to adopt bylaws requiring certain students to pass an electrocardiogram screening before participating in certain activities; providing requirements for the form for reporting electrocardiogram results; providing an exceptions; requiring students seeking an exception to submit a form developed by the FHSAA before they may participate in an interscholastic activity; providing an effective date.



120654

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Fiscal Policy (Simon) recommended the following:

Senate Amendment to Amendment (968268) (with title amendment)

Delete lines 16 - 116
and insert:

(b) *Medical evaluation.*—Before participating in athletics,
students must:

1. Satisfactorily pass a medical evaluation each year
~~before participating in athletics,~~ unless the parent objects in
writing based on religious tenets or practices, in accordance



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with ~~the provisions of~~ s. 1006.20(2)(d); and

2. As applicable under s. 1006.20, receive an electrocardiogram, unless the parent objects in writing based on religious tenets or practices or secures a certificate of medical exception in accordance with s. 1006.20(2)(d).

Section 3. Paragraphs (c) and (d) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(c)1. The FHSAA shall adopt bylaws that require all students participating or seeking to participate in interscholastic athletic competition ~~or who are candidates for an interscholastic athletic team~~ to ~~satisfactorily~~ pass a medical evaluation each year before participating in interscholastic athletic competition or engaging in any practice, tryout, workout, conditioning, or other physical activity associated with the student's candidacy for an interscholastic athletic team, including activities that occur outside of the school year. Such medical evaluation may be administered only by a practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012 or registered under s. 464.0123 and in good standing with the practitioner's regulatory board.

2. The FHSAA shall adopt bylaws that require all students participating or seeking to participate in interscholastic athletic competition to pass an electrocardiogram screening before participating in interscholastic athletic competition or engaging in any practice, tryout, workout, conditioning, or other physical activity associated with the student's candidacy



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for an interscholastic athletic team, including activities that occur outside of the school year. The electrocardiogram screening must be conducted in accordance with standards established by the FHSAA's Sports Medicine Advisory Committee. Beginning in the 2028-2029 school year, every high school student participating or seeking to participate in interscholastic athletic competition for the first time must complete at least one electrocardiogram screening. FHSAA member schools may collaborate with public and private entities to offer low cost or free electrocardiogram screenings for this purpose.

3. The FHSAA bylaws must ~~shall~~ establish requirements for eliciting a student's medical history and performing the medical evaluation and electrocardiogram required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form must: ~~shall~~

a. Incorporate the recommendations of the American Heart Association for participation cardiovascular screening.

b. ~~and shall~~ Provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form must ~~shall~~ also contain a place for the practitioner to indicate whether ~~if~~ a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form must ~~shall~~ provide a place for the practitioner to whom the student was referred to complete



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the remaining sections and attest to that portion of the examination.

c. The preparticipation physical evaluation form shall
Advise students to complete a cardiovascular assessment and
electrocardiogram, shall include information concerning
alternative cardiovascular evaluation and diagnostic tests, and
require the- results of such medical evaluation to must be
provided to the school.

d. Include a section to record either a medical clearance
based on the results of the medical evaluation and
electrocardiogram required under this paragraph, allowing the
student to participate in interscholastic athletic competition,
or recommendations for follow-up treatment by an appropriate
health care practitioner trained in the diagnosis, evaluation,
and management of cardiovascular abnormalities in athletes as
defined by the FHSA's Sports Medicine Advisory Committee.

4. A student is not eligible to participate, as provided in
s. 1006.15(3), in any interscholastic athletic competition or
engage in any practice, tryout, workout, or other physical
activity associated with the student's candidacy for an
interscholastic athletic team until the results of the medical
evaluation have been received and approved by the school.

(d) Notwithstanding the provisions of paragraph (c), a
student shall be granted an exception to the electrocardiogram
requirement if the parent of the student objects in writing to
the student receiving an electrocardiogram because the
electrocardiogram is contrary to his or her religious tenets or
practices or if a physician licensed under chapter 458 or
chapter 459 in good standing with the Board of Medicine or Board



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of Osteopathic Medicine, as applicable, provides a certificate
of medical exception. A student may participate in
interscholastic athletic competition or be a candidate for an
interscholastic athletic team if the parent of the student
objects in writing to the student undergoing a medical
evaluation because such evaluation is contrary to his or her
religious tenets or practices. However, in ~~such~~ case of any such
exception or objection, there shall be no liability on the part
of any person or entity in a position to otherwise rely on the
results of such medical evaluation or electrocardiogram for any
damages resulting from the student's injury or death arising
directly from the student's participation in interscholastic
athletics where an undisclosed medical condition that would have
been revealed in the medical evaluation or electrocardiogram is
a proximate cause of the injury or death. To exercise an
exception or objection under this paragraph, a student must
submit a standard form, developed by the

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 130 - 137

and insert:

1002.20, F.S.; making technical changes; conforming
provisions to changes made by the act; amending s.
1006.20, F.S.; requiring the Florida High School
Athletic Association (FHSA) to adopt bylaws requiring
all students to pass an electrocardiogram screening
before participating in certain activities; requiring
certain students to complete an electrocardiogram



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127 screening; authorizing FHSAA member schools to
128 collaborate with certain entities to offer low cost or
129 free electrocardiogram screenings; providing
130 requirements for the form for reporting
131 electrocardiogram results; providing requirements for
132 a student to be granted an exception to the
133 electrocardiogram requirement; requiring students
134 seeking an

By the Committees on Health Policy; and Education Pre-K - 12;
and Senator Simon

588-02572-25

20251070c2

A bill to be entitled

An act relating to electrocardiograms for student athletes; providing a short title; amending s. 1002.20, F.S.; conforming provisions to changes made by the act; amending s. 1006.20, F.S.; requiring certain students to receive an electrocardiogram to participate in athletics, beginning on a specified date; requiring the Florida High School Athletic Association (FHSAA) to adopt a schedule requiring that, by a specified date, certain students receive, before competing, at least one electrocardiogram as a part of their medical evaluation; requiring that the FHSAA bylaws include the criteria used to determine the students required to receive an electrocardiogram; revising provisions related to parental objections to requirements for participation in athletics to include objection to electrocardiograms; requiring that parents who object to an electrocardiogram provide a specified release from liability; requiring the FHSAA to develop a standard form to document exceptions; providing an effective date.

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

Section 1. This act may be cited as the "Second Chance Act."

Section 2. Paragraph (b) of subsection (17) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

588-02572-25

20251070c2

school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(b) Medical evaluation and electrocardiogram.—Students must satisfactorily pass a medical evaluation each year and, as applicable under s. 1006.20, receive an electrocardiogram before participating in athletics, unless the parent objects in writing based on religious tenets or practices or provides a written statement from a physician licensed under chapter 458 or chapter 459 that the student does not require an electrocardiogram, in accordance with ~~the provisions of~~ s. 1006.20(2)(d).

Section 3. Paragraphs (c) and (d) of subsection (2) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.—

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(c) The FHSAA shall adopt bylaws that require the following:

1. Require All students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to satisfactorily pass a medical evaluation each year before participating in interscholastic athletic competition or engaging in any practice, tryout, workout, conditioning, or other physical activity associated with the student's candidacy for an interscholastic athletic team, including activities that occur outside of the school year. Such medical evaluation may be administered only by a

Page 2 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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20251070c2

practitioner licensed under chapter 458, chapter 459, chapter 460, or s. 464.012 or registered under s. 464.0123 and in good standing with the practitioner's regulatory board. The bylaws shall establish requirements for eliciting a student's medical history and performing the medical evaluation required under this paragraph, which shall include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form. The evaluation form must ~~shall~~ incorporate the recommendations of the American Heart Association for participation cardiovascular screening and must ~~shall~~ provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner. The form must ~~shall~~ also contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure. The form must ~~shall~~ provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination. The preparticipation physical evaluation form must ~~shall~~ advise students to complete a cardiovascular assessment and must ~~shall~~ include information concerning alternative cardiovascular evaluation and diagnostic tests. Results of such medical evaluation must be provided to the school. A student is not eligible to participate, as provided in s. 1006.15(3), in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity associated

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with the student's candidacy for an interscholastic athletic team until the results of the medical evaluation have been received and approved by the school.

2. Beginning with the 2026-2027 school year, students identified by the FHSAA who participate in interscholastic athletic competition or are candidates for an interscholastic athletic team to receive an electrocardiogram as a part of the student's medical evaluation. The FHSAA shall adopt a schedule to require that, by the 2028-2029 school year, each student who participates in interscholastic athletic competition or is a candidate for an interscholastic athletic team has received at least one electrocardiogram as a part of the student's medical evaluation before participation. The FHSAA bylaws must include the criteria used to determine the students required to receive an electrocardiogram in the 2029-2030 school year and thereafter.

(d) 1. Notwithstanding ~~the provisions of~~ paragraph (c), a student may participate in interscholastic athletic competition or be a candidate for an interscholastic athletic team if the parent of the student objects in writing to the student undergoing a medical evaluation or receiving an electrocardiogram because such evaluation or electrocardiogram is contrary to his or her religious tenets or practices. However, in such case, there shall be no liability on the part of any person or entity in a position to otherwise rely on the results of such medical evaluation or electrocardiogram for any damages resulting from the student's injury or death arising directly from the student's participation in interscholastic athletics when ~~where~~ an undisclosed medical condition that would

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117 have been revealed in the medical evaluation or
118 electrocardiogram is a proximate cause of the injury or death.
119 If a parent of a student objects in writing to the student
120 receiving an electrocardiogram on the grounds that it is
121 contrary to the parent's or student's religious tenets or
122 practices, the parent must provide a written release of
123 liability prepared by an attorney in good standing with The
124 Florida Bar. Alternatively, a parent may provide a written
125 statement from a physician licensed under chapter 458 or chapter
126 459 and in good standing with the applicable regulatory board
127 that the student does not require an electrocardiogram.

128 2. The FHSAA shall develop a standard form to document
129 exceptions granted under this paragraph.

130 Section 4. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

4-2-2025

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
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1070

Bill Number or Topic

120654

Amendment Barcode (if applicable)

Name

BOB HARRIS

Phone

850-222-0720

Address

2618 Centennial Place

Email

bharris@lawfla.com

Street

Tallahassee FL

32308

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Panhandle Area Educational Consortium

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

4/2/2025

The Florida Senate
APPEARANCE RECORD

SB 1070

Meeting Date

Fiscal Policy

Committee

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Bill Number or Topic

Amendment Barcode (if applicable)

Name

TAFFI ABY

Phone

772 473 6093

Address

6780 85TH ST

Email

taffi.abyt@comcast.net

Street

Vero Beach FL

32967

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
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S-001 (08/10/2021)

4-2-25

Meeting Date

The Florida Senate
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SB 1070

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Shawn Sima

Phone

850 420 5117

Address

141 VIA HARVARD

Email

ShawnSima@aol.com

Street

Merritt Island

State

FL

Zip

32953

Speaking:

☒

For

☐

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
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Meeting Date

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SB 1070

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Ralph Maccarone

Phone 970-317-6371

Address 292 Ginger Circle
Street

Email ralph.maccarone@whoweplayfor.org

Pagosa Springs CO
City State

81147
Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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April 2, 2025

Meeting Date

Fiscal Policy

Committee

SB 1070

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Maruchi Mendez

Phone

(305) 607-2723

Address

5080 SW 66 Ave

Email

Street

Miami

City

FL

State

33155

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
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S-001 (08/10/2021)

The Florida Senate

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04/02/24
Meeting Date

SS1070
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Martha Anderson

Phone 407 399 1039

Address 8875 Conroy
Street

Email

Orlando FL 32835
City State Zip
Windermere

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

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SB 1070

Bill Number or Topic

4/21/2025

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Kyle Kieran Easton

Phone

321-243-8876

Address

2110 Scenic Rd

Email

Kieran.easton@whoweplayfor.org

Street

Tallahassee

FL

32303

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

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The Florida Senate

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SB 1070

Bill Number or Topic

4/2/25
Meeting Date

Fisc 701
Committee

Amendment Barcode (if applicable)

Name Vance Ahrens Phone _____

Address 2909 W New Haven Ave #365 Email _____
Street

W Melbourne FL 32904
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
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The Florida Senate

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04/02/24

Meeting Date

SB 1070

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

EVAN Ernst

Phone

321 506 0024

Address

106 Delcor Rd

Email

Street

Coconut Beach FL

32931

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
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Meeting Date

Fiscal Policy

Committee

1070

Bill Number or Topic

Amendment Barcode (if applicable)

Name

BOB HARRIS

Phone

850-222-0720

Address

2618 Centennial Place

Email

bharris@lawfla.com

Street

Tallahassee FL

32308

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Panhandle Area Educational Consortium

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S-001 (08/10/2021)

The Florida Senate

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4/2/25

Meeting Date

Fiscal Policy

Committee

SB 1070

Bill Number or Topic

Amendment Barcode (if applicable)

Name Layne Alvarez

Phone _____

Address 1020 S Atlantic Ave

Street

Email _____

Cocoa Beach

City

FL

State

32931

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 1162

INTRODUCER: Senators Leek and Brodeur

SUBJECT: Water Access Facilities

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Carroll</u>	<u>Rogers</u>	<u>EN</u>	Favorable
2. <u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	Favorable
3. <u>Carroll</u>	<u>Siples</u>	<u>FP</u>	Favorable

I. Summary:

SB 1162 provides that facilities designated as Clean Marine Manufacturers will be eligible for a discount on sovereignty submerged land leases and a waiver of extended-term lease surcharges.

The bill also authorizes the use of funds from the Florida Fish and Wildlife Conservation Commission's (FWC) grant programs that are funded by the Fuel Tax Collection Trust Fund to be awarded for the construction and maintenance of parking for boat-hauling vehicles and trailers.

The bill has no impact on state resources or expenditures.

The bill has an effective date of July 1, 2025.

II. Present Situation:

Lease of Sovereignty Submerged Lands by Boating Facilities

Sovereignty submerged lands are owned by the state and include, but are not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line¹ that lay beneath navigable fresh water or tidally influenced waters.² Title to sovereignty submerged lands is vested in the Board of Trustees of the Internal Improvement Trust Fund,³

¹ The mean high water line is the intersection of the local elevation of mean high water with the shore. Mean high water is calculated by taking the average height of high tides over a 19-year period. The mean high water line along the shore of land immediately bordering navigable waters is the boundary between the foreshore owned by the State of Florida and the uplands, which may be privately owned. Chapter 18-21.003(38)-(39), Fla. Admin. Code.

² Chapter 18-21.003(67), Fla. Admin. Code.

³ The Board of Trustees of the Internal Improvement Trust Fund is comprised of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. Section 352.02(1), F.S.

which is authorized to administer all state-owned lands, including by leasing sovereignty submerged lands.⁴

The Board of Trustees is authorized in statute to lease sovereignty submerged lands for marinas, boatyards, mooring fields, and marine retailers.⁵ A marina, boatyard, or marine retailer designated by the Department of Environmental Protection (DEP) as a Clean Marina, Clean Boatyard, or Clean Marine Retailer under the Clean Marina Program may be eligible for a ten percent discount on its annual fee for a sovereign submerged lands lease if the facility:

- Actively maintains designation under the program,
- Complies with the terms of the lease, and
- Does not change use during the terms of the lease.⁶

The facility may also be eligible for a waiver of its extended-term lease surcharges if the facility:

- Actively maintains designation under the program,
- Complies with the terms of the lease,
- Does not change use during the terms of the lease, and
- Is available to the public on a first-come, first-served basis.⁷

If the facility is in arrears on lease fees or does not comply with the eligibility requirements for a waiver of the extended-term lease surcharges, the facility will not be eligible for the discount or waiver until arrears have been paid and compliance with the program has been met.⁸

An extended-term lease is available for up to 25-year terms.⁹ A one-time surcharge will be added to the extended-term lease fee for most extended-term leases.¹⁰

Clean Marina Program

The Clean Marina Program is a voluntary designation program that incentivizes marinas,¹¹ boatyards,¹² and marine retailers¹³ to incorporate best management practices in their operations.¹⁴

⁴ Section 253.03(1), (6), and (7), F.S. The Florida Constitution allows for the private use of portions of sovereignty submerged lands, but only when not contrary to the public interest. FLA. CONST. art. X, s. 11.

⁵ Section 253.0346, F.S.

⁶ Section 253.0346(3), F.S.

⁷ *Id.* “First-come, first served” means that the facility operates on state-owned submerged land for which there is no club membership, stock ownership, equity interest, or other qualifying requirement and rental terms do not exceed 12 months and do not include automatic renewal rights or conditions. Section 253.0346(1), F.S.

⁸ Section 253.0346(3)(c), F.S.

⁹ Chapter 18-21.008(2), Fla. Admin. Code.

¹⁰ Chapter 18-21.011(1)(b), Fla. Admin. Code.

¹¹ A marina is a docking facility with ten or more boat slips or a docking facility that provides marine supplies or services required for boating, including but not limited to: dry storage, boat repair, gas, oil, boat sales, boat testing, shellfish or finfish harvesting or distribution, or facilities associated with certain other boating-related commercial establishments. DEP, *Clean Marina Program*, <https://floridadep.gov/rcp/clean-marina/content/clean-marina-program> (last visited March 4, 2025).

¹² A boatyard is a facility that provides a repair or refinishing site for hull, mechanical, or electrical work on vessels. *Id.*

¹³ A marine retailer sells new or used boats and provides services like onsite or offsite repairs or refinishing for hull, mechanical, or electrical work. *Id.*

¹⁴ DEP, *Florida Clean Marina Best Management Practices*, 2 (2020), available at https://floridadep.gov/sites/default/files/2020_Florida_Clean_Marina_Best_Management_Practices.pdf. (last visited March 21, 2025).

These best management practices address issues like sensitive habitats, invasive species, waste management, stormwater control, water and air pollution, spill prevention, and emergency preparedness.¹⁵

The program also provides compliance assistance and education on storm readiness through the Clean and Resilience Program.¹⁶ In order to obtain the designation of Clean Marina, Clean Boatyard, and Clean Marine Retailer, facilities must meet all DEP regulatory requirements and implement at least 60 percent of the best management practices.¹⁷

Fuel Tax Collection Trust Fund

The FWC is authorized to develop and administer competitive grant programs funded with money transferred pursuant to the Fuel Tax Collection Trust Fund requirements.¹⁸ These grants may be awarded for:

- The construction and maintenance of publicly owned boat ramps, piers, and docks;
- Boater education;
- Deployment of manatee technical avoidance technology; and
- Economic development initiatives that promote boating in the state.¹⁹

The Fuel Tax Collection Trust Fund requires an annual disbursement of \$2.5 million to the FWC's State Game Trust Fund for recreational boating activities and freshwater fisheries management and research.²⁰ Of those funds, a minimum of \$1.25 million must be used to fund local projects to provide recreational channel marking and other uniform waterway markers, public boat ramps, lifts and hoists, marine railways, and other public launching facilities, derelict vessel removal, and other local boating-related activities.²¹ The remaining \$1.25 million may be used for recreational boating activities and freshwater fisheries management and research.²²

III. Effect of Proposed Changes:

Section 1 amends s. 253.0346, F.S., concerning the lease of sovereignty submerged lands for marinas, boatyards, mooring fields, and marine retailers. The bill provides that a facility designated as a Clean Marine Manufacturer under the Clean Marina Program will be eligible for a ten percent discount on its annual lease of sovereignty submerged lands, as well as a waiver of its extended-term lease surcharge, if it meets certain criteria. Facilities designated as Clean Marinas, Clean Boatyards, or Clean Marine Retailers are already eligible under current law.

Section 2 amends s. 327.47, F.S., which authorizes the FWC to develop and administer competitive grants programs funded by the Fuel Tax Collection Trust Fund. The bill provides

¹⁵ See DEP, *Florida Clean Marina Best Management Practices*; DEP, *Clean Marina Program*.

¹⁶ DEP, *Clean Marina Program*.

¹⁷ *Id.*

¹⁸ Section 327.47, F.S.

¹⁹ *Id.*

²⁰ Section 206.606(1)(b), F.S.

²¹ *Id.*

²² *Id.*

that, in addition to what is currently authorized, grants may be awarded for the construction and maintenance of publicly owned parking for boat-hauling vehicles and trailers.

Section 3 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 253.0346 and 327.47.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Leek

7-01036A-25

20251162__

A bill to be entitled

An act relating to water access facilities; amending s. 253.0346, F.S.; providing sovereignty submerged land leases for Clean Marine Manufacturer facilities; amending s. 327.47, F.S.; providing competitive grant programs for the construction and maintenance of publicly owned parking for boat-hauling vehicles and trailers; providing an effective date.

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

Section 1. Subsection (3) of section 253.0346, Florida Statutes, is amended to read:

253.0346 Lease of sovereignty submerged lands for marinas, boatyards, mooring fields, and marine manufacturers and retailers.—

(3) For a facility designated by the department as a Clean Marina, Clean Boatyard, Clean Marine Manufacturer, or Clean Marine Retailer under the Clean Marina Program:

(a) A discount of 10 percent on the annual lease fee shall apply if the facility:

1. Actively maintains designation under the program.
2. Complies with the terms of the lease.
3. Does not change use during the term of the lease.

(b) Extended-term lease surcharges shall be waived if the facility:

1. Actively maintains designation under the program.
2. Complies with the terms of the lease.
3. Does not change use during the term of the lease.

7-01036A-25

20251162__

4. Is available to the public on a first-come, first-served basis.

(c) If the facility is in arrears on lease fees or fails to comply with paragraph (b), the facility is not eligible for the discount or waiver under this subsection until arrears have been paid and compliance with the program has been met.

Section 2. Section 327.47, Florida Statutes, is amended to read:

327.47 Competitive grant programs.—The commission shall develop and administer competitive grant programs funded with moneys transferred pursuant to s. 206.606(1)(d). Grants may be awarded for the construction and maintenance of publicly owned parking for boat-hauling vehicles and trailers, boat ramps, piers, and docks; boater education; deployment of manatee technical avoidance technology; and economic development initiatives that promote boating in the state. The commission may adopt rules pursuant to chapter 120 to implement this section.

Section 3. This act shall take effect July 1, 2025.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 1226

INTRODUCER: Senator DiCeglie

SUBJECT: Pet Insurance and Wellness Programs

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Knudson	BI	Favorable
2. Sanders	Betta	AEG	Favorable
3. Johnson	Siples	FP	Favorable

I. Summary:

SB 1226 creates a regulatory framework for the oversight of pet insurance by the Office of Insurance Regulation (OIR). The bill provides consumer protections, including policy disclosures regarding the benefits and exclusions, and a right to rescind a policy within 30 days of issuance.

Although pet insurance is considered a kind of property insurance, it is essentially a health insurance policy for a pet that covers accidents and illnesses. In the United States about 65 million households have a dog and 46 million have a cat, and 4.8 million cats and dogs are insured in this country.¹ In 2022, total, nationwide premiums for pet insurance were about \$2.8 billion and covering over 4.41 million pets.² This represents an increase of 30.5 percent more premiums than in 2020 and about 28 percent more pets insured than in 2020.³

The bill has an indeterminate impact to state revenues or expenditures. **See Section V. Fiscal Impact Statement.**

The bill takes effect on January 1, 2026.

¹ Brian Vines, *Pet Insurance Buying Guide* (August 25, 2023), Consumer Reports, <https://www.consumerreports.org/money/pet-insurance/buying-guide/> (last visited March 18, 2025).

² Insurance Advocate, *NAIC Passes Pet Insurance Model Act* (Sep. 10, 2022) According to the article, data was provided by the North American Pet Health Insurance Association (NAPHIA). <https://www.insurance-advocate.com/2022/09/10/naic-passes-pet-insurance-model-act/#:~:text=The%20National%20Association%20of%20Insurance%20Commissioners%20%28NAIC%29%20members,to%20the%20North%20American%20Pet%20Health%20Insurance%20Association>. (last visited March 6, 2025).

³ *Id.*

II. Present Situation:

Regulation of Insurance in Florida

Chapters 624-632, 634, 635, 636, 641, 642, 648, and 651, F.S., constitute the Florida Insurance Code (code). Part III of ch. 624, F.S., prescribes the requirements for an entity to obtain a certificate of authority and be authorized as an insurer. Part V of ch. 624, F.S., defines the kinds of insurance, including property insurance. Part I of ch. 626, F.S., regulates insurance agents, and Part III of ch. 626, F.S., regulates general lines agents. Part I of ch. 627, F.S., known as the “Rating Law,” provides that a purpose of this part is to promote the public welfare by regulating insurance rates to ensure that they may not be excessive, inadequate, or unfairly discriminatory. Part X of ch. 617, F.S., regulates property insurance.

Department of Financial Services

The powers and duties of the Chief Financial Officer and the Department of Financial Services (DFS), relating to part I of ch. 626, F.S., are specified in s. 626.016, F.S. Part I, known as the “The Licensing Procedures Law,”⁴ applies only with respect to insurance agents, insurance agencies, managing general agents, insurance adjusters, reinsurance intermediaries, viatical settlement brokers, customer representatives, service representatives, and agencies. The powers and duties of the Financial Services Commission (commission) and the Office of Financial Regulation (OFR) specified in Part I apply only with respect to service companies, administrators, and viatical settlement providers and contracts.

Licensure of Insurance Agents

Section 626.112, F.S., provides that no person may be, act as, or advertise or hold himself or herself out to be an insurance agent, insurance adjuster, or customer representative unless he or she is currently licensed by the DFS and appointed by an appropriate appointing entity or person. An agent is a general lines agent, life agent, health agent, or title agent, or all such agents, as indicated by context.⁵ Part II of ch. 626, F.S., regulates general lines agents. A general lines agent is an agent transacting any of the following kinds of insurance:

- Property insurance;
- Casualty insurance;
- Surety insurance;
- Health insurance; and
- Marine insurance.⁶

As a condition of transacting insurance in this state, agents must comply with consumer protection laws, including the following, as applicable:⁷

- Continuing education requirements for resident and nonresident agents, as required in s. 626.2815, F.S.;

⁴ Section 626.011, F.S.

⁵ Section 626.015(3), F.S.

⁶ Section 626.015(5), F.S.,

⁷ Section 626.025, F.S.

- Fingerprinting requirements for resident and nonresident agents, as required under s. 626.171, F.S. or s. 626.202, F.S.;
- Fingerprinting following a department investigation under s. 626.601, F.S.;
- The submission of credit and character reports, as required by s. 626.171, F.S.;
- Qualifications for licensure as an agent in ss. 626.731, 626.741, 626.785, 626.792, 626.831, or 626.835, F.S.;
- Examination requirements in ss. 626.221, 626.741, 626.792, or 626.835, F.S.;
- Required licensure or registration of insurance agencies under s. 626.112, F.S.;
- Requirements for licensure of resident and nonresident agents in ss. 626.112, 626.321, 626.731, 626.741, 626.785, 626.792, 626.831, 626.835, or 626.927, F.S.;
- Countersignature of insurance policies, as required under ss. 624.425, 624.426, or 626.741, F.S.;
- The code of ethics for life insurance agents, as set forth in s. 626.797, F.S.; and
- Any other licensing requirement, restriction, or prohibition designated a consumer protection by the Chief Financial Officer, but not inconsistent with the requirements of Subtitle C of the federal Gramm-Leach-Bliley Act.

The Office of Insurance Regulation

The Office of Insurance Regulation (OIR or office) is responsible for regulating all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the code. The head of the OIR is the Commissioner.⁸

The Unfair Insurance Trade Practices Act (Act)

The Act⁹ regulates trade practice relating to the business of insurance, including activities of insurers and agents. The DFS and the OIR are authorized to impose fines on any person who violates any provision of this Act.¹⁰

National Association of Insurance Commissioners

The OIR is a member of the National Association of Insurance Commissioners (NAIC), an organization consisting of state insurance regulators.¹¹ As a member of the NAIC, the OIR is

⁸ Section 20.121(3)(a)1, F.S. The Financial Services Commission (commission), composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture, serve as the commission. Commission members serve as agency head of the Financial Services Commission. Commission members shall serve as the agency head for purposes of rulemaking by the commission. Section 20.121(3)(c), F.S.

⁹ Part IX, ch. 626, F.S.

¹⁰ *Id.*

¹¹ The NAIC provides expertise, data, and analysis for insurance commissioners to effectively regulate the industry and protect consumers. Founded in 1871, the U.S. standard-setting organization is governed by the chief insurance regulators from the 50 states, the District of Columbia, and five U.S. territories to coordinate regulation of multistate insurers. National Association of Insurance Commissioners, (NAIC), About, *Our Story*, <https://content.naic.org/about#:~:text=The%20National%20Association%20of%20Insurance,the%20industry%20and%20protect%20consumers>. (last visited March 19, 2025).

required to participate in the organization’s accreditation program.¹² The NAIC accreditation is a certification that a state insurance department is fulfilling legal, regulatory, and organizational oversight standards and practices. Once accredited, a member state is subject to a full accreditation review every five years. The NAIC also periodically reviews its solvency standards as set forth in its model acts and revises accreditation requirements to adapt to evolving industry standards.¹³

Pet Insurance Act

In 2022, the NAIC adopted the Pet Insurance Model Law, also known as the “Pet Insurance Act” (act).¹⁴ The purpose of this act is to promote the public welfare by creating a comprehensive legal framework within which pet insurance may be sold. The elements of the act include definitions, disclosures, policy conditions, sales practices for wellness programs, agent training, rulemaking, and violations. The NAIC reports eleven states¹⁵ have adopted the most recent version of the act in a substantially similar manner,¹⁶ which requires states to adopt the act in its entirety but does allow for variations in style and format.¹⁷

Prior to the NAIC’s approval of the model law, the following factors were cited as the impetus for the NAIC to form a property and casualty insurance task force initially to review pet insurance coverage, product approval, marketing, ratemaking, claims practices, and regulatory concerns:

- Tremendous growth in the pet insurance market;
- Policy premiums that far exceed the cost of the covered pet; and
- Complex policies with multiple coverage options and exclusions.¹⁸

The NAIC task force issued, *A Regulator’s Guide to Pet Insurance in 2019*. The report¹⁹ found that in 2018:

¹² NAIC, Insurance Topics, *Accreditation, Background* (December 12, 2024).

https://content.naic.org/cipr_topics/topic_accreditation.htm (last visited March 19, 2025).

¹³ NAIC, Resource Center, *Model Laws*, <https://content.naic.org/model-laws> (last visited March 19, 2025).

¹⁴ [NAIC Pet Insurance Model Law 11921Clean \(soutronglobal.net\), Model 633](#) (Aug. 2022) (last visited March 6, 2024).

¹⁵ NAIC Model Laws, Regulations, *Guidelines and Other Resources – Fall 2024, Pet Insurance Model Act* (ST-633-1). These states include: California (CAL. INS. CODE s. 12880.0 to s. 12880.6 (2020)); Delaware (DEL. CODE ANN. tit. 18, s. 8801 to s. 8809 (2023)); Louisiana (LA. STAT. ANN. s. 22:1371 to s. 22:1375 (2023)); Maine ME. REV. STAT. tit. 24-A, s. 3151 to s. 3161 (2022)); Maryland (Md. Code Ann., Ins. s. 19-1101 to s. 19-1107 (2024)), Mississippi (MISS. CODE ANN. s. 83-87-1 to s. 83-87-9 (2023)); Nebraska (NEB. REV. STAT. s. 44-6501 to s. 44-6510 (2023)); New Hampshire (N.H. REV. STAT. ANN. s. 402-P:1 to s. 402-P:6 (2023)); Ohio (S.B. 175/Ohio Revised Code, Ch. 3970 (Effective January 22, 2025)); Vermont (8 V.S.A. s. 7151 to s. 7159 (2024)); and, Washington (WASH. REV. CODE s. 48.205.010 to s. 48.205.080 (2023)), https://content.naic.org/sites/default/files/model-law-state-page-633_1.pdf (last visited March 19, 2025).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ NAIC, *A Regulator’s Guide to Pet Insurance* (2019) at p. 1, <https://content.naic.org/sites/default/files/publication-pin-op-pet-insurance.pdf> (last visited March 19, 2023).

¹⁹ NAIC, *A Regulator’s Guide to Pet Insurance* (2019), <https://content.naic.org/sites/default/files/publication-pin-op-pet-insurance.pdf> (last visited March 19, 2023).

- The largest amount of gross premium was concentrated in California (21.4 percent) and New York (10.4 percent). In contrast, Florida's represented 6.3 percent of the gross written premium.²⁰
- The first pet policy was issued in the United States in 1982.
- The majority of the carriers selling policies offer the following coverage: accident only; and accident and illness.
- Most carriers write coverage for dogs and cats only. Some write policies for exotic pets, such as reptiles and birds. Many carriers exclude coverage for pets less than eight weeks old or older than 12 years.
- Some carriers have waiting periods for injury, illness, and orthopedic care. Policy exclusions were noted for preexisting conditions. Many policies exclude coverage for congenital and hereditary conditions, such as hip dysplasia, heart defects, cataracts, and diabetes.
- The most common marketing or distribution strategies were web-based marketing and referrals from veterinary clinics, friends, and families. The fastest growing form of distribution was through an employee benefit package.

Consumer Reports²¹ conducted a member survey²² of 2,061 members who insured their pets. The average premium paid by members was \$47 per month per pet. Depending on the plan selected, deductibles can range from \$0 to \$1,000 or more. Copays (the fixed percentage of a vet bill that is paid out of pocket) are typically 20 percent.²³

Regulation of Veterinarians in Florida

Veterinary Medicine, the Practice of Veterinary Medicine

In 1979, the Legislature determined the practice of veterinary medicine to be potentially dangerous to public health and safety if conducted by incompetent and unlicensed practitioners and that minimum requirements for the safe practice of veterinary medicine are necessary.²⁴ The Board of Veterinary Medicine in the Department of Business and Professional Regulation (DBPR) implements the provisions of ch. 474, F.S., on Veterinary Medical Practice.²⁵ A veterinarian is a health care practitioner licensed to engage in the practice of veterinary medicine in Florida under ch. 474, F.S.²⁶

²⁰ NAIC, *A Regulator's Guide to Pet Insurance (2019)*, Figure 4. *Policies and Premiums By State*, at p. 6, <https://content.naic.org/sites/default/files/publication-pin-op-pet-insurance.pdf> (last visited March 20, 2024). This data was provided by NAPHIA, not the states or the NAIC. Such data includes NAPHIA members only and is not exhaustive of the entire market for pet insurance. The report notes that NAPHIA represents 99 percent of the U.S. and Canada pet insurance industry.

²¹ Consumer Reports, *About Us, What We Do*, <https://www.consumerreports.org/about-us/what-we-do/#:~:text=Our%20investigative%20journalism%2C%20advocacy%2C%20and,science%2C%20evidence%2C%20and%20data> (last visited March 20, 2025). Consumer Reports is an independent, nonprofit member organization that works side by side with consumers for truth, transparency, and fairness in the marketplace. Consumer Reports was founded in 1936.

²² Brian Vines, *Pet Insurance Buying Guide* (Aug. 25, 2023), Consumer Reports, <https://www.consumerreports.org/money/pet-insurance/buying-guide/> (last visited March 20, 2025).

²³ *Id.*

²⁴ See s. 474.201, F.S.

²⁵ See s. 474.204 through 474.2125, F.S., concerning the powers and duties of the Board of Veterinary Medicine.

²⁶ See s. 474.202(11), F.S.

Veterinary medicine²⁷ includes, with respect to animals:²⁸

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine);²⁹ and
- Other branches or specialties of veterinary medicine.

The practice of veterinary medicine is the diagnosis of medical conditions of animals and the prescribing, dispensing, or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.³⁰ Veterinarians who are incompetent or present a danger to the public are subject to discipline and may be prohibited from practicing in the state.³¹

III. Effect of Proposed Changes:

Section 1 amends s. 624.604, F.S., to revise the definition of “property insurance” to specify that property insurance may include pet insurance that provides coverage for accidents and for illnesses of pets.

Section 2 amends s. 626.9541, F.S., defining unfair methods of competition and unfair or deceptive acts the following sales acts or practices for pet wellness programs by pet insurance agents:

- Marketing a wellness program as pet insurance;
- Requiring the purchase of a wellness program as a prerequisite to the purchase of pet insurance;
- Wellness program costs that are not separate and identifiable from any pet insurance policy sold by the pet insurance agent;
- Wellness program terms and conditions that are not separate from any pet insurance policy sold by the pet insurance agent;
- Wellness program products or coverages that duplicate products or coverages available through the pet insurance policy; and
- Misleading advertising of the wellness program.

Section 3 creates s. 627.71545, F.S., relating to pet insurance and noninsurance wellness programs. This section may be cited as the “Pet Insurance Act.” The section states that the purpose of this section is to promote the public welfare by creating a comprehensive regulatory

²⁷ Section 474.202(13), F.S.

²⁸ Section 474.202(1), F.S., defines “animal” as “any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead.”

²⁹ The Society for Theriogenology, established in 1954, is composed of veterinarians dedicated to standards of excellence in animal reproduction, <https://www.therio.org/> (last visited March 19, 2024).

³⁰ Section 474.202(9), F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy, fertility, or infertility of animals.

³¹ Section 474.213, F.S., on prohibited acts, and s. 474.214, F.S., on disciplinary proceedings.

framework within which pet insurance may be sold in this state. The section applies to the following:

- Pet insurance policies that are issued to any resident of this state or that are sold, solicited, negotiated, or offered in this state.
- Pet insurance policies or certificates that are delivered or issued for delivery in this state.

All other applicable provisions of the insurance laws of this state continue to apply to pet insurance except that the specific provisions of this chapter supersede any general provisions of law which would otherwise be applicable to pet insurance.

This section may not be construed to prohibit or limit the types of exclusions pet insurers may use in their policies or require pet insurers to have any of the limitations or exclusions as specified in the bill.

The section defines the following terms:

- “Chronic condition” means a condition that can be treated or managed, but not cured.
- “Congenital anomaly or disorder” means a condition that is present from birth, whether inherited or caused by the environment, which may cause or contribute to illness or disease.
- “Hereditary disorder” means an abnormality that is genetically transmitted from parent to offspring and may cause illness or disease.
- “Orthopedic conditions” means a condition affecting the bones, skeletal muscle, cartilage, tendons, ligaments, or joints. It includes, but is not limited to, elbow dysplasia, hip dysplasia, intervertebral disc degeneration, patellar luxation, and ruptured cranial cruciate ligaments. It does not include cancers or metabolic, hemopoietic, or autoimmune diseases.
- “Pet insurance” means a property insurance policy that provides coverage for accidents and for illnesses and diseases of pets. Such insurance reimburses a policyholder for expenses associated with medical advice, diagnosis, care, or treatment provided by a veterinarian, including, but not limited to, the cost of drugs prescribed by the veterinarian.
- “Pet insurance policy” or “policy” includes pet insurance certificates.
- “Preexisting condition” means a condition for which, before the effective date of a pet insurance policy or during any waiting period a veterinarian provided medical advice, the pet received previous treatment, or based on information from verifiable sources the pet had signs or symptoms directly related to the condition for which a claim is being made. A condition for which coverage is afforded on a policy is not deemed to be a preexisting condition on any renewal of the policy.
- “Renewal” means the issuance and delivery at the end of an insurance policy period of a policy that supersedes the policy previously issued and delivered by the same pet insurer or affiliated pet insurer and that provides types and limits of coverage substantially similar to those contained in the policy being superseded.
- “Veterinarian” means a health care practitioner who is licensed to engage in the practice of veterinary medicine in Florida under ch. 474, F.S.
- “Waiting period” means the period of time specified in a pet insurance policy that is required to transpire before some or all of the coverage in the policy can begin. Waiting periods may not be applied to renewals of existing coverage.
- “Wellness program” means a subscription-based or reimbursement-based program that is separate from an insurance policy which provides goods and services to promote the general

health, safety, or well-being of the pet. If the subscription or program includes language such as “undertakes to indemnify another,” “pays a specified amount upon determinable contingencies,” or “provides coverage for a fortuitous event,” the subscription or program is transacting in the business of insurance and is subject to the Florida Insurance Code. This definition is not intended to classify a contract directly between a service provider and a pet owner which involves only the two parties as being the business of insurance, unless other indications of insurance also exist.

The bill specifies that when the foregoing defined terms are used in a pet insurance policy, they must be defined pursuant to the statute. The pet insurer must include any such definitions used in policies available via a clear and conspicuous link on the main page of the website of the pet insurer’s or the pet insurer’s program administrator.

The bill requires a pet insurer transacting pet insurance to disclose the following to pet insurance applicants and policyholders:

- Whether the policy excludes coverage due to a chronic condition, a congenital anomaly or disorder, a hereditary disorder, or a preexisting condition.
- If the policy includes any other policy exclusions not listed above, such other exclusions must be disclosed by including the following statement in the disclosure: “Other exclusions may apply. Please refer to the exclusions section of the policy for more information.”
- Any policy provision that limits coverage through a waiting period, a deductible, coinsurance, or an annual or lifetime policy limit. Waiting periods and the requirements applicable to them must be clearly and prominently disclosed to consumers before the policy purchase.
- Whether the pet insurer reduces coverage or increases premiums based on the policyholder’s claim history, the age of the covered pet, or a change in the geographic location of the policyholder.
- Whether the underwriting company differs from the brand name used to market and sell the product.

Before issuing a pet insurance policy, a pet insurer is required to provide through a clear and conspicuous link on the main page of the pet insurer’s website or the website of the insurer’s program administrator, a summary description of the basis or formula for the pet insurer’s determination of claim payments under the policy.

- If a pet insurer uses a benefit schedule to determine claim payments under a pet insurance policy, the insurer must clearly disclose:
 - The applicable benefit schedule in the policy; and
 - All benefit schedules used by the pet insurer under its pet insurance policies through a clear and conspicuous link on the main page of the pet insurer’s or pet insurer’s program administrator’s website.
- If a pet insurer uses usual and customary payments to determine claims payments under a pet insurance policy, or any other reimbursement limitation based on prevailing veterinary service provider charges, the insurer must:
 - Include a usual and customary fee limitation provision in the policy which clearly describes the pet insurer’s basis or formula for determining usual and customary fees and how that basis or formula is applied in calculating claim payments.

- Disclose the pet insurer's basis for determining usual and customary fees through a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website.

If any medical examination by a veterinarian is required to effectuate coverage, the pet insurer must clearly and conspicuously disclose the required aspects of the examination before the policy is purchased and must disclose that examination documentation may result in a preexisting condition exclusion.

Insurer Disclosure of Important Policy Provisions

At the time a pet insurance policy is issued or delivered to a policyholder, the pet insurer must provide the policyholder with a copy of the Insurer Disclosure of Important Policy Provisions, which provides a summary of the required disclosures. Further, the pet insurer must post the document by way of a clear and conspicuous link on the main page of the pet insurer's or pet insurer's program administrator's website. The pet insurer must also include a written disclosure with all of the following information:

- Contact information for the Division of Consumer Services of the Department of Financial Services (DFS), including a toll-free telephone number and a link.
- The address and customer service telephone number of the pet insurer or the insurance agent.

Right to Return Policy

A pet insurance policy and rider must have a notice prominently printed on the first page or attached, which includes specific instructions to accomplish a return. If a policyholder decides not to keep the policy, the policyholder must return it to the insurer at its administrative office or return it to the agent/insurance producer unless the policyholder has filed a claim. The policyholder's right to return the policies lasts 30 days after the date of receipt. The insurer must refund the full amount of any premium paid within 30 days after receipt of the returned policy, certificate, or rider. The premium refund must be sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had never been issued. The notice must state in substantially form, the following:

You have 30 days from the day you receive this policy, certificate, or rider to review it and return it to the insurer if you decide not to keep it. You do not have to tell the insurer why you are returning it. If you decide not to keep it, simply return it to the insurer at its administrative office or return it to the agent or broker that you bought it from as long as you have not filed a claim. You must return the policy, certificate, or rider within 30 days after the day you first received it. The insurer will refund the full amount of any premium paid within 30 days after it receives the returned policy, certificate, or rider. The premium refund will be sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had never been issued.

Exclusions and Waiting Periods

The bill authorizes a pet insurer to issue a policy that:

- Excludes coverage on the basis of one or more preexisting conditions with appropriate written disclosure to the applicant or policyholder. The pet insurer has the burden of proving whether a preexisting condition exclusion is applicable to a claim.
- Imposes waiting periods upon effectuation of the policy which do not exceed 30 days for illnesses, diseases or orthopedic conditions not resulting from an accident. A pet insurer may not issue policies that impose waiting periods for accidents.
 - A pet insurer that imposes a waiting period authorized in this section must waive the waiting period upon completion of a medical examination.
 - Pet insurers may require that such an examination be conducted by a licensed veterinarian after the purchase of the policy and the insurer will pay for the examination. Such an examination required by a pet insurer must be paid for by the policyholder, unless the policy specifies the pet insurer will pay for the examination.
 - A pet insurer may specify requirements for the medical examination and require documentation that such requirements were satisfied, provided the specifications do not unreasonably restrict the ability of the applicant or policyholder to waive the waiting periods.

A pet insurer may not require a medical examination by a veterinarian of the covered pet for the policyholder to renew the policy. If a pet insurer includes any prescriptive, wellness, or noninsurance benefits in the pet insurance policy, such benefits are made part of the policy and must conform to all applicable laws in the code.

Agent Training

The bill provides that pet insurers must ensure that their agents are appropriately trained on the terms and conditions of their pet insurance products. Such training must include the following topics:

- Preexisting conditions and waiting periods.
- The differences between pet insurance and noninsurance wellness programs.
- Hereditary disorders, congenital anomalies or disorders, chronic conditions, and the way pet insurance policies address those conditions or disorders.
- Rating, underwriting, renewal, and other related administrative topics.

Rulemaking

The bill authorizes the Financial Services Commission to adopt rules to administer this section.

Section 4 provides the act takes effect January 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The increased transparency provided by the policy disclosures will provide consumers with greater information to use in comparing the costs of premiums and benefits of various pet insurance policies.

The purchase of a pet insurance may reduce the out of pocket costs a consumer incurs when a pet experiences an unexpected medical emergency.

Enactment of the bill will provide greater regulatory certainty for insurers that write such coverage in Florida.

C. Government Sector Impact:

The bill has an indeterminate impact to state revenues and expenditures. The Office of Insurance Regulation (OIR) may experience additional costs associated with updating technology systems, resulting in a one-time impact. The OIR has not provided an analysis of this bill; however, the OIR should be able to absorb any costs associated with technology updates within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 624.604 and 626.9541.

This bill creates section 627.71545 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator DiCeglie

18-00865A-25

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1 A bill to be entitled
 2 An act relating to pet insurance and wellness
 3 programs; amending s. 624.604, F.S.; revising the
 4 definition of the term "property insurance" to include
 5 a pet insurance option; amending s. 626.9541, F.S.;
 6 providing that certain practices relating to pet
 7 wellness programs are unfair methods of competition
 8 and unfair or deceptive acts or practices; creating s.
 9 627.71545, F.S.; providing a short title; providing a
 10 purpose; providing applicability; providing
 11 construction; defining terms; requiring pet insurers
 12 that use such terms in their pet insurance policies to
 13 use and include the statutory definitions in such
 14 policies; requiring pet insurers to also make such
 15 definitions available on their websites or their
 16 program administrators' websites; requiring pet
 17 insurers to make certain disclosures to pet insurance
 18 applicants and policyholders; requiring pet insurers
 19 to provide a summary of their bases or formulas for
 20 determination of claim payments under a pet insurance
 21 policy on their websites or their program
 22 administrators' websites; requiring pet insurers to
 23 disclose certain requirements for required medical
 24 examinations of a pet by a veterinarian; requiring pet
 25 insurers to create a document with a summary of
 26 certain disclosures, to post such document on their
 27 websites or their program administrators' websites,
 28 and, upon issuance or delivery of a policy to a
 29 policyholder, to provide such document to the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 policyholder; requiring that pet insurers make certain
 31 additional written disclosures; providing that certain
 32 required disclosures are in addition to disclosures
 33 required by the Florida Insurance Code or the
 34 Financial Services Commission rules; authorizing pet
 35 insurance applicants and policyholders to examine and
 36 return insurance policies and riders under certain
 37 circumstances; requiring that premiums be refunded
 38 under certain circumstances; requiring that pet
 39 insurance policies and riders have a specified notice
 40 printed on or attached to the first page; authorizing
 41 pet insurers to issue policies that exclude coverage
 42 on the basis of preexisting conditions with
 43 appropriate written disclosure to the applicant or
 44 policyholder; providing that pet insurers have a
 45 specified burden of proof with regard to such
 46 exclusions; authorizing pet insurers to issue new
 47 policies that impose a waiting period of up to a
 48 specified period of time for specified illnesses,
 49 diseases, or conditions; prohibiting pet insurers from
 50 issuing policies imposing a waiting period for
 51 accidents; requiring pet insurers that issue a policy
 52 that imposes a waiting period to include a provision
 53 allowing for waiver of the waiting period upon
 54 completion of a medical examination of the covered pet
 55 by a veterinarian; authorizing pet insurers to require
 56 that an examination be conducted by a veterinarian
 57 after the purchase of the policy; providing
 58 requirements and authorizations relating to such

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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examination; prohibiting a pet insurer from requiring a medical examination of the covered pet to renew a policy; requiring that certain benefits comply with certain provisions of the Florida Insurance Code; prohibiting insurance applicants' eligibility from being based on participation or lack of participation in wellness programs; requiring pet insurers to ensure that their agents are trained on specified topics; providing rulemaking authority; providing an effective date.

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

Section 1. Section 624.604, Florida Statutes, is amended to read:

624.604 "Property insurance" defined.—"Property insurance" is insurance on real or personal property of every kind and of every interest therein, whether on land, water, or in the air, against loss or damage from any and all hazard or cause, and against loss consequential upon such loss or damage, other than noncontractual legal liability for any such loss or damage. Property insurance may include pet insurance that provides coverage for accidents and for illnesses of pets. Property insurance may contain a provision for accidental death or injury as part of a multiple peril homeowner's policy. Such insurance, which is incidental to the property insurance, is not subject to the provisions of this code applicable to life or health insurance. Property insurance does not include title insurance, as defined in s. 624.608.

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Section 2. Paragraph (hh) is added to subsection (1) of section 626.9541, Florida Statutes, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(hh) Sales practices for pet wellness programs.—

1. A pet insurance agent may not market a wellness program as pet insurance.

2. If a wellness program is sold by a pet insurance agent:

a. The purchase of the wellness program may not be a prerequisite to the purchase of pet insurance;

b. The costs of the wellness program must be separate and identifiable from any pet insurance policy sold by the pet insurance agent;

c. The terms and conditions of the wellness program must be separate from any pet insurance policy sold by the agent;

d. The products or coverages available through the wellness program may not duplicate the products or coverages available through the pet insurance policy; and

e. The advertising of the wellness program must not be misleading.

Section 3. Section 627.71545, Florida Statutes, is created to read:

627.71545 Pet insurance; noninsurance wellness programs.—

(1) This section may be cited as the "Pet Insurance Act."

(2) The purpose of this section is to promote the public welfare by creating a comprehensive regulatory framework within

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which pet insurance may be sold in this state.

(3) This section applies to all of the following:

(a) Pet insurance policies that are issued to any resident of this state or that are sold, solicited, negotiated, or offered in this state.

(b) Pet insurance policies or certificates that are delivered or issued for delivery in this state.

(4) (a) This section may not be construed to prohibit or limit the types of exclusions pet insurers may use in their policies or to require pet insurers to include in such policies any of the limitations or exclusions specified in subsection (9).

(b) All other applicable provisions of the Florida Insurance Code apply to pet insurance, except that this section supersedes any general provisions of the Florida Insurance Code which otherwise apply to pet insurance.

(5) (a) As used in this section, the term:

1. "Chronic condition" means a condition that can be treated or managed, but not cured.

2. "Congenital anomaly or disorder" means a condition that is present from birth, whether inherited or caused by the environment, and which may cause or contribute to illness or disease.

3. "Hereditary disorder" means an abnormality that is genetically transmitted from parent to offspring and may cause illness or disease.

4. "Orthopedic conditions" means a condition that affects the bones, skeletal muscle, cartilage, tendons, ligaments, or joints. The term includes, but is not limited to, elbow

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dysplasia, hip dysplasia, intervertebral disc degeneration, patellar luxation, and cranial cruciate ligament rupture, but does not include cancer or any metabolic, hematopoietic, or autoimmune disease.

5. "Pet insurance" means an insurance policy that provides coverage for accidents and for illnesses and diseases of pets. Such insurance reimburses a policyholder for expenses associated with medical advice, diagnosis, care, or treatment provided by a veterinarian, including, but not limited to, the cost of drugs prescribed by the veterinarian.

6. "Pet insurance policy" or "policy" includes pet insurance certificates.

7. "Preexisting condition" means a condition for which any of the following is true before the effective date of or during a waiting period applicable to a pet insurance policy:

a. A veterinarian provided medical advice.

b. The pet received previous treatment.

c. Based on information from verifiable sources, the pet had signs or symptoms directly related to the condition for which a claim is being made.

A condition for which coverage is afforded on a policy is not deemed to be a preexisting condition on any renewal of the policy.

8. "Renewal" means the issuance and delivery at the end of an insurance policy period of a policy that supersedes the policy previously issued and delivered by the same pet insurer or affiliated pet insurer and that provides types and limits of coverage substantially similar to those contained in the policy

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175 being superseded.

176 9. "Veterinarian" means a health care practitioner who is
 177 licensed to engage in the practice of veterinary medicine in
 178 this state under chapter 474.

179 10. "Waiting period" means the period of time specified in
 180 a pet insurance policy which is required to run before some or
 181 all of the coverage in the policy may begin. This period may not
 182 be applied to renewals of existing coverage.

183 11. "Wellness program" means a subscription or
 184 reimbursement-based program that is separate from an insurance
 185 policy and that provides goods and services to promote the
 186 general health, safety, or well-being of the covered pet. If the
 187 subscription or program includes language such as "undertakes to
 188 indemnify another," "pays a specified amount upon determinable
 189 contingencies," or "provides coverage for a fortuitous event,"
 190 the subscription or program is transacting in the business of
 191 insurance and is subject to the Florida Insurance Code. This
 192 definition is not intended to classify a contract directly
 193 between a service provider and a pet owner which involves only
 194 the two parties as being the business of insurance, unless other
 195 indications of insurance also exist.

196 (b) If a pet insurer uses any of the terms defined in
 197 paragraph (a) in a pet insurance policy, the pet insurer must
 198 use the definition of each term as provided in paragraph (a) and
 199 must include such definition in the policy. The pet insurer must
 200 also make such definitions available through a clear and
 201 conspicuous link on the main page of the website of the pet
 202 insurer or the pet insurer's program administrator.

203 (6)(a) A pet insurer transacting pet insurance must

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204 disclose the following to pet insurance applicants and
 205 policyholders:

206 1. Whether the policy excludes coverage due to any of the
 207 following:

- 208 a. A chronic condition;
- 209 b. A congenital anomaly or disorder;
- 210 c. A hereditary disorder; or
- 211 d. A preexisting condition.

212 2. If the policy includes any other exclusions not listed
 213 in subparagraph 1., the following information in a statement in
 214 the disclosure: "Other exclusions may apply. Please refer to the
 215 exclusions section of the policy for more information."

216 3. Any policy provision that limits coverage through a
 217 waiting period, a deductible, a coinsurance payment, or an
 218 annual or lifetime policy limit. Waiting periods and applicable
 219 requirements must be clearly and prominently disclosed to
 220 applicants before the policy purchase.

221 4. Whether the pet insurer reduces coverage or increases
 222 premium based on the policyholder's claims history, the age of
 223 the covered pet, or a change in the geographic location of the
 224 policyholder.

225 5. Whether the underwriting company differs from the brand
 226 name used to market and sell the pet insurance.

227 (b) Before issuing a pet insurance policy, a pet insurer
 228 shall, through a clear and conspicuous link on the main page of
 229 the pet insurer's website or the website of the pet insurer's
 230 program administrator, provide a summary description of the
 231 basis or formula for the pet insurer's determination of claim
 232 payments under the policy.

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233 1. A pet insurer that uses a benefit schedule to determine
 234 claim payments under a pet insurance policy must clearly
 235 disclose both of the following:

236 a. The applicable benefit schedule in the policy.
 237 b. All benefit schedules used by the pet insurer under its
 238 pet insurance policies through a clear and conspicuous link on
 239 the main page of the pet insurer's or pet insurer's program
 240 administrator's website.

241 2. A pet insurer that determines claim payments under a pet
 242 insurance policy based on usual and customary fees, or any other
 243 reimbursement limitation based on prevailing veterinary service
 244 provider charges, shall do both of the following:

245 a. Include a usual and customary fee limitation provision
 246 in the policy which clearly describes the pet insurer's basis or
 247 formula for determining usual and customary fees and the manner
 248 in which that basis or formula is applied in calculating claim
 249 payments.

250 b. Disclose the pet insurer's basis for determining usual
 251 and customary fees through a clear and conspicuous link on the
 252 main page of the pet insurer's or pet insurer's program
 253 administrator's website.

254 (c) If any medical examination of the pet by a veterinarian
 255 is required to effectuate coverage, the pet insurer must clearly
 256 and conspicuously disclose such requirement before the policy is
 257 purchased and must disclose that examination documentation may
 258 result in a preexisting condition exclusion.

259 (d) A pet insurer shall create a summary of all policy
 260 disclosures required in paragraphs (a), (b), and (c) in a
 261 separate document entitled "Insurer Disclosure of Important

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262 Policy Provisions." The pet insurer shall post the document
 263 through a clear and conspicuous link on the main page of the pet
 264 insurer's website or the website of the pet insurer's program
 265 administrator's.

266 (e) At the time a pet insurance policy is issued or
 267 delivered to a policyholder, the pet insurer shall provide the
 268 policyholder with a copy of the Insurer Disclosure of Important
 269 Policy Provisions document required under paragraph (d), in at
 270 least 12-point type. At such time, the pet insurer shall also
 271 include a written disclosure with all of the following:

272 1. Contact information for the Division of Consumer
 273 Services of the department, including a link and toll-free
 274 telephone number, for consumers to submit inquiries and
 275 complaints relating to pet insurance products regulated by the
 276 department or office.

277 2. The address and customer service telephone number of the
 278 pet insurance agent.

279 (f) The disclosures required in this subsection are in
 280 addition to any other disclosures required by the Florida
 281 Insurance Code or rules prescribed by the commission.

282 (7) Unless the policyholder has filed a claim under the pet
 283 insurance policy, a pet insurance applicant or policyholder may
 284 examine and return the policy or rider to the pet insurer or pet
 285 insurance agent or broker within 30 days after the applicant or
 286 policyholder obtains the receipt and is entitled to the premium
 287 refunded if, after examining the policy or rider, he or she is
 288 not satisfied for any reason.

289 (8) A pet insurance policy and rider must have a notice
 290 prominently printed on or attached to the first page which

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includes specific instructions to accomplish a return, in type at least as large as any type appearing on the policy or rider contract and in substantially the following language:

You have 30 days after the date you receive this policy, certificate, or rider to review and return it to the company if you decide not to keep it. You do not have to tell the company why you are returning it. If you decide not to keep policy, certificate, or rider, simply return it to the company at the company's administrative office, or to the insurance agent or broker from whom you bought it, as long as you have not filed a claim. You must return the policy, certificate, or rider within 30 days after the day you first receive it in order to receive a refund. The company must refund the full amount of any premium paid within 30 days after it receives the returned policy, certificate, or rider. The premium refund will be sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had never been issued.

(9)(a) A pet insurer may issue a policy that excludes coverage on the basis of one or more preexisting conditions with appropriate written disclosure to the applicant or policyholder. The pet insurer has the burden of proving that the preexisting condition exclusion applies to the condition for which a claim is being made.

(b)1. A pet insurer may issue a new policy imposing a

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waiting period that does not exceed 30 days after effectuation of coverage for illnesses or diseases or for orthopedic conditions not resulting from an accident. A pet insurer may not issue a policy imposing a waiting period for accidents.

2. A pet insurer issuing a policy that imposes a waiting period must include a provision in its contract which allows the waiting period to be waived upon completion of a medical examination of the pet by a veterinarian. The pet insurer may require the examination to be conducted by a veterinarian after the purchase of the policy.

a. A medical examination required under this subparagraph must be paid for by the policyholder, unless the policy specifies that the pet insurer will pay for the examination.

b. A pet insurer may specify requirements for the examination and require documentation that the requirements have been satisfied, provided that the specifications do not unreasonably restrict the ability of the applicant or policyholder to waive the waiting period.

(c) A pet insurer may not require a medical examination of the covered pet for the policyholder to renew a policy.

(d) If a pet insurer includes any prescriptive, wellness, or noninsurance benefit in the policy form, the benefit is made part of the policy contract and must comply with all of the applicable provisions of the Florida Insurance Code.

(e) An applicant's eligibility to purchase a pet insurance policy may not be based on his or her participation, or lack of participation, in a separate wellness program.

(10)(a) A pet insurer must ensure that its agents are trained on the topics specified in paragraph (b) and that its

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agents have been appropriately trained on the coverages and
conditions of its pet insurance products.

(b) The training required under this subsection must
include information on all of the following topics:

1. Preexisting conditions and waiting periods.

2. The differences between pet insurance and noninsurance
wellness programs.

3. Chronic conditions, congenital anomalies or disorders,
and hereditary disorders and the way pet insurance policies
address those conditions or disorders.

4. Rating, underwriting, renewal, and other related
administrative topics.

(11) The commission may adopt rules necessary to administer
this section.

Section 4. This act shall take effect January 1, 2026.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/2/25

Meeting Date

1226

Bill Number or Topic

FISCAL

Committee

Amendment Barcode (if applicable)

Name DONOVAN BROWN

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City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
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something of value for my appearance
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NORTH AMERICAN PET HEALTH INSURANCE ASSOCIATION

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 1356

INTRODUCER: Fiscal Policy Committee; Education Postsecondary Committee; and Senators Burton and Berman

SUBJECT: Florida Institute for Pediatric Rare Diseases

DATE: April 3, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Bouck	HE	Fav/CS
2. Gerbrandt	McKnight	AHS	Favorable
3. Jahnke	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1356 codifies the Florida Institute for Pediatric Rare Diseases (Institute) within the Florida State University College of Medicine as a statewide resource dedicated to research and clinical care related to pediatric rare diseases. The Institute will conduct research, develop diagnostic and genetic screening tools, provide multidisciplinary clinical services and care, educate and train healthcare professionals, and collaborate with other institutions and organizations.

The bill requires the Institute to establish and administer the Sunshine Genetics Pilot Program for five years. This opt-in pilot program offers genetic screening, to include whole genome sequencing to newborns, contingent upon parental consent. Clinical findings from the screening must be released to the newborn's healthcare practitioner and parent. The Institute is required to maintain a secure database of pilot program data and provide deidentified data to support research.

Additionally, the bill establishes the Sunshine Genetics Consortium (Consortium) to facilitate collaboration among researchers, geneticists, and physicians from Florida's state universities and children's hospitals. The Consortium's responsibilities include integrating genomic sequencing technologies, advancing genetic and precision medicine research, educating healthcare professionals, leveraging artificial intelligence in genomics, and securing external funding to

expand genetic screening efforts. An oversight board appointed by state universities and government officials will administer the Consortium and meet at least once every six months.

The bill implementation is subject to an appropriation in the General Appropriations Act. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2025.

II. Present Situation:

Rare Diseases

In the United States, a rare disease is any condition that nationally affects fewer than 200,000 people. There may be as many as 10,000 rare diseases impacting the lives of 30 million Americans and their families.¹ So, while the individual diseases may be rare, the total number of people impacted by a rare disease is large. Rare diseases include genetic disorders, infectious diseases, cancers, and various other pediatric and adult conditions. A rare disease can affect anyone at any point in their life and can be acute or chronic. It is estimated that 80 percent or more of rare diseases are genetic. For rare genetic diseases, genetic testing is often the only way to make a definitive diagnosis.²

Rare diseases present a fundamentally different array of challenges compared to those of more common diseases; often, patients are set on a “diagnostic odyssey” in order to determine the cause of their symptoms as they seek treatment in healthcare settings where their condition may have never been seen before.³

The Andrew John Anderson Pediatric Rare Disease Grant Program

In 2024, the Florida Legislature established the Andrew John Anderson Pediatric Rare Disease Grant Program (Grant Program) within the Department of Health (DOH) to support research on pediatric rare diseases. The Grant Program awards grants through a competitive, peer-reviewed process to advance new diagnostics, treatments, and cures.⁴

The DOH, in consultation with the Rare Diseases Advisory Council,⁵ awards grants to universities and established research institutes in Florida for scientific and clinical research. Preference may be given to proposals that foster collaborations among institutions, researchers, and community practitioners.⁶

¹ National Organization for Rare Diseases (NORD), *NORD Rare Disease Database*, <https://rarediseases.org/rare-diseases/> (last visited Mar. 10, 2025).

² Department of Health, *Rare Disease Advisory Council: Legislative Report, Fiscal Year 2023-2024* (2024), at 6-7, available at <https://www.floridahealth.gov/provider-and-partner-resources/rdac/documents/2024-rdac-annual-report.pdf>.

³ *Id.*

⁴ Section 381.991(1)(a), F.S.; *See also* ch. 224-246, Laws of Fla.

⁵ *See* Section 381.99, F.S. The Rare Disease Advisory Council is created adjunct to the DOH for the purpose of providing recommendations on ways to improve health outcomes for individuals residing in this state who have a rare disease.

⁶ Section 381.991(1)(b) – (2)(a), F.S. *See also*, Florida Health, *Rare Pediatric Diseases Research Grant Program*, <https://www.floridahealth.gov/provider-and-partner-resources/research/research-programs1/RarePediatricDiseasesResearchGrantProgram.html> (last visited Mar. 10, 2025).

In both 2023 and 2024, the Legislature appropriated \$500,000 for the Grant Program.⁷

Florida State University Institute for Pediatric Rare Diseases

In 2024, Florida State University (FSU) established the Institute for Pediatric Rare Diseases (Institute) at the FSU College of Medicine. It is the mission of the Institute to transform the lives of children affected by rare diseases through research, education, diagnosis, and clinical care.⁸

The goals include:⁹

- Harnessing interdisciplinary collaboration by bringing together scientists, clinicians, and educators to address the challenges of pediatric rare diseases.
- Leveraging advancements in gene therapy and immune response research to improve treatment outcomes.
- Enhancing the quality of life for the 15 million children across the United States affected by pediatric rare diseases.

In 2023, the Legislature appropriated \$1,000,000 in nonrecurring general revenue funds to the Institute,¹⁰ and another \$5,000,000 in nonrecurring general revenue funds in 2024.¹¹

Newborn Screening Program

The Legislature created the Florida Newborn Screening Program (NSP) within the DOH, to promote the screening of all newborns for metabolic, hereditary, and congenital disorders known to result in significant impairment of health or intellect.¹² The NSP also promotes the identification and screening of all newborns in the state and their families for environmental risk factors such as low income, poor education, maternal and family stress, emotional instability, substance abuse, and other high-risk conditions associated with increased risk of infant mortality and morbidity to provide early intervention, remediation, and prevention services.¹³

The NSP attempts to screen all newborns for hearing impairment and to identify, diagnose, and manage newborns at risk for select disorders that, without detection and treatment, can lead to permanent developmental and physical damage or death.¹⁴ The NSP is intended to screen all

⁷ Specific Appropriation 539A, s. 3, ch. 2023-239, Laws of Fla., and Specific Appropriation 546A, s. 3, ch. 2024-231, Laws of Fla.

⁸ Florida State University, Florida State University News, *FSU launches groundbreaking Institute for Pediatric Rare Diseases*, <https://news.fsu.edu/news/health-medicine/2024/02/01/fsu-launches-groundbreaking-institute-for-pediatric-rare-diseases/>; See also, Florida State University, *Institute for Pediatric Rare Diseases*, <https://med.fsu.edu/iprd/home> (last visited Mar. 10, 2025).

⁹ *Id.*

¹⁰ Chapter 2023-239, s. 2, Laws of Fla. (Specific Appropriation 143).

¹¹ Chapter 2024-231, s. 2, Laws of Fla. (Specific Appropriation 147).

¹² Section 383.14(1), F.S.

¹³ Section 383.148(1), F.S.

¹⁴ Florida Department of Health, *Florida Newborn Screening 2022 Guidelines*, available at <https://floridanewbornscreening.com/wp-content/uploads/NBS-Protocols-2022-FINAL.pdf>. See also, Florida Newborn Screening, <https://floridanewbornscreening.com/> (last visited Mar. 10, 2025).

prenatal women and newborns, however, parents and guardians may choose to decline the screening.¹⁵

Newborn screenings are completed after the baby is 24 hours of age and before discharge from the hospital. For births outside a hospital setting, the birth provider either completes the screening or arranges for testing within 1- 2 days after birth.¹⁶

The Florida Genetics and Newborn Screening Advisory Council advises the DOH on disorders to be included in the NSP panel of screened disorders and the procedures for collecting and transmitting specimens.¹⁷ Florida's NSP currently screens for 58 conditions, 55 of which are screened through the collection of blood spots.¹⁸ Healthcare providers collect drops of blood from the newborn's heel on a standardized specimen collection card which is then sent to the state laboratory for testing.¹⁹

If necessary, healthcare providers refer patients to the appropriate health, education, and social services.²⁰ Screening results are released to the newborn's healthcare provider; in the event of an abnormal result, the baby's healthcare provider or a nurse or specialist from NSP's Follow-up Program provides follow-up services and referrals for the child and his or her family.²¹

III. Effect of Proposed Changes:

CS/CS/SB 1356 creates s. 1004.4210, F.S., to codify the Florida Institute for Pediatric Rare Diseases (Institute) within the Florida State University College of Medicine as a statewide resource for pediatric rare disease research and clinical care. The Institute's purpose is to enhance the quality of life and health outcomes for children and families affected by rare diseases by advancing knowledge, diagnosis, and treatment of pediatric rare diseases through research, clinical care, education, and advocacy. The bill specifies the goals of the Institute, which are:

- Conducting research to better understand the causes, mechanisms, and potential treatments for pediatric rare diseases, including leveraging emerging research methods.
- Developing advanced diagnostic and genetic screening tools and techniques to enable healthcare providers to identify rare diseases in newborns and children more rapidly, accurately, and economically.
- Providing comprehensive, multidisciplinary clinical services and care for affected children and their families. Such care may include, but is not limited to, patient, family, and caregiver

¹⁵ Section 383.14(4), F.S.; Rule 64C-7.008, F.A.C.; The hospital provider shall request any parent or guardian who objects to infant (postnatal) risk screening of their child or ward, after the purpose of the screening has been fully explained, to indicate the objection in writing on the electronic birth record risk screening instrument.

¹⁶ Florida Newborn Screening, *What is Newborn Screening?*, <https://floridanewbornscreening.com/parents/what-is-newborn-screening/> (last visited Mar. 10, 2025).

¹⁷ Section 383.14(6)(a), F.S.

¹⁸ Department of Health, *2024 Agency Analysis of HB 1441* (Feb. 5, 2024).

¹⁹ Florida Newborn Screening Program, *What is Newborn Screening?* available at <https://floridanewbornscreening.com/parents/what-is-newborn-screening/> (last visited March 10, 2025). See also, Florida Newborn Screening, Specimen Collection Card, <http://floridanewbornscreening.com/wp-content/uploads/Order-Form.png> (last visited March 10, 2025).

²⁰ *Id.*

²¹ Department of Health, *2024 Agency Analysis of HB 1441* (Feb. 5, 2024).

support and resources to help navigate the challenges associated with these conditions, support groups, and patient advocacy.

- Educating and training healthcare professionals, including, but not limited to, genetic counselors, pediatricians, scientists, and other specialists.
- Establishing collaborations with other research institutions, medical centers, patient and family advocacy organizations, and government agencies.

The bill requires the Institute to establish and administer the Sunshine Genetics Pilot Program for five years, providing genetic screening, including, but not limited to, whole genome sequencing to newborns in addition to the state's existing newborn screening program. Upon approval of the oversight board, the genetic screening will be performed by the Institute and institutional members of the oversight board. The Institute is authorized to partner with Florida universities and colleges and healthcare service providers to promote and assist in the implementation of the pilot program. Parental consent is required for participation and the Institute and institutional members of the oversight board must release clinical findings of a newborn's screening to the newborn's health care practitioner and the newborn's parent.

The bill defines "health care practitioner" to include:

- a physician or physician assistant licensed under chapter 458;
- an osteopathic physician or physician assistant licensed under chapter 459;
- an advanced practice registered nurse, registered nurse, or licensed practical nurse licensed under part I of chapter 464;
- a midwife licensed under chapter 467;
- a speech-language pathologist or audiologist licensed under part I of chapter 468;
- a dietitian or nutritionist licensed under part X of chapter 468; or
- a genetic counselor licensed under part III of chapter 483.

The bill requires the Institute to:

- Maintain a secure database to collect and store all pilot program data, including, but not limited to, newborn genomics sequence data and deidentified newborn data.
- Provide deidentified newborn data to members of the Consortium pursuant to a data sharing agreement to support ongoing and future research.

Additionally, by December 1, 2030, the Institute is required to provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the pilot program, including, at a minimum:

- Study population and enrollment metrics.
- Whole genome sequencing metrics.
- Clinical and public health impact.
- Cost effectiveness and economic benefits.

The bill also establishes the Sunshine Genetics Consortium (Consortium) to create a network of clinical and academic research professionals, geneticists, and physicians from state universities and the state's children's hospitals to collaborate with leaders in the genetic industry, build, and support a culture of collaborative research and the development of cutting-edge genetic and precision medicine in the state. The Consortium will:

- Integrate state-of-the-art genomic sequencing technologies.
- Advance research and the development of cutting-edge genetic and precision medicine.
- Leverage artificial intelligence in genomics.
- Develop clinician education on genomic tools.
- Support education and growth of geneticists to meet demand.
- Solicit and leverage external funding to expand the pilot program and support genetic screenings by institutional members of the oversight board.
- Promote patient care to support families with children diagnosed with genetic disorders.
- Report on the use of deidentified newborn data by members of the Consortium.

The bill requires the Consortium to be administrated at the Institute by an oversight board and meet at least once every six months. The oversight board consists of the director of the Institute, who serves as chair, and the following voting members who are *required* to serve two-year terms:

- One member nominated by the dean of the University of Florida's College of Medicine and approved by the university's president.
- One member nominated by the dean of the University of South Florida's College of Medicine and approved by the university's president.
- One member nominated by the dean of the University of Miami's School of Medicine and approved by the university's president.
- One member nominated by the dean of Florida International University's School of Medicine and approved by the university's president.
- One member nominated by Nicklaus Children's Hospital and approved by the hospital's president and chief executive officer.
- One member appointed by the Governor.
- One member appointed by the President of the Senate.
- One member appointed by the Speaker of the House of Representatives.

The oversight board is *responsible for the* promotion and oversight of the Consortium, including, but not limited to, the nomination and appointment of members of the Consortium.

The bill requires the Consortium, beginning October 15, 2026, and annually thereafter, to provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on research projects, research findings, community outreach initiatives, and future plans for the Consortium.

The implementation of the bill is contingent on an appropriation provided by the General Appropriations Act for such purpose.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The implementation of the bill is contingent on the availability of funding provided in the General Appropriations Act for such purpose.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1004.4210 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Fiscal Policy on April 2, 2025:**

The committee substitute maintains the provisions of CS/SB 1356, with the following modifications:

- Adds one member nominated by the dean of Florida International University School of Medicine and one member nominated by Nicklaus Children's Hospital to the Consortium oversight board.
- Removes the \$5 million recurring and \$20 million nonrecurring appropriations.
- Specifies the implementation of the bill is contingent on an appropriation provided in the General Appropriations Act for such purpose.

CS by Education Postsecondary on March 17, 2025:

The committee substitute maintains provisions in SB 1356, with the following modifications:

- Removes the requirement for the Consortium to create a biorepository network.
- Removes the requirement for the pilot program to be implemented in accordance with specific genetic testing regulations.
- Extends the duration of the Sunshine Genetics Pilot Program from three years to five years.
- Clarifies genetic testing as whole genome sequencing.
- Specifies that the Institute and institutional members of the oversight board, upon approval, will perform the genetic screening.
- Authorizes, rather than requires, the Institute to establish partnerships to promote and assist in the implementation of the pilot program.
- Clarifies that clinical findings of a newborn's screenings must be delivered to both the newborn's healthcare practitioner and parent.
- Specifies that the Institute must collect and store pilot program data, explicitly including genomics sequence data and deidentified newborn data.
- Requires the Institute to provide deidentified newborn data to members of the Consortium pursuant to a data sharing agreement to support ongoing and future research.
- Revises the Institute's reporting requirements on the pilot program specifying that, by December 1, 2030, the Institute must provide a report to include an overview of key metrics and the program's impact on health, cost-effectiveness, and economic benefits.
- Requires the Consortium to advance research and the development of cutting edge genetic and precision medicine.
- Clarifies that the Consortium must solicit and leverage funds, rather than simply raise them, and expands the purpose of funding to explicitly support genetic screenings by institutional members of the oversight board in addition to expanding the pilot program.

- Requires the Consortium to report on the use of deidentified newborn data by members of the Consortium.
- Specifies that the Consortium's oversight board must meet at least every six months.
- Requires the director of the Institute to serve as the chair of the oversight board.
- Modifies the selection process for university-approved members of the Consortium oversight board.
- Revises the oversight board's responsibilities from financial and technical management to general promotion and oversight of the Consortium.
- Specifies that the Consortium's annual reporting must begin on October 15, 2026, and expands reporting requirements to include research projects, findings, community outreach initiatives, and future plans.
- Broadens the scope of the \$20 million appropriation from funding only whole genome sequencing at birthing centers to supporting the full implementation of the Sunshine Genetics Pilot Program.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1004.4211, Florida Statutes, is created
to read:

1004.4211 The Florida Institute for Pediatric Rare
Diseases; the Sunshine Genetics Pilot Program; the Sunshine
Genetics Consortium.—

(1) The Florida Institute for Pediatric Rare Diseases is



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established within the Florida State University College of
Medicine as a statewide resource for pediatric rare disease
research and clinical care. The purpose of the institute is to
improve the quality of life and health outcomes for children and
families affected by rare diseases by advancing knowledge,
diagnosis, and treatment of pediatric rare diseases through
research, clinical care, education, and advocacy.

(2) The goals of the institute are to:

(a) Conduct research to better understand the causes,
mechanisms, and potential treatments for pediatric rare
diseases, including leveraging emerging research methods.

(b) Develop advanced diagnostic and genetic screening tools
and techniques to enable health care providers to identify rare
diseases in newborns and children more rapidly, accurately, and
economically.

(c) Provide comprehensive multidisciplinary clinical
services and care for children with rare diseases. Such care may
include, but is not limited to, patient, family, and caregiver
support and resources to help navigate the challenges associated
with these conditions, support groups, and patient advocacy.

(d) Educate and train health care professionals, including,
but not limited to, genetic counselors, pediatricians,
scientists, and other specialists in the field of pediatric rare
diseases.

(e) Establish collaborations with other research
institutions, medical centers, patient and family advocacy
organizations, and government agencies whenever deemed
appropriate by the institute director to share expertise, raise
awareness, and promote a collective effort to tackle pediatric



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40 rare diseases.

41 (3) (a) The institute shall establish and administer the
42 Sunshine Genetics Pilot Program to be administered for a period
43 of 5 years. The pilot program shall provide newborn genetic
44 screening, including, but not limited to, whole genome
45 sequencing. Genetic screening shall be performed by the
46 institute and institutional members of the oversight board upon
47 approval of the oversight board.

48 (b) The institute may establish partnerships with Florida
49 universities and colleges and health care service providers to
50 promote and assist in the implementation of the pilot program.

51 (c) The pilot program shall be an opt-in program and a
52 parent of a newborn must provide consent to participate in the
53 pilot program.

54 (d) The institute and institutional members of the
55 oversight board shall release clinical findings of a newborn's
56 screening to the newborn's health care practitioner and the
57 newborn's parent. As used in this paragraph, the term "health
58 care practitioner" means a physician or physician assistant
59 licensed under chapter 458; an osteopathic physician or
60 physician assistant licensed under chapter 459; an advanced
61 practice registered nurse, registered nurse, or licensed
62 practical nurse licensed under part I of chapter 464; a midwife
63 licensed under chapter 467; a speech-language pathologist or
64 audiologist licensed under part I of chapter 468; a dietitian or
65 nutritionist licensed under part X of chapter 468; or a genetic
66 counselor licensed under part III of chapter 483.

67 (e) The institute shall:

68 1. Maintain a secure database to collect and store all



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pilot program data, including, but not limited to, newborn
genomics sequence data and deidentified newborn data.

2. Provide deidentified newborn data to members of the
consortium pursuant to a data sharing agreement to support
ongoing and future research.

(f) By December 1, 2030, the institute shall provide a
report on the Sunshine Genetics Pilot Program to the Governor,
the President of the Senate, and the Speaker of the House of
Representatives. The report must include, at a minimum:

1. Study population and enrollment metrics.

2. Whole genome sequencing metrics.

3. Clinical and public health impact.

4. Cost effectiveness and economic benefits.

(4) (a) The Sunshine Genetics Consortium is established to
create a network of clinical and academic research
professionals, geneticists, and physicians from state
universities and this state's children's hospitals to
collaborate with leaders in the genetic industry and build and
support a culture of collaborative research and the development
of cutting-edge genetic and precision medicine in the state. The
consortium shall:

1. Integrate state-of-the-art genomic sequencing
technologies.

2. Advance research and the development of cutting-edge
genetic and precision medicine.

3. Leverage advancements in artificial intelligence
utilization in genomics.

4. Develop educational opportunities for clinicians on
genomic tools.



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98 5. Support the growth and education of geneticists to meet
99 demand.

100 6. Solicit and leverage funds from nonprofits, private
101 industry, and others for the purpose of expanding the Sunshine
102 Genetics Pilot Program and to support genetic screenings by
103 institutional members of the oversight board.

104 7. Promote patient care that supports families with
105 children diagnosed with genetic disorders.

106 8. Report on the use of deidentified newborn data by
107 members of the consortium.

108 (b)1. The consortium shall be administered at the institute
109 by an oversight board. The board shall convene at least once
110 every 6 months.

111 2. The oversight board for the consortium shall consist of
112 the director of the institute, who shall serve as chair, and the
113 following voting members, who shall serve 2-year terms:

114 a. One member nominated by the dean of the University of
115 Florida's College of Medicine and approved by the university's
116 president.

117 b. One member nominated by the dean of the University of
118 South Florida's College of Medicine and approved by the
119 university's president.

120 c. One member nominated by the dean of the University of
121 Miami's School of Medicine and approved by the university's
122 president.

123 d. One member nominated by the dean of Florida
124 International University's School of Medicine and approved by
125 the university's president.

126 e. One member nominated by Nicklaus Children's Hospital and



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approved by the hospital's president and chief executive officer.

f. One member appointed by the Governor.

g. One member appointed by the President of the Senate.

h. One member appointed by the Speaker of the House of Representatives.

3. The board shall be responsible for the promotion and oversight of the consortium, including, but not limited to, the nomination and appointment of members of the consortium.

(c) Beginning October 15, 2026, and annually thereafter, the consortium shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on research projects, research findings, community outreach initiatives, and future plans for the consortium.

(5) The provisions of this section shall be implemented to the extent of available appropriations contained in the annual General Appropriations Act for such purpose.

Section 2. This act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to the Florida Institute for Pediatric
Rare Diseases; creating s. 1004.4211, F.S.;
establishing the Florida Institute for Pediatric Rare
Diseases within the Florida State University College



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of Medicine; providing the purpose of the institute;
providing the goals of the institute; requiring the
institute to establish and administer the Sunshine
Genetics Pilot Program for a specified period;
providing the purpose of the pilot program; providing
institute responsibilities and duties relating to the
pilot program; providing requirements for
participation in the pilot program and data collection
and release in the pilot program; defining the term
"health care practitioner"; providing reporting
requirements for the pilot program; establishing the
Sunshine Genetics Consortium for specified purposes;
requiring the consortium to be administered at the
institute by an oversight board; providing for the
membership and terms of the board; providing reporting
requirements for the consortium; specifying that
implementation of the act is subject to appropriation;
providing an effective date.

By the Committee on Education Postsecondary; and Senator Burton

589-02481-25

20251356c1

A bill to be entitled

An act relating to the Florida Institute for Pediatric Rare Diseases; creating s. 1004.4211, F.S.; establishing the Florida Institute for Pediatric Rare Diseases within the Florida State University College of Medicine; providing the goals of the institute; requiring the institute to establish and administer the Sunshine Genetics Pilot Program for a specified period; providing the purpose of the pilot program; providing institute responsibilities and duties relating to the pilot program; providing requirements for participation in the pilot program and data collection and release in the pilot program; defining the term "health care practitioner"; providing reporting requirements for the pilot program; establishing the Sunshine Genetics Consortium for specified purposes; requiring the consortium to be administered at the institute by an oversight board; providing for the membership and terms of the board; providing meeting and reporting requirements for the consortium; providing appropriations; providing an effective date.

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

Section 1. Section 1004.4211, Florida Statutes, is created to read:

1004.4211 The Florida Institute for Pediatric Rare Diseases; the Sunshine Genetics Pilot Program; the Sunshine

Page 1 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

589-02481-25

20251356c1

Genetics Consortium.

(1) The Florida Institute for Pediatric Rare Diseases is established within the Florida State University College of Medicine as a statewide resource for pediatric rare disease research and clinical care. The purpose of the institute is to improve the quality of life and health outcomes for children and families affected by rare diseases by advancing knowledge, diagnosis, and treatment of pediatric rare diseases through research, clinical care, education, and advocacy.

(2) The goals of the institute are to:

(a) Conduct research to better understand the causes, mechanisms, and potential treatments for pediatric rare diseases, including leveraging emerging research methods.

(b) Develop advanced diagnostic and genetic screening tools and techniques to enable health care providers to identify rare diseases in newborns and children more rapidly, accurately, and economically.

(c) Provide comprehensive multidisciplinary clinical services and care for children with rare diseases. Such care may include, but is not limited to, patient, family, and caregiver support and resources to help navigate the challenges associated with these conditions, support groups, and patient advocacy.

(d) Educate and train health care professionals, including, but not limited to, genetic counselors, pediatricians, scientists, and other specialists in the field of pediatric rare diseases.

(e) Establish collaborations with other research institutions, medical centers, patient and family advocacy organizations, and government agencies whenever deemed

Page 2 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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appropriate by the institute director to share expertise, raise awareness, and promote a collective effort to tackle pediatric rare diseases.

(3) (a) The institute shall establish and administer the Sunshine Genetics Pilot Program to be administered for a period of 5 years. The pilot program shall provide newborn genetic screening, including, but not limited to, whole genome sequencing. Genetic screening shall be performed by the institute and institutional members of the oversight board upon approval of the oversight board.

(b) The institute may establish partnerships with Florida universities and colleges and health care service providers to promote and assist in the implementation of the pilot program.

(c) The pilot program shall be an opt-in program and a parent of a newborn must provide consent to participate in the pilot program.

(d) The institute and institutional members of the oversight board shall release clinical findings of a newborn's screening to the newborn's health care practitioner and the newborn's parent. As used in this paragraph, the term "health care practitioner" means a physician or physician assistant licensed under chapter 458; an osteopathic physician or physician assistant licensed under chapter 459; an advanced practice registered nurse, registered nurse, or licensed practical nurse licensed under part I of chapter 464; a midwife licensed under chapter 467; a speech-language pathologist or audiologist licensed under part I of chapter 468; a dietitian or nutritionist licensed under part X of chapter 468; or a genetic counselor licensed under part III of chapter 483.

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(e) The institute shall:

1. Maintain a secure database to collect and store all pilot program data, including, but not limited to, newborn genomics sequence data and deidentified newborn data.

2. Provide deidentified newborn data to members of the consortium pursuant to a data sharing agreement to support ongoing and future research.

(f) By December 1, 2030, the institute shall provide a report on the Sunshine Genetics Pilot Program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include, at a minimum:

1. Study population and enrollment metrics.

2. Whole genome sequencing metrics.

3. Clinical and public health impact.

4. Cost effectiveness and economic benefits.

(4) (a) The Sunshine Genetics Consortium is established to create a network of clinical and academic research professionals, geneticists, and physicians from state universities and the state's children's hospitals to collaborate with leaders in the genetic industry and build and support a culture of collaborative research and the development of cutting edge genetic and precision medicine in the state. The consortium shall:

1. Integrate state-of-the-art genomic sequencing technologies.

2. Advance research and the development of cutting edge genetic and precision medicine.

3. Leverage advancements in artificial intelligence utilization in genomics.

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117 4. Develop educational opportunities for clinicians on
 118 genomic tools.

119 5. Support the growth and education of geneticists to meet
 120 demand.

121 6. Solicit and leverage funds from nonprofits, private
 122 industry, and others for the purpose of expanding the Sunshine
 123 Genetics Pilot Program and to support genetic screenings by
 124 institutional members of the oversight board.

125 7. Promote patient care that supports families with
 126 children diagnosed with genetic disorders.

127 8. Report on the use of deidentified newborn data by
 128 members of the consortium.

129 (b)1. The consortium shall be administered at the institute
 130 by an oversight board. The board shall convene at least once
 131 every 6 months.

132 2. The oversight board for the consortium shall consist of
 133 the director of the institute who shall serve as chair and the
 134 following voting members who shall serve 2-year terms:

135 a. One member nominated by the dean of the University of
 136 Florida's College of Medicine and approved by the university's
 137 president.

138 b. One member nominated by the dean of the University of
 139 South Florida's College of Medicine and approved by the
 140 university's president.

141 c. One member nominated by the dean of the University of
 142 Miami's School of Medicine and approved by the university's
 143 president.

144 d. One member appointed by the Governor.

145 e. One member appointed by the President of the Senate.

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146 f. One member appointed by the Speaker of the House of
 147 Representatives.

148 3. The board shall be responsible for the promotion and
 149 oversight of the consortium, including, but not limited to, the
 150 nomination and appointment of members of the consortium.

151 (c) Beginning October 15, 2026, and annually thereafter,
 152 the consortium shall provide a report to the Governor, the
 153 President of the Senate, and the Speaker of the House of
 154 Representatives on research projects, research findings,
 155 community outreach initiatives, and future plans for the
 156 consortium.

157 Section 2. For the 2025-2026 fiscal year, the sum of \$5
 158 million in recurring funds is appropriated from the General
 159 Revenue Fund to the Florida Institute for Pediatric Rare
 160 Diseases.

161 Section 3. For the 2025-2026 fiscal year, the sum of \$20
 162 million in nonrecurring funds is appropriated from the General
 163 Revenue Fund to the Florida Institute for Pediatric Rare
 164 Diseases for the implementation of the Sunshine Genetics Pilot
 165 Program established in s. 1004.4211, Florida Statutes.

166 Section 4. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4/2/25

Meeting Date

SB 1356

Bill Number or Topic

FISCAL POLICY

Committee

Amendment Barcode (if applicable)

Name PRADEEP BHIDE

Phone 850-645-9847

Address FSU COLLEGE OF MEDICINE

Email PBhide@FSU.EDU

Street

TALLAHASSEE FL 32306

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 1402

INTRODUCER: Appropriations Committee on Pre-K - 12 Education; Education Pre-K - 12 Committee;
and Senator Yarborough

SUBJECT: Students Enrolled in Dropout Retrieval Programs

DATE: April 1, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Palazesi	Bouck	ED	Fav/CS
2.	Gray	Elwell	AED	Fav/CS
3.	Palazesi	Siples	FP	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1402 defines dropout retrieval programs as programs that serve students who have officially withdrawn from high school and were not engaged in the education system at the time of enrollment in the dropout retrieval program. The bill also requires all dropout retrieval programs to choose between receiving a school improvement rating or a school grade.

The bill requires that each Virtual Instruction Provider (VIP) receives a school grade or school improvement rating for each district with which it contracts, based on the assessment scores of all students served within those districts. The bill also exempts a VIP operating as a dropout retrieval program from receiving a district grade.

This bill takes effect July 1, 2025.

This bill does not have a fiscal impact on state revenues or expenditures. **See Section V., Fiscal Impact Statement.**

II. Present Situation:

Virtual Instruction Programs

A virtual instruction program (VIP) is a program of instruction provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.¹ Florida law establishes a variety of options to make virtual instruction accessible to K-12 students. These options include:

- Full-time or part-time enrollment in a school district virtual instruction program;²
- Full-time enrollment in a virtual charter school;³
- Enrollment in individual virtual courses offered by school districts and approved by the Department of Education (DOE);⁴ and
- Full-time and part-time enrollment in Florida Virtual Schools (FLVS) or school district FLVS franchises.⁵

The VIP providers that are approved by the DOE must meet the following requirements:

- Align virtual course curriculum and course content to the state academic standards.
- Offer instruction that is designed to enable a student to gain proficiency in each virtual instruction course of study.
- Provide each student enrolled in the virtual instruction program with all the necessary instructional materials.
- Provide each full-time student enrolled in the virtual instruction program who qualifies for free or reduced-price school lunches and who does not have a computer or internet access in his or her home with the equipment necessary for participants in the virtual instruction program.⁶

Accel Schools East, Connections Education of Florida, LLC, FLVS, Graduation Alliance, Imagine Learning, K12 Florida, Mater Virtual Academy, Optima Academy Online, and Somerset Virtual Academy are the current DOE-approved statewide VIP programs.⁷

Each approved VIP must participate in the statewide assessment program and receive a school grade or school improvement rating. Each statewide VIP provider's school improvement rating or school grade is based on the aggregated assessment scores of all students served by the provider statewide. Additionally, each approved virtual instruction program provider receives a district grade based upon the aggregated assessment scores of all students served by the VIP

¹ Section 1002.45(1), F.S.

² Section 1002.45, F.S.

³ Sections 1002.33(1) and 1002.45(1), F.S.

⁴ Section 1003.498, F.S.

⁵ Section 1002.45(2), F.S.; see also Florida Department of Education, List of Approved Program and Course Providers, <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/approved-providers/> (last visited March 19, 2025).

⁶ Section 1002.45(3) F.S.

⁷ Florida Department of Education, *List of Approved Program and Course Providers*, available at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/approved-providers/> (last visited March 19, 2025).

statewide and a separate school grade for each school district with which it contracts based upon the assessment scores of all students served within the school district.⁸

Dropout Prevention and Academic Intervention

Dropout prevention and academic intervention programs differ from traditional educational programs and schools in scheduling, administrative structure, philosophy, curriculum, or setting and must employ alternative teaching methodologies, curricula, learning activities, and diagnostic and assessment procedures in order to meet the needs, interests, abilities, and talents of eligible students. Dropout prevention and academic intervention are required to provide curricula, character development and law education, and related services that support the program goals and lead to improved performance in the areas of academic achievement, attendance, and discipline.⁹ Educational alternative programs, disciplinary programs, dropout retrieval programs, alternative to expulsion programs, teenage parent programs, and city and county jail programs are considered dropout prevention programs.

Dropout retrieval programs are designed for students who have officially dropped out of school, re-enrolled and are persevering towards graduation with a primary focus on credit recovery and career planning. In the 2023-2024 school year, 3,095 students at all grade levels participated in a dropout retrieval program and the outcome data for students in dropout retrieval programs reveal the following:

- 530 (42.6 percent) of 1,244 students in grade 12 graduated with a high school diploma.
- 177 (6.3 percent) of 2,810 students in grades nine-12 dropped out of school.
- 1,851 (59.8 percent) of 3,095 students were promoted to a higher grade.
- 1,825 (59 percent) of 3,095 students missed 10 percent or more school days; and
- No students were suspended for more than 10 days or expelled.¹⁰

School Grades

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.¹¹ School grades are also used to determine whether a school must select or implement a turnaround option¹² or whether a school is eligible for school recognition funds as appropriated by the Legislature.¹³

Elementary, middle and high schools each share a basic model for determining school grades, based on the percentage of total points earned by a school for each component in the model. Middle and high school models include additional components beyond the basic model. Combination school models include the additional components for the grades served (*e.g.*, a school serving grades k-12 would include the additional components for the middle and high

⁸ Section 1002.45(7) F.S.

⁹ Section 1003.53(1), F.S.

¹⁰ Florida Department of Education, *Dropout Prevention and Academic Intervention Programs 2023-2024 Annual Report*, available at <https://www.fldoe.org/file/5576/2324DropoutPreventReport.pdf>.

¹¹ Section 1008.34(1), F.S.

¹² Section 1008.33(4), F.S.

¹³ Section 1008.36, F.S.

school models). Each school must receive a school grade based on the school's performance in the following components:¹⁴

- The percentage of eligible students passing statewide, standardized assessments in ELA, mathematics, science, and social studies.
- The percentage of eligible students who make learning gains in ELA and mathematics as measured by statewide, standardized assessments.
- The percentage of eligible students in the lowest 25 percent in ELA and mathematics, as identified by prior year performance on statewide, standardized assessments, who make learning gains as measured by statewide, standardized ELA assessments.
- For schools comprised of grade levels that include grade three, the percentage of eligible students who score an achievement level three or higher on the grade three statewide, standardized ELA assessment.
- For schools comprised of middle grades six through eight or grades seven and eight, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to SBE rule.¹⁵

For a school comprised of grades nine-12, or 10-12, the school's grade includes the following components:

- The four-year high school graduation rate of the school.
- The percentage of students who were eligible to earn college and career credit in a specified acceleration mechanism, who earn a specified industry certification, or who participate in Junior Reserve Officers' Training Corps courses and earn a qualifying score on the Armed Services Vocational Aptitude Battery.¹⁶

School Improvement Ratings for Alternative Schools

An alternative school, for the purposes of school accountability, is a school that provides dropout prevention and academic intervention services. An alternative school may choose to receive a school improvement rating or a school grade. School improvement ratings are calculated using student learning gains on statewide, standardized English Language Arts and mathematics assessments for all eligible students who are enrolled in the school and who have assessment scores or comparable scores for the preceding school year.¹⁷ Schools that improve their ratings by at least one level or maintain a "commendable" rating are eligible for school recognition awards. The school improvement rating identifies an alternative school as having one of the following ratings:

- Commendable: a significant percentage of the students attending the school are making learning gains.
- Maintaining: a sufficient percentage of the students attending the school are making learning gains.

¹⁴ Section 1008.34(3)(b), F.S.¹⁵ Section 1008.34(3), F.S.; *See also* Rule 6A-1.09981(4)(a)-(c), F.A.C.

¹⁵ Section 1008.34(3), F.S.; *See also* Rule 6A-1.09981(4)(a)-(c), F.A.C.

¹⁶ Section 1008.34(3)(b), F.S.

¹⁷ Section 1008.341(3), F.S.

- Unsatisfactory: an insufficient percentage of the students attending the school are making learning gains.¹⁸

III. Effect of Proposed Changes:

This bill amends section 1002.45, F.S., to require that each Virtual Instruction Provider (VIP) receive a school grade or school improvement rating for each district with which it contracts, based on the assessment scores of all students served within those districts. The bill also exempts VIP providers that operate as a dropout retrieval program from receiving a district grade.

The bill also amends s. 1003.53, F.S., to define a dropout retrieval program as a program serving students who have officially withdrawn from high school before graduation and were not engaged in the education system at the time of enrollment. The bill also requires all dropout retrieval programs to choose between receiving a school improvement rating or a school grade.

This act takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

¹⁸ Section 1008.341(2), F.S.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have a fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.45 and 1003.53.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations Committee on Pre-K - 12 Education on March 25, 2025:

The committee substitute requires all dropout retrieval programs to choose between receiving a school improvement rating or a school grade.

CS by Education Pre-K - 12 on March 17, 2025:

The committee substitute requires that each Virtual Instruction Provider (VIP) receive a school grade or school improvement rating for each district with which it contracts, based on the assessment scores of all students served within those districts. The committee substitute also exempts a VIP operating as a dropout retrieval program from receiving a district grade. Finally, the committee substitute moves the definition of a dropout retrieval program from the original bill to the dropout prevention and academic intervention statute.

B. Amendments:

None.

By the Appropriations Committee on Pre-K - 12 Education; the
Committee on Education Pre-K - 12; and Senator Yarborough

602-02902-25

20251402c2

A bill to be entitled

An act relating to students enrolled in dropout
retrieval programs; amending s. 1002.45, F.S.;
revising assessment and accountability requirements
for a virtual instruction program provider; providing
that a virtual instruction program provider operating
exclusively as a dropout retrieval program is exempt
from specified requirements; amending s. 1003.53,
F.S.; providing that dropout retrieval programs serve
a specified group of students; requiring a dropout
retrieval program to choose to receive a school grade
or school improvement rating; providing an effective
date.

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

Section 1. Paragraph (a) of subsection (7) of section
1002.45, Florida Statutes, is amended to read:

1002.45 Virtual instruction programs.—

(7) ASSESSMENT AND ACCOUNTABILITY.—

(a) Each approved virtual instruction program provider
contracted pursuant to this section must:

1. Participate in the statewide assessment program under s.
1008.22 and in the state's education performance accountability
system under s. 1008.31.

2. Receive a school grade under s. 1008.34 or a school
improvement rating under s. 1008.341, as applicable, for each
district with which it contracts, based on the assessment scores
of all students served within the school district. The school

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

602-02902-25

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~~improvement rating received by each approved virtual instruction~~
~~program provider shall be based upon the aggregated assessment~~
~~scores of all students served by the provider statewide. Each~~
approved virtual instruction program provider shall receive a
district grade pursuant to s. 1008.34 based upon the aggregated
assessment scores of all students served by the provider
statewide and a separate school grade or school improvement
rating for each school district with which it contracts based
upon the assessment scores of all students served within the
school district. A virtual instruction program provider
operating exclusively as a dropout retrieval program as
described in s. 1003.53(7) is exempt from the district grade
requirement of this paragraph. The department shall publish the
school grade or school improvement rating received by each
approved virtual instruction program provider on its Internet
website. The department shall develop an evaluation method for
providers of part-time programs which includes the percentage of
students making learning gains, the percentage of students
successfully passing any required end-of-course assessment, the
percentage of students taking Advanced Placement examinations,
and the percentage of students scoring 3 or higher on an
Advanced Placement examination.

Section 2. Present subsection (7) of section 1003.53,
Florida Statutes, is redesignated as subsection (8), and a new
subsection (7) is added to that section, to read:

1003.53 Dropout prevention and academic intervention.—

(7) Dropout retrieval programs serve students who have
officially withdrawn from high school before graduation and who
are not engaged in the education system at the time of

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602-02902-25

20251402c2

59 enrollment in the program. Each dropout retrieval program shall
60 choose to receive a school grade under s. 1008.34 or a school
61 improvement rating under s. 1008.341.

62 Section 3. This act shall take effect July 1, 2025.

4/2/25

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 1402

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Megan Fay

Phone (850) 222-9075

Address 124 W. Jefferson St.
Street

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Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

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representing:

Graduation
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 1470

INTRODUCER: Appropriations Committee on Pre-K - 12 Education and Senator Burgess

SUBJECT: School Safety

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2. <u>Gray</u>	<u>Elwell</u>	<u>AED</u>	Fav/CS
3. <u>Brick</u>	<u>Siples</u>	<u>FP</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1470 strengthens school safety measures, enhances behavioral threat management protocols, expands oversight of school security personnel, and clarifies campus security requirements. Specifically, the bill:

- Aligns the training and certification requirements for school security guards with those for school guardians and requires that all security guards be trained and approved by a sheriff.
- Clarifies participation in the school security guard program to private schools, ensuring they meet the same training and screening requirements as public schools.
- Enhances reporting requirements for school security guards and safe-school officers, requiring employment and disciplinary actions to be reported to the Florida Department of Law Enforcement (FDLE).
- Mandates that security guards submit the results of the required psychological evaluation to the sheriff for review.
- Clarifies that locked campus requirements apply only during school supervision hours, rather than whenever students are present.
- Expands the use of firearm detection canines by authorizing school districts, in addition to law enforcement agencies, to employ them for school security.
- Establishes a formal partnership between OSS and the Florida Association of School Safety Specialists (FS3) to develop training and certification programs for school safety personnel.
- Requires the Office of Safe Schools to convene a stakeholder work group to develop recommendations for the establishment of a Florida Institute of School Safety.

- Requires the Department of Education to establish and maintain a centralized system that integrates panic alert systems and digital school maps used by public schools.

This bill appropriates for the 2025-2026 fiscal year, the sum of \$450,000 in recurring general revenue funds to the Department of Education to implement the provisions of the centralized alert system. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2025

II. Present Situation:

Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program

School Guardian Training

Florida law requires sheriffs to assist district school boards, charter school governing boards, and private schools in exercising options for safe-school officers. Each sheriff must provide access to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises.

A sheriff who establishes a guardian program must consult with the Florida Department of Law Enforcement (FDLE) on programmatic guiding principles, practices, and resources, and is responsible for certifying school employees as school guardians if they meet statutory qualifications, including:

- Holding a license to carry a concealed weapon or concealed firearm.
- Completing a 144-hour training program, consisting of 12 hours of training to improve the school guardian's knowledge and skills necessary to respond to and de-escalate incidents on school premises and 132 total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors.
- Passing a psychological evaluation.
- Submitting to and passing an initial drug test and subsequent random drug tests.
- Successfully completing ongoing annual training, weapon inspection, and firearm qualification.¹

A sheriff who conducts the training or waives training requirements must issue a school guardian certificate and maintain detailed records of training, inspections, and certifications.²

Permitless Carry and Guardian Training Eligibility

A sheriff may only certify school employees as school guardians if they hold a concealed weapon or concealed firearm license under s. 790.06, F.S.³ However, in 2023, Florida enacted permitless concealed carry under s. 790.01(1), F.S., allowing individuals to carry a concealed firearm without obtaining a license under s. 790.06, F.S.⁴ Current law does not explicitly

¹ Section 30.15(1), F.S.

² *Id.* authorizes a sheriff to waive the guardian training requirements for a person who meets specified statutory criminal justice training standards and law enforcement qualifications.

³ *Id.*

⁴ Section 790.01(1), F.S.

authorize sheriffs to provide guardian training to individuals who are legally permitted to carry under Chapter 790, F.S., without a license.

Sheriff and School Guardian Reporting Requirements

Sheriff Reporting Responsibilities

A sheriff who issues a school guardian certificate must report to FDLE the name, date of birth, and certification date of the school guardian within 30 days. Additionally, each sheriff must submit quarterly reports to FDLE detailing:

- Upcoming school guardian training schedules.
- Training dates, locations, and registration contacts.
- Class capacity for training programs.

The FDLE must publish and update these reports at least quarterly on its website.

Sheriffs who fail to comply with these reporting requirements are ineligible to receive reimbursement from the Department of Education (DOE) for school guardian training expenses. However, upon submission of the required reports, sheriffs regain eligibility.⁵

School District, Charter School, and Private School Reporting Requirements

By February 1 and September 1 of each school year, each school district, charter school, and private school must report to the FDLE:

- The name, date of birth, and appointment date of each school guardian.
- The date of separation for any school guardian no longer serving in that capacity.

Failure to comply prohibits the school from operating a school guardian program in the following school year unless missing information is submitted.⁶

The FDLE Responsibilities and Enforcement

The FDLE must maintain a statewide list of all school guardians. This list must include:

- The guardian's name, certification date, and appointment date.
- The name of the appointing school district, charter school, or private school.
- Any additional information regarding misconduct or firearm discharges, except those occurring during training.
- The date a guardian separated from their appointment, if applicable.⁷

The FDLE must remove from the list any school guardian whose training has expired.

By March 1 and October 1 of each school year, the FDLE must notify the Department of Education of any sheriff, school district, charter school, or private school that has failed to comply with these reporting requirements.

⁵ Section 30.15, F.S.

⁶ *Id.*

⁷ *Id.*

The FDLE is authorized to adopt rules to implement these reporting requirements and may require additional identifying information as necessary to ensure accurate record-keeping of school guardians.⁸

Currently, 53 counties participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program.⁹

Behavioral Threat Management and School Safety Oversight

Florida law establishes the Office of Safe Schools (OSS) within the DOE to serve as the central authority for school safety, overseeing training standards, best practices, and compliance measures.¹⁰

The OSS develops, administers, and ensures compliance with Florida's statewide behavioral threat management framework, which includes a standardized threat assessment process, a digital reporting portal, and oversight of school-based and district-level threat management teams.¹¹

The OSS is also required to develop and implement a School Safety Specialist Training Program for school safety specialists, based on national and state best practices on school safety and security and must include active shooter training.¹²

Behavioral Threat Management Operational Process

The OSS is responsible for developing a statewide behavioral threat management operational process to assist school districts, charter school governing boards, and individual schools in identifying, assessing, managing, and monitoring potential threats. This process includes:

- Establishing and defining the duties of threat management teams.
- Developing criteria for behavioral risk and threat assessment.
- Implementing intervention, school support, and community services procedures.
- Providing guidelines for law enforcement intervention and risk management procedures.
- Establishing monitoring mechanisms for ongoing threats and interventions.
- Requiring schools to use the Florida-specific behavioral threat assessment instrument to coordinate interventions for students who may pose a threat.

Each school district, charter school governing board, and individual school must use the statewide behavioral threat management operational process upon its availability.¹³

⁸ *Id.*

⁹ Florida Department of Education, *Chris Hixon, Coach Aaron Feis, & Coach Scott Beigel Guardian Program*, <https://www.fldoe.org/safe-schools/guardian-program.html> (last visited Mar. 14, 2025).

¹⁰ Section 1001.212, F.S.

¹¹ Florida Department of Education, *Florida Harm Prevention and Threat Management Manual, Rule 6A-1.0019, F.A.C.*, available at <https://flrules.org/gateway/ruleno.asp?id=6A-1.0019>.

¹² Section 1001.212(4), F.S.

¹³ Section 1001.212(11)(a), F.S.

Florida-Specific Behavioral Threat Assessment Instrument

The OSS is required to develop the Florida-specific behavioral threat assessment instrument, which school districts, charter schools, and governing boards must use to evaluate student threats and coordinate intervention services. The assessment instrument:

- Includes a standardized threat assessment report containing documentation of evaluations, interventions, and ongoing monitoring.
- Establishes procedures for assessing student, family, school, and social dynamics when determining threat levels.
- Outlines requirements for school responses, law enforcement engagement, and mental health provider coordination in response to threats.
- Is integrated into the statewide digital threat management portal, where records are retained in accordance with State Board of Education (SBE) rules.¹⁴

Threat Management Portal and Data Access Restrictions

The OSS is responsible for developing, maintaining, and administering a statewide digital threat management portal to support behavioral threat assessment and intervention efforts. The portal digitizes the Florida-specific behavioral threat assessment instrument and is used by school districts, charter schools, and school governing boards for reporting, documentation, and coordination of student threat assessments.¹⁵

Florida law strictly regulates access to records maintained in the portal:

- The OSS and its system administrators may not access a threat assessment report, its corresponding documentation, or any other information stored in the portal.
- School districts and charter school governing boards may not access education records within the portal unless authorized by SBE rule.
- Parents may access their own child's education records in the portal but are not permitted direct access to the portal itself.
- The portal must have security controls that alert system administrators to any unauthorized access attempts.

Florida law further requires:

- Education records stored in the portal to be retained, maintained, and transferred only in compliance with SBE rule.
- A quarterly portal access review audit process to be developed and implemented by the OSS.
- Annual role-based training for authorized users of the portal to be provided by the OSS beginning August 1, 2025.
- Any unauthorized access, use, or release of an education record in the portal to be punishable by a fine of up to \$2,000.¹⁶

¹⁴ Section 1001.212(11)(b), F.S.

¹⁵ Section 1001.212(11)(c), F.S.

¹⁶ *Id.*

Federal and State Privacy Protections for Student Records

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, is the primary federal law governing access to student education records. FERPA prohibits the disclosure of personally identifiable information (PII) from student education records without prior written parental consent, unless an exception applies.¹⁷

FERPA applies to any educational institution receiving federal funds, including Florida's public schools, charter schools, and state education agencies.¹⁸ Education records include records that are directly related to a student and maintained by an educational agency or institution.¹⁹

Florida law further aligns with FERPA by stating that education records may not be disclosed without consent except as authorized by FERPA or other federal regulations.²⁰

Exceptions to FERPA's General Prohibition on Disclosure

State Program Audits and Compliance Monitoring

FERPA authorizes the disclosure of student records without parental consent to state and local educational authorities for the purpose of audits, program evaluations, and compliance monitoring related to state-supported education programs.²¹ This exception could permit the OSS to access threat assessment records if the access is necessary to monitor compliance with state safety policies.

Student Safety and Health Exceptions

FERPA's health or safety emergency exception allows schools to disclose student education records without parental consent when necessary to protect the health or safety of the student or other individuals.²² Disclosure under this provision must be limited to appropriate parties, such as law enforcement, school officials, or state safety agencies, who require the information to address an imminent threat.²³

This exception may justify the OSS's access to student threat assessment records if the access is necessary to protect student safety and prevent school violence. However, disclosures under the health or safety emergency exception must be limited to the duration of the emergency, and routine access to records would not be justified under this exception alone.²⁴

¹⁷ 20 U.S.C. § 1232g; 34 C.F.R. § 99.30.

¹⁸ 34 C.F.R. § 99.1.

¹⁹ 34 C.F.R. § 99.3.

²⁰ Section 1002.221, F.S.

²¹ 20 U.S.C. § 1232g; 34 C.F.R. § 99.31.

²² 20 U.S.C. § 1232g; 34 C.F.R. § 99.36.

²³ 34 C.F.R. § 99.36(b).

²⁴ 34 C.F.R. § 99.36(c).

District School Board Responsibilities for School Safety

Emergency Alert Procedures

Each public school, including charter schools, is required to implement a mobile panic alert system capable of connecting diverse emergency services technologies to ensure real-time coordination between multiple first responder agencies. Such system, known as “Alyssa's Alert,” integrates with local public safety answering point infrastructure to transmit 911 calls and mobile activations.²⁵

A public school district may also implement additional strategies or systems to ensure real-time coordination between multiple first responder agencies in a school security emergency.²⁶

Emergency Alert Procedures

Each district school board is required to provide for the control, safety, and welfare of students on school campuses, including implementing security measures to prevent violence and unauthorized access. Each district school superintendent must establish policies and procedures for preventing violence on school grounds, including assessing and intervening with individuals who may pose a threat.²⁷

Florida law also establishes specific locked campus requirements to regulate access to school buildings, classrooms, and campus gates. Each school district and charter school governing board must comply with statewide school safety requirements, which mandate:

- Locking all gates and access points that restrict ingress to or egress from a school campus when students are on campus, unless actively staffed, permitted under a shared-use agreement, or exempted by the school safety specialist based on other security measures.
- Keeping all school classroom doors and instructional spaces locked when occupied by students, except between class periods or when actively staffed at the door.
- Securing all campus access doors, gates, and entry points to school buildings at all times to prevent unauthorized ingress, unless a person is actively entering or exiting, or an exemption has been documented by the school safety specialist.
- Clearly marking the safest areas for sheltering in place within each classroom and instructional space, with students being notified of these locations within the first 10 days of the school year.²⁸

Enforcement and Compliance

Each school district and charter school must document compliance with these requirements through the Florida Safe Schools Assessment Tool (FSSAT),²⁹ maintained by the OSS. The OSS

²⁵ Section 1006.07(4)(c), F.S.

²⁶ Section 1006.07(4)(d), F.S.

²⁷ Section 1006.07, F.S.

²⁸ Section 1006.07(6), F.S.

²⁹ Section 1006.1493, F.S. The Florida Safe Schools Assessment Tool (FSSAT) is a statewide risk assessment and compliance monitoring system used by school districts and charter schools to evaluate school safety, identify security vulnerabilities, and document compliance with statutory safety requirements.

is authorized to conduct compliance visits to verify whether school safety specialists have appropriately documented exemptions or security adjustments.³⁰

Safe-School Officer Requirements

Florida law requires each public school, including charter schools, to have at least one safe-school officer assigned to its facility. School districts may partner with law enforcement agencies or private security agencies to meet this requirement through any combination of the following safe-school officer options:

- School resource officers (sworn law enforcement officers).
- School safety officers (sworn law enforcement officers who are employed by the school district).
- School guardians (trained school personnel or volunteers who complete guardian program training).
- School security guards (contracted private security personnel meeting state training and screening requirements).³¹

School Security Guards and Required Screening

A school district or charter school governing board may contract with a licensed security agency to employ a school security guard to fulfill the safe-school officer requirement. To serve in this role, an individual must:³²

- Hold a valid Class “D” (unarmed security) and Class “G” (armed security) license under Chapter 493, F.S.³³
- Complete 144 hours of required guardian program training.³⁴
- Pass a psychological evaluation administered by a licensed psychologist, with the results submitted to the sheriff’s office, school district, or charter school governing board.
- Submit to and pass an initial drug test and subsequent random drug tests, following state drug-free workplace regulations and applicable school district policies.
- Complete ongoing annual training, weapon inspections, and firearm qualifications, providing documentation to the appropriate contracting entity.³⁵

Additionally, contracts between a school district, charter school, or private security agency must specify who is responsible for training, inspection, and record maintenance related to school security guard qualifications.³⁶

Florida Safe Schools Canine Program

Florida law establishes the Florida Safe Schools Canine Program under the OSS within the DOE to support the use of firearm detection canines in K-12 schools. The program was created to:

³⁰ Section 1001.212(14), F.S.

³¹ Section 1006.12, F.S.

³² Section 1006.12(4), F.S.

³³ Section 493.6101(18), F.S.

³⁴ Section 30.15(1), F.S.

³⁵ Section 1006.12, F.S.

³⁶ *Id.*

- Encourage partnerships between schools, businesses, and law enforcement agencies to fund the acquisition, training, and care of firearm detection canines.
- Enhance school safety by increasing the presence of firearm detection canines in schools, reinforcing public confidence in law enforcement's role in school security.³⁷

A firearm detection canine is defined as any canine that is owned or the service of which is employed by a law enforcement agency for use in K-12 schools for the primary purpose of detecting firearms and ammunition.³⁸ These canines must be trained to interact with children and may also be trained as animal-assisted therapy canines.³⁹

III. Effect of Proposed Changes:

This bill strengthens school safety measures, enhances behavioral threat management protocols, expands oversight of school security personnel, and clarifies campus security requirements.

Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program

The bill amends s. 30.15, F.S., to modify training, certification, and oversight requirements for school guardians and school security guards. Specifically, the bill:

- Aligns the training and certification requirements for school security guards with those for school guardians, establishing consistent standards across both roles.
- Requires a sheriff to establish a school guardian program if a school board, charter school, or private school contracts for the use of school security guards.
- Authorizes private schools to contract for school security guards and allows a sheriff to establish a guardian program to provide training for private school security guards.
- Clarifies that security agencies are responsible for all training and screening-related costs for school security guards, which may not be waived by sheriffs, preventing the use of state funds for private security agency expenses. The bill clarifies that the fee a sheriff may charge a security agency for guardian training may not exceed the actual cost incurred by the sheriff to provide the training.
- Requires sheriffs to maintain documentation of training, certification, weapon inspection, and firearm qualification records for each certified school security guard.
- Specifies that a school security guard who has completed the guardian training program is not required to complete another guardian training program unless there has been at least a one-year break in appointment as a school guardian or employment as a school security guard.
- Authorizes a sheriff to provide guardian training to individuals who are legally permitted to possess or carry a concealed firearm under Florida law, aligning with the state's permitless carry provisions.
- Requires a sheriff to provide guardian training only to individuals who have already satisfied all background screening, psychological evaluation, and drug test requirements.
- Requires a sheriff to issue a school security guard certificate to individuals who meet all statutory screening, training, and experience requirements and to maintain documentation of

³⁷ Section 1006.121(1), F.S.

³⁸ Section 1006.121(2), F.S.

³⁹ Section 1006.121(3), F.S.

weapon and equipment inspections, training, certification, and qualification records for each certified school security guard.

Sheriff and School Guardian Reporting Requirements

To streamline reporting processes and enhance oversight, the bill aligns school security guard reporting requirements with those for school guardians. Specifically, the bill:

- Aligns school security guard reporting and recordkeeping requirements with those for school guardians and mandates that security agencies report to the FDLE the date a school security guard was last employed in a school.
- Clarifies that the fee a sheriff may charge a security agency for guardian training may not exceed the actual cost incurred by the sheriff to provide the training.
- Specifies that if no guardian or security guard training sessions are scheduled, the sheriff is not required to submit a quarterly training report to the FDLE.
- Removes outdated reporting requirements for sheriffs, school districts, charter schools, and private schools regarding school guardian certifications and appointments.

Behavioral Threat Management and School Safety Oversight

The bill amends s. 1001.212, F.S., to modify the duties of the OSS related to threat assessment processes and security exceptions. Specifically, the bill:

- Clarifies that the OSS is responsible for maintaining the statewide behavioral threat management operational process and the Florida-specific behavioral threat assessment instrument.
- Authorizes the State Board of Education to establish in rule when the OSS or its system administrators may access a threat assessment report, related documentation, or any other information required by the Florida-specific behavioral threat assessment instrument maintained in the portal. Access must comply with state and federal privacy laws.
- Requires the OSS to convene a stakeholder work group to develop recommendations for the establishment of a Florida Institute of School Safety. The work group must include representatives from postsecondary institutions, law enforcement, fire and emergency medical services, emergency management, school facilities staff, school safety specialists, school administrators, superintendents, school-based mental health professionals, and threat management practitioners. The recommendations must address potential programs and functions to enhance school safety. The Office must submit its finding and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2026.

The bill amends s. 1006.07, F.S., to require the Department of Education to establish and maintain a centralized system that integrates panic alert systems and digital school maps used by public schools, charter schools, and other educational institutions. The centralized system must:

- Receive and process alerts from Department-approved panic alert systems.
- Integrate digital maps to provide real-time situational awareness for law enforcement and emergency responders.
- Store and provide access to historical alert data for authorized state agencies.

The bill also requires that:

All public and charter schools connect their panic alert systems to the centralized system.

- Panic alert systems be interoperable with the centralized system to ensure seamless communication with emergency personnel.
- Digital maps required under s. 1013.13, F.S., be integrated into the centralized system to support emergency response coordination.

District School Board Responsibilities for School Safety

The bill also amends s. 1006.07, F.S., to modify locked campus and building requirements to apply only during school supervision hours rather than whenever students are present. It also clarifies when certain access points may remain unlocked. Specifically, the bill:

- Authorizes an exception to the requirement that campus areas and school buildings remain locked, permitting an access point to be unlocked if another closed and locked gate or access point separates it from areas occupied by students for campus areas, or if another closed and locked door, gate, or access point prevents access to a school building.
- Defines "school supervision hours" as the hours of the school day plus a reasonable time immediately before and after school when student supervision is available, as determined by school district policy.
- Clarifies that the exception allowing an access point to remain unlocked when it is actively staffed applies not only to campus entry points but also to school buildings when staffed by school personnel.
- Defines the terms "exclusive zone" and "nonexclusive zone" to clarify where locked access point requirements apply on a school campus. The exclusive zone refers to the interior portion of a campus that lies beyond a secured gate or door limiting access to a single point of entry. Locked access point requirements apply to this zone.
- Defines the nonexclusive zone as the area outside of the exclusive zone but still located on school property. These areas may include, but are not limited to, parking lots, athletic fields and stadiums, mechanical buildings, playgrounds, bus ramps, agricultural spaces, and other locations that do not provide direct, unimpeded access to the exclusive zone. The bill expressly states that locked access point requirements do not apply to nonexclusive zones.

The bill provides specific exemptions to the requirement that all school classrooms and other instructional spaces remain locked to prevent ingress when occupied by students. The bill allows a classroom or instructional space used for a career and technical education (CTE) program to remain unlocked if locking the space would pose a health or safety risk to students. In such cases, the school safety specialist, or his or her designee, must document in the Florida Safe Schools Assessment Tool (FSSAT) that the space is used for CTE and that other safety measures are in place to prevent authorized access.

The bill also exempts common areas such as cafeterias, media centers, and auditoriums from the locked classroom requirement, except when those spaces are being used for instructional time or student testing.

The bill requires that each substitute teacher be provided with all school safety protocols and policies before their first day of substitute teaching at a school.

Safe-School Officer Requirements

The bill amends s. 1006.12, F.S., to clarify participation in the school security guard program and increase oversight of security guard training, certification, and reporting requirements. Specifically, the bill:

- Clarifies private school authority to contract with security agencies for school security guards.
- Requires private schools contracting for security guards to adhere to all training and screening requirements applicable to public schools.
- Requires that all school security guards be trained by a sheriff pursuant to the training requirements of the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program.
- Mandates that security guards be approved by the sheriff of each county in which the school security guard will be assigned to a school before being assigned to a school in that county.
- Requires that school security guards submit the results of the required psychological evaluation to the sheriff for review.
- Mandates that all ongoing training, weapon inspections, and firearm qualifications for school security guards be conducted by a sheriff or through a sheriff-approved program.

The bill adds private school administrators to the notification requirements concerning safe-school officer misconduct and firearm discharges, supporting uniform reporting across all schools utilizing safe-school officers. The bill requires the OSS to provide the FDLE with any information it receives from a district school superintendent or charter school administrator, private school administrator, or respective designee concerning a school security guard who:

- Is dismissed for misconduct or is otherwise disciplined.
- Discharges his or her firearm in the exercise of the school security guard's duties, other than for training purposes.

Florida Safe Schools Canine Program

The bill expands the definition of the term "firearm detection canine" in s. 1006.121(2), F.S., to authorize school districts, rather than just law enforcement agencies, to employ firearm detection canines and specify that only sworn law enforcement officers may use the canines in K-12 schools.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill appropriates, for the 2025-2026 fiscal year, the sum of \$450,000 in recurring general revenue funds, to the Department of Education to implement the centralized system to integrate all panic alert systems and digital school maps used by public schools, charter schools, and other educational institutions, and for schools to connect their panic alert systems to the centralized system.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 30.15, 1001.212, 1006.07, 1006.12, and 1006.121.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Pre-K - 12 Education on March 24, 2025:

The committee substitute:

- Clarifies that the fee a sheriff may charge a security agency for guardian training may not exceed the actual cost incurred by the sheriff to provide the training.
- Replaces the provision requiring the Office of Safe Schools (OSS) to partner with the Florida Association of School Safety Specialists with a requirement that the OSS convene a stakeholder workgroup to develop recommendations for establishing a Florida Institute of School Safety, with findings due to the Governor and Legislature by January 1, 2026.
- Removes the requirement for OSS to maintain a list of exceptions to locked access point requirements.
- Defines the terms “exclusive zone” and “non-exclusive zone” and applies locked access point requirements only to the exclusive zone.
- Removes the provision authorizing the OSS to recognize exceptions to locked classroom requirements.
- Adds specific exceptions to locked classroom requirements for certain career and technical education (CTE) instructional spaces and common areas.
- Applies locked school building requirements to schools that do not have a secure exclusive zone, as a conforming change.
- Requires substitute teachers to be provided with all school safety protocols and policies before their first day of substitute teaching.

The committee substitute requires the Department of Education (DOE) to establish and maintain a centralized system that integrates panic alert systems and digital school maps used by public schools, charter schools, and other educational institutions. The centralized system must:

- Receive and process alerts from DOE-approved panic alert systems.
- Integrate digital maps to provide real-time situational awareness for law enforcement and emergency responders.
- Store and provide access to historical alert data for authorized state agencies.

The committee substitute also requires that:

- All public and charter schools connect their panic alert systems to the centralized system.
- Panic alert systems be interoperable with the centralized system to ensure seamless communication with emergency personnel.
- Digital maps required under s. 1013.13, F.S., be integrated into the centralized system to support emergency response coordination.

The committee substitute appropriates, for the 2025-2026 fiscal year, the sum of \$450,000 in recurring funds from the General Revenue Fund to the DOE to implement a centralized system to integrate all panic alert systems and digital school maps used by

public schools, charter schools, and other educational institutions, and for schools to connect their panic alert systems to the centralized system.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Appropriations Committee on Pre-K - 12 Education; and
Senator Burgess

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1 A bill to be entitled
2 An act relating to school safety; amending s. 30.15,
3 F.S.; requiring a sheriff to establish a school
4 guardian program if a school board contracts for the
5 use of security guards; providing that the security
6 agency is responsible for training and screening
7 costs; prohibiting such costs from exceeding a
8 specified amount; requiring a sheriff who conducts
9 training for security guards or who waives certain
10 training requirements for a person and makes a certain
11 determination to issue a school security guard
12 certificate; requiring the sheriff to maintain
13 specified documentation; deleting an obsolete
14 requirement for a sheriff to report information
15 relating to school guardians to the Department of Law
16 Enforcement; deleting an obsolete requirement for a
17 school district, charter school, or private school to
18 report information relating to a school guardian to
19 the Department of Law Enforcement; conforming
20 provisions to changes made by the act; amending s.
21 1001.212, F.S.; requiring the Office of Safe Schools to
22 convene a workgroup of specified entities; requiring
23 the workgroup to make recommendations for the
24 establishment of a Florida Institute of School Safety;
25 requiring the workgroup to submit its findings and
26 recommendations to the Governor and the Legislature by
27 a certain date; deleting a requirement for the office
28 to evaluate the methodology for the safe school
29 allocation; amending s. 1006.07, F.S.; requiring the

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30 Department of Education to establish a centralized
31 system to integrate all panic alert systems and
32 digital school maps used by specified entities;
33 providing requirements for the system; revising school
34 safety requirements that must be followed by a school
35 district or charter school governing board; defining
36 the terms "exclusive zone," "school supervision
37 hours," and "nonexclusive zone"; providing certain
38 exceptions to the safety requirements; providing
39 applicability; providing an exemption for certain
40 instructional spaces; specifying requirements for
41 common areas; requiring substitute teachers to be
42 provided all school safety protocols and policies;
43 providing an appropriation; amending s. 1006.12, F.S.;
44 requiring that a person who serves as a school
45 security guard be approved by the sheriff; providing
46 that the sheriff's approval authorizes the school
47 security guard to work at any school in the county;
48 requiring the Office of Safe Schools to provide to the
49 Department of Law Enforcement certain information
50 relating to a school security guard; amending s.
51 1006.121, F.S.; revising the definition of the term
52 "firearm detection canine"; providing an effective
53 date.

54
55 Be It Enacted by the Legislature of the State of Florida:

56
57 Section 1. Paragraph (k) of subsection (1) of section
58 30.15, Florida Statutes, is amended to read:

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30.15 Powers, duties, and obligations.—

(l) Sheriffs, in their respective counties, in person or by deputy, shall:

(k) Assist district school boards and charter school governing boards in complying with, or private schools in exercising options in, s. 1006.12. A sheriff shall ~~must~~, at a minimum, provide access to a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises, as required under this paragraph. Persons certified as school guardians pursuant to this paragraph have no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

1.a. If a local school board has voted by a majority to implement a guardian program or has contracted for the use of school security guards to satisfy the requirements of s. 1006.12, the sheriff in that county must ~~shall~~ establish a guardian program to provide training for school guardians or school security guards, pursuant to subparagraph 2., to school district, charter school, ~~or~~ private school, or security agency employees, either directly or through a contract with another sheriff's office that has established a guardian program.

b. A charter school governing board in a school district that has not voted, or has declined, to implement a guardian program may request the sheriff in the county to establish a guardian program for the purpose of training the charter school employees or school security guards consistent with the requirements of subparagraph 2. If the county sheriff denies the request, the charter school governing board may contract with a

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sheriff that has established a guardian program to provide such training. The charter school governing board must notify the superintendent and the sheriff in the charter school's county of the contract prior to its execution. The security agency employing a school security guard is responsible for all training and screening-related costs for a school security guard, but such charges may not exceed the actual cost incurred by the sheriff to provide the training.

c. A private school in a school district that has not voted, or has declined, to implement a guardian program may request that the sheriff in the county of the private school establish a guardian program for the purpose of training private school employees or school security guards. If the county sheriff denies the request, the private school may contract with a sheriff from another county who has established a guardian program under subparagraph 2. to provide such training. The private school must notify the sheriff in the private school's county of the contract with a sheriff from another county before its execution. The private school or security agency is responsible for all training and screening-related costs for a school guardian program. The sheriff providing such training must ensure that any moneys paid by a private school or security agency are not commingled with any funds provided by the state to the sheriff as reimbursement for screening-related and training-related costs of any school district or charter school employee.

d. The training program required in sub-subparagraph 2.b. is a standardized statewide curriculum, and each sheriff providing such training shall adhere to the course of

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instruction specified in that sub-subparagraph. This subparagraph does not prohibit a sheriff from providing additional training. A school guardian or school security guard who has completed the training program required in sub-subparagraph 2.b. may not be required to attend another sheriff's training program pursuant to that sub-subparagraph unless there has been at least a 1-year break in his or her appointment as a guardian or employment by a security agency as a school security guard in a school.

e. The sheriff conducting the training pursuant to subparagraph 2. for school district and charter school employees will be reimbursed for screening-related and training-related costs and for providing a one-time stipend of \$500 to each school guardian who participates in the school guardian program.

f. The sheriff may waive the training and screening-related costs for a private school for a school guardian program. Funds provided pursuant to sub-subparagraph e. may not be used to subsidize any costs that have been waived by the sheriff. The sheriff may not waive the training and screening-related costs required to be paid by a security agency for initial training or ongoing training of a school security guard.

g. A person who is certified and in good standing under the Florida Criminal Justice Standards and Training Commission, who meets the qualifications established in s. 943.13, and who is otherwise qualified for the position of a school guardian or school security guard may be certified as a school guardian or school security guard by the sheriff without completing the training requirements of sub-subparagraph 2.b. However, a person certified as a school guardian or school security guard under

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this sub-subparagraph must meet the requirements of sub-subparagraphs 2.c.-e.

2. A sheriff who establishes a program shall consult with the Department of Law Enforcement on programmatic guiding principles, practices, and resources, and shall certify as school guardians, without the power of arrest, school employees, as specified in s. 1006.12(3), or shall certify as school security guards those persons employed by a security agency who meet the criteria specified in s. 1006.12(4), and who:

a. Hold a valid license issued under s. 790.06 or are otherwise eligible to possess or carry a concealed firearm under chapter 790.

b. After satisfying the requirements of s. 1006.12(7), complete a 144-hour training program, consisting of 12 hours of training to improve the school guardian's knowledge and skills necessary to respond to and de-escalate incidents on school premises and 132 total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors, which must include:

(I) Eighty hours of firearms instruction based on the Criminal Justice Standards and Training Commission's Law Enforcement Academy training model, which must include at least 10 percent but no more than 20 percent more rounds fired than associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training.

(II) Sixteen hours of instruction in precision pistol.

(III) Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises.

(IV) Sixteen hours of instruction in active shooter or

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assailant scenarios.

(V) Eight hours of instruction in defensive tactics.

(VI) Four hours of instruction in legal issues.

c. Pass a psychological evaluation administered by a psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff's office. The Department of Law Enforcement is authorized to provide the sheriff's office with mental health and substance abuse data for compliance with this paragraph.

d. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff's office.

e. Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.

The sheriff who conducts the guardian training or waives the training requirements for a person under sub-subparagraph 1.g. shall issue a school guardian certificate to persons who meet the requirements of this section to the satisfaction of the sheriff, and shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian certified by the sheriff. A person who is certified under this paragraph may serve as a school guardian under s. 1006.12(3) only if he or she is appointed by the applicable school district superintendent, charter school principal, or private school head of school. A sheriff who conducts the training for a school

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security guard or waives the training requirements for a person under sub-subparagraph 1.g. and determines that the school security guard has met all the requirements of s. 1006.12(4) shall issue a school security guard certificate to persons who meet the requirements of this section to the satisfaction of the sheriff and shall maintain documentation of weapon and equipment inspections, training, certification, and qualification records for each school security guard certified by the sheriff.

3.a.(~~I~~) Within 30 days after issuing a school guardian or school security guard certificate, the sheriff who issued the certificate must report to the Department of Law Enforcement the name, date of birth, and certification date of the school guardian or school security guard.

~~(II) By September 1, 2024, each sheriff who issued a school guardian certificate must report to the Department of Law Enforcement the name, date of birth, and certification date of each school guardian who received a certificate from the sheriff.~~

b.(~~I~~) By February 1 and September 1 of each school year, each school district, charter school, employing security agency, and private school must report in the manner prescribed to the Department of Law Enforcement the name, date of birth, and appointment date of each person appointed as a school guardian or employed as a school security guard. The school district, charter school, employing security agency, and private school must also report in the manner prescribed to the Department of Law Enforcement the date each school guardian or school security guard separates from his or her appointment as a school guardian or employment as a school security guard in a school.

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(II) ~~By September 1, 2024, each school district, charter school, and private school must report to the Department of Law Enforcement the name, date of birth, and initial and end-of-appointment dates, as applicable, of each person appointed as a school guardian.~~

c. The Department of Law Enforcement shall maintain a list of each person appointed as a school guardian or certified as a school security guard in the state. The list must include the name and certification date of each school guardian and school security guard and the date the person was appointed as a school guardian or certified as a school security guard, including the name of the school district, charter school, or private school in which the school guardian is appointed, or the employing security agency of a school security guard, any information provided pursuant to s. 1006.12(5), and, if applicable, the date such person separated from his or her appointment as a school guardian or the last date a school security guard served in a school as of the last reporting date. The Department of Law Enforcement shall remove from the list any person whose training has expired pursuant to sub-subparagraph 1.d.

d. Each sheriff ~~shall must~~ report on a quarterly basis to the Department of Law Enforcement the schedule for upcoming school guardian trainings, to include guardian trainings for school security guards, including the dates of the training, the training locations, a contact person to register for the training, and the class capacity. If no trainings are scheduled, the sheriff is not required to report to the Department of Law Enforcement. The Department of Law Enforcement shall publish on its website a list of the upcoming school guardian trainings.

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The Department of Law Enforcement shall ~~must~~ update such list quarterly.

e. A sheriff who fails to report the information required by this subparagraph may not receive reimbursement from the Department of Education for school guardian trainings. Upon the submission of the required information, a sheriff is deemed eligible for such funding and is authorized to continue to receive reimbursement for school guardian training.

f. A school district, charter school, ~~or~~ private school, or employing security agency that fails to report the information required by this subparagraph is prohibited from operating ~~may not operate~~ a school guardian program or employing school security guards in for the following school year, unless the ~~missing school district, charter school, or private school has submitted the required information is provided.~~

g. By March 1 and October 1 of each school year, the Department of Law Enforcement shall notify the Department of Education of any sheriff, school district, charter school, or private school that has not complied with the reporting requirements of this subparagraph.

h. The Department of Law Enforcement may adopt rules to implement the requirements of this subparagraph, including requiring additional reporting information only as necessary to uniquely identify each school guardian and school security guard reported.

Section 2. Paragraphs (a), (b), and (c) of subsection (11) and subsection (17) of section 1001.212, Florida Statutes, are amended to read:

1001.212 Office of Safe Schools.—There is created in the

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Department of Education the Office of Safe Schools. The office is fully accountable to the Commissioner of Education. The office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning. The office shall:

(11) Develop a statewide behavioral threat management operational process, a Florida-specific behavioral threat assessment instrument, and a threat management portal.

(a)1. ~~By December 1, 2023,~~ The office shall maintain the ~~develop a~~ statewide behavioral threat management operational process to guide school districts, schools, charter school governing boards, and charter schools through the threat management process. The process must be designed to identify, assess, manage, and monitor potential and real threats to schools. This process must include, but is not limited to:

a. The establishment and duties of threat management teams.

b. Defining behavioral risks and threats.

c. The use of the Florida-specific behavioral threat assessment instrument developed pursuant to paragraph (b) to evaluate the behavior of students who may pose a threat to the school, school staff, or other students and to coordinate intervention and services for such students.

d. Upon the availability of the threat management portal developed pursuant to paragraph (c), the use, authorized user criteria, and access specifications of the portal.

e. Procedures for the implementation of interventions, school support, and community services.

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f. Guidelines for appropriate law enforcement intervention.

g. Procedures for risk management.

h. Procedures for disciplinary actions.

i. Mechanisms for continued monitoring of potential and real threats.

j. Procedures for referrals to mental health services identified by the school district or charter school governing board pursuant to s. 1012.584(4).

k. Procedures and requirements necessary for the creation of a threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument under paragraph (b).

2. ~~Upon availability,~~ Each school district, school, charter school governing board, and charter school shall ~~must~~ use the statewide behavioral threat management operational process.

3. The office shall provide training to all school districts, schools, charter school governing boards, and charter schools on the statewide behavioral threat management operational process.

4. The office shall coordinate the ongoing development, implementation, and operation of the statewide behavioral threat management operational process.

(b)1. ~~By August 1, 2023,~~ The office shall maintain the ~~develop a~~ Florida-specific behavioral threat assessment instrument for school districts, schools, charter school governing boards, and charter schools to use to evaluate the behavior of students who may pose a threat to the school, school staff, or students and to coordinate intervention and services for such students. The Florida-specific behavioral threat

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assessment instrument must include, but is not limited to:

a. An assessment of the threat, which includes an assessment of the student, family, and school and social dynamics.

b. An evaluation to determine whether a threat exists and if so, the type of threat.

c. The response to a threat, which includes the school response, the role of law enforcement agencies in the response, and the response by mental health providers.

d. Ongoing monitoring to assess implementation of threat management and safety strategies.

e. Ongoing monitoring to evaluate interventions and support provided to the students.

f. A standardized threat assessment report, which must include, but need not be limited to, all documentation associated with the evaluation, intervention, management, and any ongoing monitoring of the threat.

2. A report, all corresponding documentation, and any other information required by the instrument in the threat management portal under paragraph (c) is an education record and may not be retained, maintained, or transferred, except in accordance with State Board of Education rule.

3. ~~Upon availability,~~ Each school district, school, charter school governing board, and charter school shall ~~must~~ use the Florida-specific behavioral threat assessment instrument.

4. The office shall provide training for members of threat management teams established under s. 1006.07(7) and for all school districts and charter school governing boards regarding the use of the Florida-specific behavioral threat assessment

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instrument.

(c)1. By August 1, 2025, the office shall develop, host, maintain, and administer a threat management portal that will digitize the Florida-specific behavioral threat assessment instrument for use by each school district, school, charter school governing board, and charter school. The portal will also facilitate the electronic threat assessment reporting and documentation as required by the Florida-specific behavioral threat assessment instrument to evaluate the behavior of students who may pose a threat to the school, school staff, or students and to coordinate intervention and services for such students. The portal may not provide the office with access to the portal unless authorized in accordance with State Board of Education rule. The portal must include, but need not be limited to, the following functionalities:

a. Workflow processes that align with the statewide behavioral threat management operational process.

b. Direct data entry and file uploading as required by the Florida-specific behavioral threat assessment instrument.

c. The ability to create a threat assessment report as required by the Florida-specific behavioral threat assessment instrument.

d. The ability of authorized personnel to add to or update a threat assessment report, all corresponding documentation, or any other information required by the Florida-specific behavioral threat assessment instrument.

e. The ability to create and remove connections between education records in the portal and authorized personnel.

f. The ability to grant access to and securely transfer any

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education records in the portal to other schools or charter schools in the district.

g. The ability to grant access to and securely transfer any education records in the portal to schools and charter schools not in the originating district.

h. The ability to retain, maintain, and transfer education records in the portal in accordance with State Board of Education rule.

i. The ability to restrict access to, entry of, modification of, and transfer of education records in the portal to a school district, school, charter school governing board, or charter school and authorized personnel as specified by the statewide behavioral threat management operational process.

j. The ability to designate school district or charter school governing board system administrators who may grant access to authorized school district and charter school governing board personnel and school and charter school system administrators.

k. The ability to designate school or charter school system administrators who may grant access to authorized school or charter school personnel.

l. The ability to notify the office's system administrators and school district or charter school governing board system administrators of attempts to access any education records by unauthorized personnel.

2. Upon availability, each school district, school, charter school governing board, and charter school shall use the portal.

3. A threat assessment report, including, but not limited to, all corresponding documentation, and any other information

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required by the Florida-specific behavioral threat assessment instrument which is maintained in the portal, is an education record and may not be retained, maintained, or transferred, except in accordance with State Board of Education rule.

4. The office and the office system administrators may not have access to a threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument which is maintained in the portal, except in accordance with State Board of Education rule.

5. A school district or charter school governing board may not have access to the education records in the portal, except in accordance with State Board of Education rule.

6. The parent of a student may access his or her student's education records in the portal in accordance with State Board of Education rule, but may not have access to the portal.

7. The office shall develop and implement a quarterly portal access review audit process.

8. Upon availability, each school district, school, charter school governing board, and charter school shall comply with the quarterly portal access review audit process developed by the office.

9. By August 1, 2025, and annually thereafter, the office shall provide role-based training to all authorized school district, school, charter school governing board, and charter school personnel.

10. Any individual who accesses, uses, or releases any education record contained in the portal for a purpose not specifically authorized by law commits a noncriminal infraction,

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punishable by a fine not exceeding \$2,000.

(17) Convene a workgroup of stakeholders, including, but not limited to, postsecondary institutions, law enforcement, fire and EMS, emergency management, school facilities staff, school safety specialists, school administrators, superintendents, school-based mental health professionals, and threat management practitioners. The workgroup shall make recommendations for the establishment of a Florida Institute of School Safety, including programs and functions to enhance school safety. The workgroup shall submit the findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2026. By December 1, 2024, evaluate the methodology for the safe schools allocation in s. 1011.62(12) and, if necessary, make recommendations for an alternate methodology to distribute the remaining balance of the safe schools allocation as indicated in s. 1011.62(12).

Section 3. Paragraph (f) of subsection (6) of section 1006.07, Florida Statutes, is amended, paragraph (h) is added to that subsection, and paragraphs (f) and (g) are added to subsection (4) of that section, to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(f) The Department of Education shall establish a

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centralized system to integrate all panic alert systems and digital school maps used by public schools, charter schools, and other educational institutions. The system must:

1. Receive and process alerts from department-approved panic alert systems.

2. Integrate digital maps to provide real-time situational awareness to law enforcement and emergency responders.

3. Store and provide access to historical alert data for authorized state agencies.

(g) Each public and charter school shall connect its panic alert system to the centralized system. Panic alert systems must be interoperable with the centralized system to ensure seamless communication with law enforcement and emergency responders. Digital maps required under s. 1013.13 must also be integrated into the system to support emergency response.

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.

(f) School safety requirements.—~~By August 1, 2024,~~ Each school district and charter school governing board shall comply with the following school safety requirements:

1. All gates or other access points that restrict ingress to or egress from the exclusive zone of a school campus shall remain closed and locked during school supervision hours. For the purposes of this section, the term “exclusive zone” means the area within a gate or door allowing access to the interior perimeter of a school campus beyond a single point of entry. The

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term "school supervision hours" means the hours of the school day plus the reasonable time immediately before and after school during which student supervision is available per school district policy ~~when students are on campus~~. A gate or ~~other campus~~ access point to the exclusive zone may ~~only not~~ be open or unlocked during school supervision hours if one of the following conditions is met, regardless of whether it is during normal school hours, unless:

a. It is attended or actively staffed ~~by a person~~ when students are on campus;

b. The use complies is in accordance with a shared use agreement pursuant to s. 1013.101;

c. Another closed and locked gate or access point separates the open or unlocked gate from areas occupied by students; or

~~d.e.~~ The school safety specialist, or his or her designee, has documented in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools that the gate or other access point is not subject to this requirement based upon other safety measures at the school. The office may conduct a compliance visit pursuant to s. 1001.212(14) to review if such determination is appropriate.

This subparagraph does not apply to the nonexclusive zone of a school campus. The term "nonexclusive zone" means the area outside of the exclusive zone but contained on school property. Nonexclusive zones may include, but are not limited to, such spaces as parking lots, athletic fields and stadiums, mechanical buildings, playgrounds, bus ramps, agricultural spaces, and other areas that do not give direct, unimpeded access to the

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exclusive zone.

2.a. During school supervision hours, all school classrooms and other instructional spaces must be locked to prevent ingress when occupied by students, except between class periods when students are moving between classrooms or other instructional spaces. If a classroom or other instructional space door must be left unlocked or open for any other reason ~~other than between class periods when students are moving between classrooms or other instructional spaces~~, the door must be actively staffed by a person standing or seated at the door.

b. Instructional spaces for career and technical education which are designed as open areas for which compliance with the requirements of sub-subparagraph a. affects the health and safety of students may be exempted from compliance with that sub-subparagraph by the school safety specialist. For such a space to be exempt, the school safety specialist, or his or her designee, must document in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools that the instructional space is exempt from these requirements due to negative impacts to student health and safety and the presence of other safety measures at the school which prevent egress from the instructional space to hallways or other classrooms or instructional spaces.

c. Common areas on a school campus, including, but not limited to, cafeterias, auditoriums, and media centers, which are used for instructional time or student testing must meet the requirements of sub-subparagraph a. only when such areas are being used for instructional time or student testing.

3. For schools that do not have a secure exclusive zone,

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all campus access doors, gates, and other access points that allow ingress to or egress from a school building shall remain closed and locked during school supervision hours ~~at all times~~ to prevent unauthorized access, except when:

a. ingress, unless A person is actively entering or exiting the door, gate, or other access point;

b. The door, gate, or access point is actively staffed by school personnel to prevent unauthorized entry; or

c. The school safety specialist, or his or her designee, has documented in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools that the open and unlocked door, gate, or other access point is not subject to this requirement based upon other safety measures at the school. The office may conduct a compliance visit pursuant to s. 1001.212(14) to review if such determination is appropriate. All campus access doors, gates, and other access points may be electronically or manually controlled by school personnel to allow access by authorized visitors, students, and school personnel.

4. All school classrooms and other instructional spaces must clearly and conspicuously mark the safest areas in each classroom or other instructional space where students must shelter in place during an emergency. Students must be notified of these safe areas within the first 10 days of the school year. If it is not feasible to clearly and conspicuously mark the safest areas in a classroom or other instructional space, the school safety specialist, or his or her designee, must document such determination in the Florida Safe Schools Assessment Tool portal maintained by the Office of Safe Schools, identifying

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where affected students must shelter in place. The office shall assist the school safety specialist with compliance during the inspection required under s. 1001.212(14).

Persons who are aware of a violation of this paragraph must report the violation to the school principal. The school principal must report the violation to the school safety specialist no later than the next business day after receiving such report. If the person who violated this paragraph is the school principal or charter school administrator, the report must be made directly to the district school superintendent or charter school governing board, as applicable.

(h) Provision of school safety protocols and policies.—Each substitute teacher must be provided with all school safety protocols and policies before beginning his or her first day of substitute teaching at a school.

Section 4. For the 2025-2026 fiscal year, the sum of \$450,000 in recurring funds from the General Revenue Fund is appropriated to the Department of Education to implement the requirements under s. 1006.07(4)(f) and (g), Florida Statutes, as amended by this act.

Section 5. Subsections (4) and (5) of section 1006.12, Florida Statutes, are amended to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including

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639 charter schools. A district school board ~~shall must~~ collaborate
 640 with charter school governing boards to facilitate charter
 641 school access to all safe-school officer options available under
 642 this section. The school district may implement any combination
 643 of the options in subsections (1)-(4) to best meet the needs of
 644 the school district and charter schools.

645 (4) SCHOOL SECURITY GUARD.—A school district, ~~or~~ charter
 646 school governing board, or private school, as authorized under
 647 s. 1002.42(20), may contract with a security agency as defined
 648 in s. 493.6101(18) to employ as a school security guard an
 649 individual who holds a Class "D" and Class "G" license pursuant
 650 to chapter 493, provided the following training and contractual
 651 conditions are met:

652 (a) An individual who serves as a school security guard,
 653 for purposes of satisfying the requirements of this section,
 654 must:

655 1. Demonstrate completion of 144 hours of required training
 656 conducted by a sheriff pursuant to s. 30.15(1)(k)2.

657 2. Pass a psychological evaluation administered by a
 658 psychologist licensed under chapter 490 and designated by the
 659 Department of Law Enforcement and submit the results of the
 660 evaluation to the sheriff's office ~~and~~, school district, ~~or~~
 661 charter school governing board, private school, or employing
 662 security agency as applicable. The Department of Law Enforcement
 663 is authorized to provide the sheriff's office, school district,
 664 ~~or~~ charter school governing board, private school, or employing
 665 security agency with mental health and substance abuse data for
 666 compliance with this paragraph.

667 3. Submit to and pass an initial drug test and subsequent

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668 random drug tests in accordance with the requirements of s.
 669 112.0455 and the sheriff's office, school district, or charter
 670 school governing board, private school, or employing security
 671 agency, as applicable.

672 4. Be approved to work as a school security guard by the
 673 sheriff of each county in which the school security guard will
 674 be assigned to a school before commencing work at any school in
 675 that county. The sheriff's approval authorizes the security
 676 agency to assign the school security guard to any school in the
 677 county, and the sheriff's approval is not limited to any
 678 particular school.

679 5. Successfully complete ongoing training, weapon
 680 inspection, and firearm qualification conducted by a sheriff
 681 pursuant to s. 30.15(1)(k)2.e. on at least an annual basis and
 682 provide documentation to the sheriff's office, school district,
 683 ~~or~~ charter school governing board, private school, or employing
 684 security agency as applicable.

685 (b) The contract between a security agency and a school
 686 district, private school, or a charter school governing board
 687 regarding requirements applicable to school security guards
 688 serving in the capacity of a safe-school officer for purposes of
 689 satisfying the requirements of this section ~~must shall~~ define
 690 the entity or entities responsible ~~for training and the~~
 691 ~~responsibilities~~ for maintaining records relating to training,
 692 inspection, and firearm qualification.

693 (c) School security guards serving in the capacity of a
 694 safe-school officer pursuant to this subsection are in support
 695 of school-sanctioned activities for purposes of s. 790.115, and
 696 must aid in the prevention or abatement of active assailant

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incidents on school premises.

(d) The Office of Safe Schools shall provide the Department of Law Enforcement any information related to a school security guard that it receives pursuant to subsection (5).

(5) Notification.—The district school superintendent or charter school administrator, private school administrator, or a respective designee, shall notify the county sheriff and the Office of Safe Schools immediately after, but no later than 72 hours after:

(a) A safe-school officer is dismissed for misconduct or is otherwise disciplined.

(b) A safe-school officer discharges his or her firearm in the exercise of the safe-school officer's duties, other than for training purposes.

If a district school board, through its adopted policies, procedures, or actions, denies a charter school access to any safe-school officer options pursuant to this section, the school district must assign a school resource officer or school safety officer to the charter school. Under such circumstances, the charter school's share of the costs of the school resource officer or school safety officer may not exceed the safe school allocation funds provided to the charter school pursuant to s. 1011.62(12) and shall be retained by the school district.

Section 6. Subsection (2) of section 1006.121, Florida Statutes, is amended to read:

1006.121 Florida Safe Schools Canine Program.—

(2) DEFINITION.—As used in this section, the term "firearm detection canine" means any canine that is owned or the service

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of which is employed by a law enforcement agency or school district for use by a sworn law enforcement officer in K-12 schools for the primary purpose of aiding in the detection of firearms and ammunition.

Section 7. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

1470

Bill Number or Topic

Amendment Barcode (if applicable)

4/2/25
Meeting Date
Fiscal Policy
Committee

Name Dr. Danielle Thomas Phone 850-414-2578

Address 203 S. Monroe Street Email thomas@fsba.org
Street

Tallahassee FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:
FL School Boards
Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 1472

INTRODUCER: Senator Burgess

SUBJECT: Public Records/School Security Guards

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2. <u>Gray</u>	<u>Elwell</u>	<u>AED</u>	Favorable
3. <u>Brick</u>	<u>Siples</u>	<u>FP</u>	Favorable

I. Summary:

SB 1472, which is linked to the passage of SB 1470 (2025), amends s. 30.15, F.S., to create an exemption from public records requirements for any information held by the Florida Department of Law Enforcement (FDLE), a law enforcement agency, a school district, or a charter school that is reported to the FDLE under SB 1470 and would identify whether an individual has been certified to serve as a school security guard. This public record exemption supports the existing public record exemption for information that is held by a law enforcement agency, school district, or charter school that would identify whether a particular individual has been appointed as a safe-school officer at a public school, charter school, or private school. The list required to be maintained by the FDLE under SB 1470 could identify a school security guard if not exempt from disclosure.

The bill provides that the public record exemption is a public necessity because disclosure of the identity of a school security guard could affect his or her ability to adequately respond to an active assailant situation.

The bill establishes a public records exemption subject to the Open Government Sunset Review Act, with an automatic repeal date of October 2, 2030, unless reenacted by the Legislature. Additionally, the bill extends the sunset date for the exemption protecting school guardian certification information from October 2, 2029, to October 2, 2030.

The bill will become effective on the same date that SB 1470 (2025) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

This bill does not have a fiscal impact to state revenues or expenditures. **See Section V., Fiscal Impact Statement.**

II. Present Situation:

Access to Public Records - Generally

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business. The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.¹

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, section 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the legislature.² Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.³ Lastly, chapter 119, F.S., known as the Public Records Act, provides requirements for public records held by executive agencies.

Executive Agency Records – The Public Records Act

The Public Records Act provides that all state, county and municipal records are open for personal inspection and copying by any person, and that providing access to public records is the duty of each agency.⁴

Section 119.011(12), F.S., defines “public records” to include:

All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connections with the transaction of official business by any agency.

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business that are used to “perpetuate, communicate, or formalize knowledge of some type.”⁵

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public

¹ FLA. CONST. art. I, s. 24(a).

² See Rule 1.48, *Rules and Manual of the Florida Senate*, (2022-2024) and Rule 14.1, *Rules of the Florida House of Representatives*, (2022-2024)

³ *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).

⁴ Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

⁵ *Shevin v. Byron, Harless, Schaffer, Reid and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁶ A violation of the Public Records Act may result in civil or criminal liability.⁷

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.⁸ The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.⁹

General exemptions from the public records requirements are contained in the Public Records Act.¹⁰ Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.¹¹

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” There is a difference between records the Legislature has determined to be exempt from the Public Records Act and those which the Legislature has determined to be exempt from the Public Records Act *and confidential*. Records designated as “confidential and exempt” are not subject to inspection by the public and may only be released under the circumstances defined by statute.¹² Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.¹³

Open Government Sunset Review Act

The provisions of s. 119.15, F.S., known as the Open Government Sunset Review Act¹⁴ (the Act), prescribe a legislative review process for newly created or substantially amended¹⁵ public records or open meetings exemptions, with specified exceptions.¹⁶ The Act requires the repeal of such exemption on October 2 of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.¹⁷

⁶ Section 119.07, F.S.

⁷ Section 119.10, F.S.

⁸ FLA. CONST. art. I, s. 24(c).

⁹ *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

¹⁰ *See, e.g., s. 119.071(1)*, F.S.

¹¹ *See, e.g., s. 213.053(2)*, F.S.

¹² *WFTV, Inc. v. The Sch. Bd. of Seminole County*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

¹³ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

¹⁴ Section 119.15, F.S.

¹⁵ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

¹⁶ Section 119.15(2), F.S., provides that exemptions required by federal law or applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

¹⁷ Section 119.15(3), F.S.

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.¹⁸ An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt; or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.¹⁹

The Act also requires specified questions to be considered during the review process.

The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?²⁰

In examining an exemption, the Act directs the Legislature to question the purpose and necessity of reenacting the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.²¹ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to expire, the previously exempt records will remain exempt unless otherwise provided by law.²²

Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program

Sheriffs are required to assist district school boards, charter school governing boards, and private schools in exercising options for safe-school officers. A sheriff is required to provide access to a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises.

¹⁸ Section 119.15(6)(b), F.S.

¹⁹ Section 119.15(6)(b), F.S.

²⁰ Section 119.15(6)(a), F.S.

²¹ See *generally* s. 119.15, F.S.

²² Section 119.15(7), F.S.

A sheriff who establishes a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program is required to consult with the Florida Department of Law Enforcement (FDLE) on programmatic guiding principles, practices, and resources, and certify as school guardians, school employees who:

- Hold a license to carry a concealed weapon or concealed firearm.
- Complete a 144-hour training program, consisting of 12 hours of training on incident de-escalation and 132 total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors.
- Pass a psychological evaluation.
- Submit to and pass an initial drug test and subsequent random drug tests.
- Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.

The sheriff who conducts the guardian training is required to issue a school guardian certificate to individuals who meet these requirements and maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian certified by the sheriff.²³

Sheriff Reporting Responsibilities

A sheriff who issues a school guardian certificate must report to the FDLE the name, date of birth, and certification date of the school guardian within 30 days.

Additionally, each sheriff must submit quarterly reports to the FDLE detailing:

- Upcoming school guardian training schedules.
- Training dates, locations, and registration contacts.
- Class capacity for training programs.

The FDLE must publish and update these reports at least quarterly on its website.

Sheriffs who fail to comply with these reporting requirements are ineligible to receive reimbursement from the Department of Education (DOE) for school guardian training expenses. However, upon submission of the required reports, sheriffs regain eligibility.²⁴

School District, Charter School, and Private School Reporting Requirements

By February 1 and September 1 of each school year, each school district, charter school, and private school must report to the FDLE:

- The name, date of birth, and appointment date of each school guardian.
- The date of separation for any school guardian no longer serving in that capacity.

Failure to comply prohibits the school from operating a school guardian program in the following school year unless missing information is submitted.²⁵

²³ Section 30.15(1), F.S.

²⁴ Section 30.15(1)(k), F.S.

²⁵ *Id.*

The FDLE Responsibilities and Enforcement

The FDLE must maintain a statewide list of all school guardians. This list must include:

- The guardian's name, certification date, and appointment date.
- The name of the appointing school district, charter school, or private school.
- Any additional information regarding misconduct or firearm discharges, except those occurring during training.
- The date a guardian separated from their appointment, if applicable.

The FDLE must remove from the list any school guardian whose training has expired.

By March 1 and October 1 of each school year, the FDLE must notify the Department of Education of any sheriff, school district, charter school, or private school that has failed to comply with these reporting requirements.

The FDLE is authorized to adopt rules to implement these reporting requirements and may require additional identifying information as necessary to ensure accurate record-keeping of school guardians.²⁶

Any information held by the FDLE, a law enforcement agency, a school district, or a charter school that would identify whether a person has been certified to serve as a school guardian is exempt from disclosure requirements. The exemption will be repealed on October 2, 2029, unless reviewed and saved from repeal through reenactment by the Legislature.²⁷

Safe-School Officer Requirement

Florida law requires each district school board and school district superintendent to partner with law enforcement and security agencies to establish or assign one or more safe-school officers at each school facility within the district by implementing one or more safe-school officer options which best meet the needs of the school district and charter schools. These options include:

- Establishing a School Resource Officer (SRO) program through a cooperative agreement with law enforcement agencies. SROs are certified law enforcement officers.
- Commissioning one or more school safety officers. School safety officers are certified law enforcement officers who are employed by either a law enforcement agency or by the district school board.
- Participating in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program.
- Contracting with a security agency to employ as a school security guard an individual who holds a Class “D” and Class “G” license and completes the same training and evaluation requirements as a school guardian.²⁸

Additionally, a private school may partner with a law enforcement agency or a security agency to establish or assign one or more safe-school officers.²⁹ Any information that would identify

²⁶ *Id.*

²⁷ Section 30.15(6), F.S.

²⁸ Section 1006.12, F.S.

²⁹ Section 1006.12(18), F.S.

whether a particular individual has been assigned a safe-school officer at a private school and that is held by a law enforcement agency is exempt from public records disclosure requirements.³⁰

Currently, 53 counties participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program.³¹

SB 1470 School Safety (2025)

SB 1470 (2025), to which this bill is linked, aligns school security guard reporting and recordkeeping requirements with those for school guardians and mandates that security agencies report to the FDLE the date a school security guard was last employed in a school.

III. Effect of Proposed Changes:

This bill, which is linked to the passage of SB 1470 (2025), amends s. 30.15, F.S., to create an exemption from public records requirements for any information held by the Florida Department of Law Enforcement (FDLE) or a law enforcement agency, school district, or charter school and reported to the FDLE that would identify whether an individual has been certified to serve as a school security guard. This public record exemption supports the existing public record exemption for information that is held by a law enforcement agency, school district, or charter school that would identify whether a particular individual has been appointed as a safe-school officer at a public school, charter school, or private school. The list required to be maintained by the FDLE under SB 1470, if not protected, could identify a school security guard.

This exemption is consistent with existing protections for other safe-school officers and expands those protections to individuals serving as school security guards.

The bill states that the public record exemption is necessary because disclosing the identity of a school security guard could compromise their ability to respond effectively to an active assailant situation. Specifically, the bill provides that it is a public necessity that any information held by the FDLE, a district school board, a charter school governing board, or a sheriff a list of certified school security guard that may identify whether an individual has been certified to serve as a school security guard be made exempt from s. 119.07(1), F.S., and s. 24(a), Article I of the State Constitution.

The bill affirms that school security and student safety are fundamental state priorities and emphasizes the importance of protecting the safety of current and former school security guards. The bill states that school security guards serve a critical role as safe-school officers and first responders, and their presence on school grounds serves as a deterrent against incidents threatening the lives of students and school personnel.

The bill further specifies that disclosure of the identity of persons certified as school security guards might undermine such deterrence and may compromise their safety along with the safety

³⁰ Section 1002.42(20), F.S.

³¹ Florida Department of Education, *Chris Hixon, Coach Aaron Feis, & Coach Scott Beigel Guardian Program*, <https://www.fldoe.org/safe-schools/guardian-program.stml> (last visited Mar. 15, 2025).

of students. The public disclosure of such information would also adversely affect their ability to adequately respond to an active assailant incident, as an assailant might be alerted in advance that a particular individual is certified as a school security guard.

The bill also states that school security guards who have been appointed to that position might leave their appointment for a period of time while maintaining their certification, and, thereafter, be reappointed at a future date. The bill provides that the safety of such persons would be compromised if their status as school security guards became public record by virtue of their continued certification. The bill accordingly provides that it is necessary to protect the identity of persons certified as school security guards from public records requirements to effectively and efficiently implement the purpose and intent of school security guard programs.

The bill establishes a public records exemption subject to the Open Government Sunset Review Act, with an automatic repeal date of October 2, 2030, unless reenacted by the Legislature. Additionally, the bill extends the sunset date for the exemption protecting school guardian certification information from October 2, 2029, to October 2, 2030.

The bill will become effective on the same date that SB 1470 (2025) or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill enacts a new exemption for information that would identify an individual who has been certified to serve as a school guardian, thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law.

The purpose of the law is to protect information that would identify whether an individual has been certified to serve as a school security guard. This bill exempts only information held by the Florida Department of Law Enforcement (FDLE) or a law enforcement agency, school district, or charter school that would identify whether an individual has been certified to serve as a school security guard from the public records disclosure requirements. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have an impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 30.15 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Burgess

23-00209A-25

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A bill to be entitled

An act relating to public records; amending s. 30.15, F.S.; providing that certain information relating to school security guards held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school is exempt from public records requirements; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Subsection (6) of section 30.15, Florida Statutes, is amended to read:

30.15 Powers, duties, and obligations.—

(6) Any information held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school which ~~that~~ would identify whether a person has been certified to serve as a school guardian or school security guard is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2030 ~~2029~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that any information held by the Department of Law Enforcement, a law enforcement agency, a school district, or a charter school which would identify whether an individual has

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been certified to serve as a school security guard is exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. School security and student safety are fundamental priorities in this state, as is the safety of people serving or who have served as school security guards. School security guards serve a critical role as safe-school officers and first responders, and their presence on school grounds serves as a deterrent against incidents threatening the lives of students and school personnel. Disclosure of the identity of persons certified as school security guards might undermine such deterrence and may compromise their safety along with the safety of students. The public disclosure of such information would also adversely affect their ability to respond adequately to an active assailant incident, as an assailant might be alerted in advance that a particular individual is certified as a school security guard. Furthermore, school security guards who have been appointed to that position might leave their appointment for a period of time while maintaining their certification and, thereafter, be reappointed at a future date. The safety of such persons would be compromised if their status as school security guards became public record by virtue of their continued certification. Accordingly, it is necessary to protect the identity of persons certified as school security guards from public records requirements in order to implement effectively and efficiently the purpose and intent of school security guard programs.

Section 3. This act shall take effect on the same date that SB 1470 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 | thereof and becomes a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 1516

INTRODUCER: Senator Wright

SUBJECT: Aerospace Industry

DATE: April 1, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Ingram</u>	<u>Proctor</u>	<u>MS</u>	Favorable
2. <u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	Favorable
3. <u>Ingram</u>	<u>Siples</u>	<u>FP</u>	Favorable

I. Summary:

SB 1516 establishes the International Aerospace Innovation Fund (IAIF), administered by Space Florida, to accelerate global aerospace innovation by funding collaborative research and development projects, workforce development initiatives, and commercialization efforts. The bill requires the IAIF to develop partnerships between Florida-based aerospace companies and international companies. The IAIF will also drive innovation in critical technology areas related to aerospace and attract global investment in Florida's aerospace ecosystem. The bill also requires Space Florida to secure funding which may be received from the state, from private sector investments, or from international contributions.

The bill requires Space Florida to develop eligibility criteria for projects to be funded by the IAIF. At a minimum, a project must:

- Involve at least one aerospace company or organization that is based in this state;
- Be a partnership involving an international aerospace company, a university, a space agency, or a research institute; and
- Be intended, and have demonstrated potential, for commercialization.

Space Florida is required to establish a panel of experts to evaluate and recommend projects seeking funding and to establish an application process for the projects. Funding must be competitively awarded based on merit. Space Florida is required to identify and establish partnerships with countries with robust aerospace sectors. The bill authorizes Space Florida to negotiate and enter into bilateral agreements for the purposes of the IAIF.

The bill may have an indeterminate fiscal impact. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Space Florida

In 2006, the Legislature passed the Space Florida Act,¹ which consolidated Florida's three existing space entities, the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation, into a single entity called Space Florida.² Space Florida is established as an independent special district, a body politic and corporate, and a subdivision of the state, to foster the growth and development of a sustainable and world-leading aerospace³ industry in the state. Space Florida has all the powers, rights, privileges, and authority as provided under the laws of this state⁴, and receives state funding through contracts with the Florida Department of Commerce (FDC) and the Florida Department of Transportation (DOT).⁵

Space Florida acts as Florida's point of contact for state aerospace-related activities with federal agencies, the military, state agencies, businesses, and the private sector.⁶ Space Florida is authorized to purchase or construct facilities, set rates, fees, and charges for the use of facilities, and undertake joint financing with municipalities or private sector entities for any project.⁷ A project is:

- Any activity associated with any development, improvement, property, launch, utility, facility, system, works, road, sidewalk, enterprise, service, or convenience, which may include coordination with federal and state partners or agencies;
- Any rocket, capsule, module, launch facility, assembly facility, operations or control facility, tracking facility, administrative facility, or any other type of aerospace-related transportation vehicle, station, or facility;
- Any type of equipment or instrument to be used or useful in connection with any of the foregoing;
- Any type of intellectual property and intellectual property protection in connection with any of the foregoing including, without limitation, any patent, copyright, trademark, and service mark for, among other things, computer software;
- Any water, wastewater, gas, or electric utility system, plant, or distribution or collection system;
- Any small business incubator initiative, including any startup aerospace company, and any aerospace business proposing to expand or locate its business in this state, research and development company, research and development facility, education and workforce training facility, storage facility, and consulting service; or

¹ Chapter 2006-60, Laws of Fla.

² See ss. 331.301 through 331.371, F.S.

³ Section 331.303, F.S., defines "aerospace" as the technology and industry related to the design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry, including rockets, missiles, spacecraft, satellites, space vehicles, space stations, space and aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and activities, including, but not limited to, the application of aerospace and aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes.

⁴ Section 331.302, F.S.

⁵ Florida Accountability Contract Tracking System, Contracts Main Search, Vendor/Grantor Name - Space Florida, *available at* <https://facts.fldfs.com/Search/ContractSearch.aspx> (last visited Mar. 10, 2025).

⁶ Section 331.3011, F.S.

⁷ Section 331.305, F.S.

- Any tourism initiative, including any space experience attraction, microgravity flight program, aerospace launch-related activity, and space museum sponsored or promoted by Space Florida.⁸

According to Space Florida's 2024 Annual Operations Report, as of June 30, 2024, Space Florida had 161 total projects in development with an estimated value of \$5.6 billion in capital investment, and provided \$101.9 million in funding for 30 research projects, partnerships, and grants.⁹

Powers of Space Florida

In furtherance of its duties, Space Florida is given certain powers, including, but not limited to:¹⁰

- Using a corporate seal;
- Using patents, copyrights, and trademarks;
- Lending and investing money;
- Acquiring certain properties;
- Executing contracts;
- Issuing revenue bonds;
- Making expenditures for entertainment and travel expenses and business clients, guests, and other authorized persons; and
- Fixing and collecting fees, loan payments, rental payments, and other charges in connection with financing agreements.

Duties of Space Florida

In order to implement the Space Florida Act and carry out spaceport operations, Space Florida is given certain duties, including, but not limited to, creating a business plan, entering into agreements and cooperating with other state agencies, and consulting with appropriate federal agencies.¹¹

Specifically, Space Florida is required to:

- Enter into agreement with the Department of Education (DOE), the DOT, the FDC, and CareerSource Florida, Inc. (CSF).¹²
- In cooperation with the FDC, develop a plan to retain, expand, attract, and create aerospace industry entities, public or private, which results in the creation of high-value-added businesses and jobs in this state.¹³
- Develop, in cooperation with the FDC, a plan to provide financing assistance to aerospace businesses.¹⁴
- Carry out its responsibilities for spaceport operations by:

⁸ Section 331.303(14), F.S.

⁹ Space Florida, *Space Florida Annual Report 2024*, available https://cdn.prod.website-files.com/66c8a3fe36eef11411f2b1ef/674749d0769077b041d100ff_Annual-Report-2024-Final_compressed.pdf (last visited Mar. 10, 2025).

¹⁰ Section 331.305, F.S.

¹¹ Section 331.3051, F.S.

¹² Section 331.3051(2), F.S.

¹³ Section 331.3051(3), F.S.

¹⁴ Section 331.3051(6), F.S.

- Seeking federal support and developing partnerships to renew and upgrade the infrastructure and technologies at the Cape Canaveral Air Force Station, the John F. Kennedy Space Center, and the Eastern Range.
- Supporting federal efforts to clarify roles and responsibilities of federal agencies in an effort to streamline access for commercial launch users.
- Pursuing the development of commercial spaceports in the state in partnership with counties or municipalities, the Federal Government, or private entities.
- Promoting and facilitating launch activity within the state by supporting and assisting commercial launch operators' interactions with federal agencies for launching from Florida.
- Consulting, as necessary, with the appropriate federal, state, and local authorities, including the National Aeronautics and Space Administration (NASA), Federal Aviation Administration (FAA), Department of Defense, the DOT, Florida National Guard, and industry on establishing and operating spaceport infrastructure and facilities in the state.¹⁵

In 2023, the Legislature expanded those duties by requiring Space Florida to conduct the following collaborative measures:

- Solicit input regularly on Space Florida plans and activities from the aerospace industry, private sector spaceport territory stakeholders, each entity that owns or has ownership interest in a facility within spaceport territory, and other political subdivisions within spaceport territory.
- Partner with the Board of Governors to foster technological advancement and economic development for spaceport activities by strengthening higher education programs and supporting aerospace activities.
- Partner with the FDC's Division of Workforce Services, CSF, and local workforce development boards to support initiatives that address the high technology skills and staff resources needed to better promote the state's efforts in becoming the nation's leader in aerospace and space exploration.
- Partner with the Metropolitan Planning Organization Advisory Council to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process.¹⁶

Contracts, Grants, and Contributions

Space Florida is authorized to:

- Make and enter all contracts and agreements necessary or incidental to the performance of its functions and execution of its powers.
- Contract with, and accept and receive grants or loans of money, material, or property from, any person, private or public as the Space Florida Board determines necessary or desirable to carry out the purposes of the Space Florida Act.
- In connection with any such contract, grant, or loan, stipulate and agree to such covenants, terms, and conditions as the Space Florida board of directors deems appropriate.¹⁷

¹⁵ Section 331.3051(7), F.S.

¹⁶ Ch. 2023-200, s. 5 Laws of Fla. Section 331.3051(11), (12), (13), and (14), F.S.

¹⁷ Section 331.324, F.S.

Board of Directors

Under general law, Space Florida is governed by an independent board of directors (Space Florida Board), which consists of the Governor, or the Governor's designee, who is a voting member and serves as the chair and the following appointed members:¹⁸

- The Secretary of Transportation or his or her designee.
- Five members appointed by the Governor and subject to Senate confirmation.¹⁹
- One member appointed by the President of the Senate.²⁰
- One member appointed by the Speaker of the House of Representatives.²¹
- A representative of each of the following entities, appointed by the Governor, who shall serve as an ex officio, nonvoting member of the board:
 - An employee or official of a port district or port authority.²²
 - The Titusville-Cocoa Airport Authority.
 - The Jacksonville Aviation Authority.²³

The duties of the Space Florida Board include:

- Adopting rules and orders to conduct the business of Space Florida, the maintenance of records, and the form of all documents and records of Space Florida.
- Maintaining an executive office and Space Florida offices in close proximity to the John F. Kennedy Space Center.
- Appointing a president of Space Florida, and determining his or her title, functions, duties, powers, and salary.
- Abiding by all applicable federal labor laws in the construction and day-to-day operations of Space Florida and any spaceport.
- Preparing the annual report of operations as a supplement to its annual report, which is also required by law.²⁴

The Space Florida Board is authorized to exercise the following powers:

- Enter, and authorize any agent or employee of Space Florida to enter, upon any lands, waters, and premises, upon giving reasonable notice and due process to the land owner, for the purposes of making surveys, soundings, drillings, appraisals, and examinations necessary to perform its duties and functions.
- Execute all contracts and other documents, adopt all proceedings, and perform all acts determined by the Space Florida Board to be necessary or desirable to carry out the purposes of the Space Florida Act.

¹⁸ Section 331.3081(1), F.S.

¹⁹ Section 331.3081(1)(b), F.S. specifies that the five members must each reflect the state's interests in the aerospace sector and represent the intent, duties, and purpose of Space Florida or have at least 5 years of relevant experience at least one of the following areas: The aerospace industry, such member may not be currently employed by an entity that is under contract with Space Florida; bond financing; academic experience in aerospace, aviation, or a relevant science; or an aircraft facilities manager, a fixed-based operator, or a commercial airport operator.

²⁰ The appointed member must have at least 5 years of experience as provided in s. 331.3081(1)(b), F.S.

²¹ *Id.*

²² Section 315.02(2), F.S., defines "port authority" to mean any port authority in Florida created by or pursuant to the provisions of any general or special law or any district or board of county commissioners acting as a port authority under or pursuant to the provisions of any general or special law.

²³ Section 331.3081(1), F.S.

²⁴ Section 331.310(2), F.S.

- Establish and create such departments, committees, or other entities as from time to time the Space Florida Board deems necessary or desirable in the performance of any acts or other things necessary to the exercise of the powers provided in statute.
- Provide financial services to support aerospace-related business development within the state. Financial services may include, but are not limited to:
 - Insuring, coinsuring, or originating for sale direct aerospace-related loans.
 - Direct lending.
 - Guaranteeing and collateralizing loans.
 - Creating accounts.
 - Capitalizing, underwriting, leasing, selling, or securing funding for aerospace-related infrastructure.
 - Investing in permissible securities.
 - Organizing financial institutions and international bank syndicates.
 - Acquiring, accepting, or administering grants, contracts, and fees from other organizations to perform activities that are consistent with the purposes of Space Florida's business plan. If the Space Florida Board deems a financial services entity is necessary, the Space Florida Board may create, form, or contract with one or more such entities.
- Examine, and authorize any officer or agent of Space Florida to examine, the county tax rolls with respect to the assessed valuation of the real and personal property within any spaceport territory.
- Engage in the planning and implementation of space-related economic and educational development within the state.
- Provide the strategic direction for the aerospace-related research priorities of the state and its aerospace-related businesses.
- Execute intergovernmental agreements and development agreements consistent with prevailing statutory provisions, including, but not limited to, special benefits or tax increment financing initiatives.
- Establish reserve funds for future Space Florida Board operations.
- Adopt rules to carry out the purposes of the Space Florida Act.²⁵

Florida Opportunity Fund

In 2007 the Legislature passed the Capital Formation Act (Act),²⁶ a multi-faceted approach to nurturing entrepreneurs and emerging companies in the state, with the intent to mobilize private investment in a broad variety of partnerships in diversified industries and geographies.²⁷ One component of the Act was the creation of the Florida Opportunity Fund as an investor in seed and early stage businesses, infrastructure projects, venture capital funds, and angel funds.²⁸ Designed to mobilize investment in a broad variety of Florida-based, new technology companies and to generate a return sufficient to continue reinvestment, the Florida Opportunity Fund, the private, not-for profit corporation, is required to:

²⁵ Section 331.310(1), F.S. Sections 288.9621-288.96255, F.S.

²⁶ Chapter 2007-189, Laws of Fla.

²⁷ Section 288.9622, F.S.

²⁸ *Id.*

- Invest in certain seed and early stage venture capital funds. The fund also may make direct investments, including loans, in individual businesses and infrastructure projects. While not precluded from investing in venture capital funds that have investments outside this state, the fund must require a venture capital fund to show a record of successful investment in this state, to be based in this state, or to have an office in this state staffed with a full-time, professional venture investment executive in order to be eligible for investment.
- Negotiate for investment capital or loan proceeds from private, institutional, or banking sources.
- Negotiate any and all terms and conditions for its investments.
- Invest only in funds, businesses, and infrastructure projects that have raised capital from other sources so that the amount invested in such funds, businesses, or infrastructure projects is at least twice the amount invested by the fund. Direct investments must be made in Florida infrastructure projects or businesses that are Florida-based or have significant business activities in Florida and operate in technology sectors that are strategic to Florida, including, but not limited to, enterprises in life sciences, information technology, advanced manufacturing processes, aviation and aerospace, and homeland security and defense, as well as other strategic technologies.
- Form or operate other entities and accept additional funds from other public and private sources to further its purpose.²⁹

III. Effect of Proposed Changes:

The bill amends s. 331.3051, F.S., to revise Space Florida's duties to include administering the International Aerospace Innovation Fund (IAIF).

The bill also amends s. 331.310, F.S., to conform a cross-reference to incorporate Space Florida's duty to administer the IAIF.

The bill creates s. 331.372, F.S., to establish the IAIF, administered by Space Florida, to accelerate global aerospace innovation by funding collaborative research and development projects, workforce development initiatives, and commercialization efforts.

As part of funding such projects, initiatives, and commercialization efforts, the IAIF will develop partnerships between Florida-based aerospace companies and international aerospace companies, drive innovation in critical technology areas related to aerospace, including, but not limited to, space exploration, advanced manufacturing, and space infrastructure, and attract global investment in this state's aerospace ecosystem.

Space Florida is required to secure funding for the IAIF, which may be received from:

- The state, in the form of direct appropriations to Space Florida for purposes of the International Aerospace Innovation Fund, investment by the Florida Opportunity Fund,³⁰ and any other investment, loan, or grant funds for which projects of the IAIF qualify.
- Private sector investments. Space Florida may solicit matching funds from and partner with private aerospace companies and venture capital funds.

²⁹ Sections 288.9622 and 288.9624, F.S.

³⁰ Section 288.9624, F.S.

- International contributions. To the extent permitted under state law, Space Florida may collaborate with foreign industry development organizations or innovation authorities to co-fund IAIF projects.

The bill requires Space Florida to establish an application process for projects seeking funding from the IAIF and develop eligibility criteria for projects that may be funded by the IAIF. Space Florida must also establish a panel of aerospace experts to evaluate and recommend projects.

The eligibility criteria for projects must include, but are not limited to, all of the following:

- The project must involve at least one aerospace company or organization that is based in this state.
- The project must be a partnership that involves at least one of the following:
 - An international aerospace company.
 - A university.
 - A space agency.
 - A research institute.
- The project must be intended, and have demonstrated potential, for commercialization.

Funding by the IAIF must be competitively awarded to eligible projects based on merit.

In addition, the bill requires Space Florida to identify and establish partnerships, to the extent possible, with countries that have robust aerospace sectors.

The bill authorizes Space Florida to negotiate and enter into bilateral agreements for the purposes of the IAIF, which may include, but are not limited to, the establishment of co-funding commitments, intellectual property rights, and collaboration terms.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Funding for the IAIF may be derived from private sector investments and international contributions, as secured by Space Florida. The impact on the private sector is indeterminate. However, the bill may have a positive impact on funding for Florida aerospace companies or organizations, since the bill requires that a project must involve at least one aerospace company or organization that is based in this state.

C. Government Sector Impact:

Funding for the IAIF from the state, as secured by Space Florida, may be in the form of direct appropriation for the purposes of the IAIF, investment by the Florida Opportunity Fund, and other investment, loan, or grant funds for which the IAIF projects qualify. Therefore, the bill may have an indeterminate fiscal impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 331.3051 and 331.310.

This bill creates section 331.372 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Wright

8-01510A-25

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A bill to be entitled

An act relating to the aerospace industry; amending s. 331.3051, F.S.; requiring Space Florida to administer the International Aerospace Innovation Fund; amending s. 331.310, F.S.; conforming a cross-reference; creating s. 331.372, F.S.; establishing the International Aerospace Innovation Fund; providing the purpose and duties of the fund; requiring Space Florida to secure funding from certain sources; requiring Space Florida to develop certain eligibility criteria; providing requirements for such eligibility criteria; requiring that funding be awarded in a certain manner; requiring Space Florida to establish a certain panel; requiring Space Florida to establish an application process for projects seeking funding from the fund; requiring Space Florida to identify and establish certain partnerships; authorizing Space Florida to negotiate and enter into bilateral agreements for certain purposes; providing an effective date.

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

Section 1. Present subsections (15) and (16) of section 331.3051, Florida Statutes, are redesignated as subsections (16) and (17), respectively, and a new subsection (15) is added to that section, to read:

331.3051 Duties of Space Florida.—Space Florida shall:

(15) Administer the International Aerospace Innovation Fund

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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established under s. 331.372.

Section 2. Paragraph (e) of subsection (2) of section 331.310, Florida Statutes, is amended to read:

331.310 Powers and duties of the board of directors.—

(2) The board of directors shall:

(e) Prepare an annual report of operations as a supplement to the annual report required under s. 331.3051(17) ~~or~~ 331.3051(16). The report must include, but not be limited to, a balance sheet, an income statement, a statement of changes in financial position, a reconciliation of changes in equity accounts, a summary of significant accounting principles, the auditor's report, a summary of the status of existing and proposed bonding projects, comments from management about the year's business, and prospects for the next year.

Section 3. Section 331.372, Florida Statutes, is created to read:

331.372 International Aerospace Innovation Fund.—

(1) The International Aerospace Innovation Fund is established to accelerate global aerospace innovation by funding collaborative research and development projects, workforce development initiatives, and commercialization efforts. The International Aerospace Innovation Fund shall be administered by Space Florida.

(2) The International Aerospace Innovation Fund shall:

(a) Develop partnerships between Florida-based aerospace companies and international aerospace companies.

(b) Drive innovation in critical technology areas related to aerospace as defined in s. 331.303, including, but not limited to, space exploration, advanced manufacturing, and space

Page 2 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 infrastructure.

60 (c) Attract global investment in this state's aerospace
61 ecosystem.

62 (3) Space Florida shall secure funding for the
63 International Aerospace Innovation Fund. Funding may be received
64 from:

65 (a) The state, in the form of direct appropriations to
66 Space Florida for purposes of the International Aerospace
67 Innovation Fund, investment by the Florida Opportunity Fund, and
68 any other investment, loan, or grant funds for which projects of
69 the International Aerospace Innovation Fund qualify.

70 (b) Private sector investments. Space Florida may solicit
71 matching funds from and partner with private aerospace companies
72 and venture capital funds.

73 (c) International contributions. To the extent permitted
74 under state law, Space Florida may collaborate with foreign
75 industry development organizations or innovation authorities to
76 co-fund International Aerospace Innovation Fund projects.

77 (4)(a) Space Florida shall develop eligibility criteria for
78 projects that may be funded by the International Aerospace
79 Innovation Fund. The eligibility criteria must include, but are
80 not limited to, all of the following:

81 1. The project must involve at least one aerospace company
82 or organization that is based in this state.

83 2. The project must be a partnership that involves at least
84 one of the following:

85 a. An international aerospace company.

86 b. A university.

87 c. A space agency.

8-01510A-25

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88 d. A research institute.

89 3. The project must be intended, and have demonstrated
90 potential, for commercialization.

91 (b) Funding must be competitively awarded to eligible
92 projects based on merit. Space Florida shall establish a panel
93 of aerospace experts to evaluate and recommend projects.

94 (c) Space Florida shall establish an application process
95 for projects seeking funding by the International Aerospace
96 Innovation Fund.

97 (5) Space Florida shall identify and establish
98 partnerships, to the extent possible, with countries that have
99 robust aerospace sectors.

100 (6) Space Florida may negotiate and enter into bilateral
101 agreements for the purposes of this section, which may include,
102 but are not limited to, the establishment of co-funding
103 commitments, intellectual property rights, and collaboration
104 terms.

105 Section 4. This act shall take effect July 1, 2025.

4/2/2025

Meeting Date

Fiscal Policy

Committee

The Florida Senate
APPEARANCE RECORD

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Senate professional staff conducting the meeting

1516

Bill Number or Topic

Amendment Barcode (if applicable)

Name

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Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Florida Chamber of Commerce

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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4/2/25

Meeting Date

1516

Bill Number or Topic

Fiscal Policy

Committee

Name

Lindsay Pierce

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State

32301

Zip

Speaking: ☐ For ☐ Against ☐ Information **OR** Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☒

I am a registered lobbyist,
representing:

Space Florida

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/SB 1624

INTRODUCER: Fiscal Policy Committee; Appropriations Committee on Higher Education; and Senator Calatayud

SUBJECT: Higher Education

DATE: April 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	HE	Favorable
2.	Gray	Elwell	AHE	Fav/CS
3.	Jahnke	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1624 modifies provisions related to higher education, workforce development, and regulation which focuses on tuition and fee policies, educational programs, workforce training, and institutional operations. Relating to:

- Tuition and fees, the bill:
 - Requires state universities to establish a market rate out-of-state-fee for “nonresident online students.”
 - Shifts a Florida College System institution allocation of financial aid fees to assist underrepresented students instead of targeted gender or ethnic minorities.
 - Provides tuition and fee waivers for active Florida State Guard members.
 - Repeals the out-of-state fee waiver for nonresident students with a Florida resident grandparent.
- The Office of Ocean Economy at Florida Atlantic University, the bill expands office duties to include collaboration with career centers and the College of the Florida Keys and with education and industry to strengthen Florida’s maritime industry, and requires a catalog of ocean economy programs, credentialing opportunities, and training providers.
- The Graduation Alternative to Traditional Education (GATE) Program, the bill authorizes partnerships with online providers, modifies the age limit, removes a simultaneous enrollment requirement for secondary and career education, and expands uses of the GATE Startup Fund to support marketing and outreach efforts.
- Higher education governance and institutional changes, the bill:

- Renames Hillsborough Community College to Hillsborough College.
- Removes the Board of Governors requirement to provide electronic access to degree job placement and earnings rankings.
- Expands preeminent state research university eligibility by adding the Classical Learning Test (CLT) as an alternative to the SAT and ACT.
- Eliminates reporting requirements on student open access resources and the performance of the annual host entity.
- Modifies licensure exemption requirements for nonpublic religious postsecondary institutions and establishes requirements related to an institution affidavit.

This bill does have a fiscal impact on revenues and expenditures for State Government and institutions. **See Section V., Fiscal Impact Statement.**

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Office of Program Policy Analysis and Government Accountability

Present Situation

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is a research arm of the Florida Legislature. The OPPAGA was created by the Legislature in 1994 to help improve the performance and accountability of state government. The OPPAGA provides data, evaluative research, and objective analyses to assist legislative budget and policy deliberations. The OPPAGA conducts research as directed by state law, the presiding officers, or the Joint Legislative Auditing Committee.¹

Effect of Proposed Changes

The bill modifies s. 11.52, F.S., by authorizing the OPPAGA to develop contracts or agreements with State University System institutions to utilize the expertise of state university faculty and research staff to provide assistance in analysis and evaluative research.

Postsecondary Tuition and Fees

Present Situation

Residency Status for Tuition Purposes

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by public postsecondary institutions. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.²

¹ Office of Program Policy and Government Accountability, *About Us*, <https://oppaga.fl.gov/About> (last visited Mar. 14, 2025).

² Section 1009.21, F.S.

To qualify as a resident for tuition purposes, a person, or if that person is a dependent child, his or her parent or parents, must have established legal residence in Florida and must have maintained legal residence for at least 12 consecutive months immediately prior to his or her initial enrollment in the public postsecondary institution.³

Each public postsecondary institution must make a residency determination based on the submission of at least two forms of documentation specified in law. Documentation includes, but is not limited to, a Florida voter registration card, Florida driver's license, Florida vehicle registration, homestead exemption (which is a single, conclusive proof of residency), proof of full-time Florida employment, declaration of domicile, Florida incorporation, lease agreements, or utility bills.⁴

Tuition and Out-of-State Fees

Florida law defines "tuition" as the basic fee charged to a student for instruction provided by a public postsecondary educational institution in the state. A student who is classified as a resident for tuition purposes qualifies for the in-state tuition rate. An out-of-state fee is the additional fee for instruction charged to a student who does not qualify for the in-state tuition rate,⁵ unless these costs are exempted or waived.⁶

The resident undergraduate tuition rate for the State University System (SUS) is set at \$105.07 per credit hour.⁷ The SUS average tuition and out-of-state fee is \$570.01 per credit hour.⁸

The BOG may establish tuition for graduate and professional programs and out-of-state fees for all programs for state universities. Except as otherwise provided, the sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.⁹

The Florida College System (FCS) tuition rate for college credit courses is \$71.98 per credit hour, and the out-of-state fee is \$215.94 per credit hour. Baccalaureate degree program resident tuition is \$91.79 per credit hour, and the total tuition and out-of-state fee may not exceed 85 percent of the tuition and out-of-state fee of the nearest state university.¹⁰ If a career center offers college credit courses as a part of a career associate degree program, the standard tuition is also \$71.98 per credit hour, and the out-of-state fee is \$215.94 per credit hour.¹¹

³ Section 1009.21(2), F.S. This section also specifies other circumstances that may classify a person as a resident for tuition purposes.

⁴ Section 1009.21(3), F.S.

⁵ Section 1009.01, F.S.

⁶ Section 1009.24(2), F.S.

⁷ Section 1009.24(4), F.S.

⁸ Florida Board of Governors, *State University System of Florida, Tuition and Required Fees, 2024-25* at 4, <https://www.flbog.edu/wp-content/uploads/2024/10/2024-2025-SUS-Tuition-and-Fees-Report-FINAL.pdf> (last visited Mar. 14, 2025)

⁹ Section 1009.24(4), F.S.

¹⁰ Section 1009.23(3), F.S.

¹¹ Section 1009.22(4), F.S.

For non-college-credit career programs at career centers and FCS institutions, the standard tuition is \$2.33 per contact hour, and the out-of-state fee is \$6.99 per contact hour. Each district school board or FCS institution board of trustees may adopt tuition and out-of-state fees that vary no more than five percent below or five percent above such fees.¹²

Additional Student Fees

Each FCS and SUS institution is authorized to charge additional student fees. Such fees may include activity, service, athletics, financial aid, technology, capital improvements, and other user fees and fines.¹³

Specifically, each FCS institution's board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, five percent of the total student tuition or out-of-state fees collected. Up to 25 percent or \$600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of a targeted gender or ethnic minority population.¹⁴

Tuition and Fee Waivers

To support access to higher education, school districts, each FCS institution and state university is authorized to provide a variety of tuition and fee waivers for eligible students. These waivers support individuals based on employment, military service, financial need, and other specific circumstances.¹⁵ These waivers include, but are not limited to, the following:

- University Employees – Waiver for full-time employees of a state university for up to six credit hours per term on a space-available basis.
- Classroom Teachers – Waiver for full-time classroom teachers to enroll in up to six credit hours per term in undergraduate courses related to special education, mathematics, or science.
- Graduate Students in School Psychology Programs – Waiver for internship credit hours for graduate students completing internships in public schools under the supervision of a certified school psychologist.
- Dependents of Deceased First Responders – Waiver for spouses and children of first responders who died in the line of duty.
- Active-Duty Military Members – Waiver of out-of-state fees for active-duty service members residing or stationed outside Florida.
- Grandparent Waiver – Waiver of out-of-state fees for students with a grandparent who is a Florida resident, provided the student achieves an SAT combined score no lower than the 89th national percentile or the concordant score on the ACT or Classic Learning Test (CLT), and enrolls full-time in an undergraduate program.¹⁶

¹² Section 1009.22(3), F.S.

¹³ Sections 1009.23 and 1009.24, F.S.

¹⁴ Section 1009.23(8), F.S.

¹⁵ See Sections 1009.25, 1009.26, and 1009.265, F.S.

¹⁶ Section 1009.26, F.S.

Additionally, FCS and SUS institutions are authorized to waive tuition and fees for full-time state employees. Eligible employees may enroll in up to six credit hours per term on a space-available basis, promoting professional development opportunities for state personnel.¹⁷

Effect of Proposed Changes

Residency Status for Tuition Purposes

The bill modifies s. 1009.21, F.S., by defining a “nonresident online student” as a person who is admitted to a Florida College System institution or state university as an online student and does not qualify for in-state tuition or fee rates.

Student Fees

The bill modifies s. 1009.23, F.S., by authorizing an FCS institution to allocate a portion of financial aid fees to assist underrepresented students rather than students who are members of a targeted gender or ethnic minority.

Tuition and Fee Waivers

The bill amends s. 251.001, F.S., by providing tuition and fee waivers for active members of the Florida State Guard to enroll in a state university or Florida College System institution for up to six credit hours of courses per term on a space-available basis. This waiver is similar to the existing tuition and fee waiver available to state employees.

The bill amends s. 1009.26, F.S., by revising the grandparent out-of-state fee waiver by replacing the legal residency requirement with a new standard requiring the grandparent to have established domicile in Florida for at least five years.

State College Regional Consortium Organization

Present Situation

School districts with 20,000 or fewer students, developmental research (laboratory) schools, and the Florida School for the Deaf and Blind may enter into cooperative agreements to form a regional consortium service organization (regional consortium).¹⁸ Each regional consortium must provide, at a minimum, three of the following services:

- Exceptional student education.
- Teacher student centers.
- Environmental education.
- Federal grant procurement and coordination.
- Data processing.
- Health insurance.
- Risk management insurance.
- Staff development.
- Purchasing.

¹⁷ Section 1009.265, F.S.

¹⁸ Section 1001.451, F.S.

- Planning and accountability.¹⁹

The board of directors of a regional consortium may use various means to generate revenue in support of its activities, which may include patents, copyrights, and trademarks and licenses. Such funds must be used to support the organization's marketing and research development activities in order to improve and increase services to its member districts.²⁰

Effect of Proposed Changes

Creates s. 1001.68, F.S., to create the state college regional consortium service organizations to improve the effectiveness and efficiency of small institutions in the Florida College System that serve rural communities. Colleges with 5,000 or fewer full-time equivalent students may enter into cooperative agreements to form a regional consortium service organization. Each organization must provide at least three of the following services:

- Grant procurement.
- Institutional research and reporting.
- Risk management.
- Professional development for faculty and staff.
- Leadership support.
- Information technology and cybersecurity training.
- Faculty and staff recruitment.
- Workforce development programs.
- Cooperative purchasing.
- Administrative services.
- Enrollment services.

Each state college regional consortium service organization must be governed by a board of directors composed of the presidents of the respective member colleges.

The Office of Ocean Economy

Present Situation

The maritime industry encompasses a wide range of interrelated activities such as shipping, shipbuilding, port operations, maritime logistics, fishing and aquaculture, offshore energy, and marine services. The maritime industry facilitates the movement of goods, connects markets, supports industries, and plays a vital role in sustainable development.

The U.S. marine economy plays a significant role in the national economy, contributing \$432 billion in gross domestic product (GDP) and supporting 2.3 million jobs across various industries. In 2021, the sector generated \$730 billion in sales, reflecting a 10.5 percent increase and demonstrating its substantial economic impact. Notably, the tourism and recreation sector

¹⁹ *Id.*

²⁰ Section 1001.451(5), F.S.

experienced 27.3% growth (\$49.8 billion), underscoring the marine economy's vital role in driving business activity, sustaining employment, and supporting overall economic stability.²¹

Florida's marine economy plays a vital role in the state's economic landscape, supporting numerous businesses, jobs, and wages. As of the most recent data:

- There are 24,588 marine-related businesses operating in the state, contributing to economic activity across various sectors.
- The industry employs 546,866 workers, reflecting its significant impact on Florida's job market.
- These jobs provide a total of \$20.6 billion in wages, supporting livelihoods across the coastal and marine sectors.
- Florida's marine economy contributes \$39.9 billion to the state's GDP, demonstrating its importance in driving statewide economic growth.²²

The Office of Ocean Economy (office) is created within the State University System and housed at Florida Atlantic University (FAU). The office is created to connect the state's ocean and coastal resources to economic development strategies that grow, enhance, or contribute to the ocean economy.²³

The duties of the office are to advance research, innovation, industry recruitment, funding, and workforce training to grow the ocean economy. The office is intended to foster collaboration among universities, colleges, and industry partners while maintaining an online inventory of research and resources. The office identifies economic challenges, supports commercialization, removes regulatory barriers, and expands financial opportunities. It also tracks job growth, wages, and business development while promoting Florida's role in the global ocean economy. Additionally, the office educates state and local entities on aligning economic growth with environmental sustainability.²⁴

Effect of Proposed Changes

The bill amends s. 288.036, F.S., by revising the duties of the Office of Ocean Economy at FAU. The bill expands the collaboration and coordination between the office and institutions. Specifically, the bill:

- Shifts from fostering relationships to actively collaborating and coordinating with institutions.
- Expands the scope of collaboration to include career centers and specifies collaboration with the College of the Florida Keys.

The bill adds "strengthening the workforce" as an explicit goal in identifying economic challenges and solutions within the ocean economy. This may broaden the office's role in addressing labor market demands alongside innovation, commercialization, and financial growth.

²¹ Office of Coastal Management, Fast Facts, *Marine Economy*, <https://coast.noaa.gov/states/fast-facts/marine-economy.html> (last visited Mar. 14, 2025).

²² NOAA, *2024 Marine Economy Report: Florida* (2021), available at <https://coast.noaa.gov/data/digitalcoast/pdf/marine-economy-florida.pdf>.

²³ Section 288.036(2), F.S.

²⁴ Section 288.036(3), F.S.

Additionally, the bill expands the office's online reporting requirements by requiring an inventory of programs related to the ocean economy, an evaluation of additional credentialing opportunities, and a list of institutions or training providers offering these credentials.

The bill requires the office to collaborate with public and private educational and industry organizations to make recommendations in:

- Strengthening employment opportunities in specific maritime sectors, including commercial fishing, fisheries and aquaculture, shipbuilding, and shipping.
- Expanding maritime education programs and launching a public awareness campaign.
- Increasing access to dual enrollment, preapprenticeship, apprenticeship, and work-study programs in both public and private institutions.
- Aligning regulatory frameworks for fishing and boat operations with workforce demand through coordination with the Fish and Wildlife Conservation Commission.

Furthermore, the bill clarifies that the office must provide a detailed report on the economic benefits of its activities, and beginning August 1, 2026, the report must include recommendations related to workforce expansion and regulatory alignment.

Florida Center for Brain Tumor Research

Present Situation

In July 2006, the Florida legislature established the Florida Center for Brain Tumor Research (FCBTR), within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida, in a coordinated effort among the state's public and private universities and hospitals and the biomedical industry to discover cures for brain tumor and develop brain tumor treatment modalities.²⁵

The FCBTR serves as a collaborative, statewide resource, maintaining a biorepository of cancerous and non-cancerous brain tumor specimens, along with matched samples of DNA, plasma, serum, and cerebrospinal fluid. These samples are collected from patients who provide informed consent at various healthcare institutions across Florida. Professional research coordinators and tissue acquisition specialists facilitate the collection process, ensuring that valuable specimens and data are available for future research. The bank distributes materials to researchers both within Florida and beyond, supporting investigations into improved treatments and potential cures for brain tumors.²⁶

In addition to its biorepository functions, the FCBTR has awarded pilot funding to researchers throughout the state. This funding has led to the development of novel therapies currently being tested in clinical trials and has resulted in significant extramural funding and meaningful collaborations between public and private institutions in Florida.²⁷

²⁵ Section 381.853, F.S.

²⁶ Florida Center for Brain Tumor Research, College of Medicine, University of Florida, *About Us*, <https://fcbtr.ufl.edu/about-us/> (last visited Mar. 14, 2025).

²⁷ Florida Center for Brain Tumor Research, College of Medicine, University of Florida, *About Us*, <https://fcbtr.ufl.edu/about-us/> (last visited Mar. 14, 2025).

The FCBTR operates under the guidance of a scientific advisory council, which includes biomedical researchers, physicians, clinicians, and representatives from public and private universities and hospitals. The council members are appointed by the Governor, Speaker of the House of Representatives, President of the Senate, and State Surgeon General. These members serve staggered 4-year terms and without compensation. The council meets at least annually to provide oversight and strategic direction.²⁸

Effect of Proposed Changes

The bill amends s. 381.853, F.S., to shift the appointment authority to the President of the University of Florida, in consultation with the dean of the University of Florida College of Medicine, to appoint the advisory council members for the Florida Center for Brain Tumor Research.

Assistive Technology Advisory Council

Present Situation

The Assistive Technology Advisory Council was established to ensure consumer involvement in the development, application, and distribution of assistive technology for individuals with disabilities. The council plays a critical role in statewide policy development, legislative advocacy, and the oversight of assistive technology programs to enhance accessibility and service delivery. Its responsibilities include reviewing consumer responsiveness, evaluating program effectiveness, and advising on resource allocation to improve assistive technology access across Florida.²⁹

The council is composed of members representing a diverse range of stakeholders, including individuals with disabilities, their family members, consumer advocacy organizations, business and industry representatives, and various state agencies involved in disability services. A majority of its members must be individuals with disabilities who are assistive technology consumers or their family members. Membership is also required to be geographically representative of the state and reflect diversity in race, ethnicity, gender, age, and disability type. Members are appointed by the Commissioner of Education and serve terms of up to three years, with a limit of two consecutive terms. A member who has served two terms may be reappointed after a three-year break, ensuring opportunities for new voices while maintaining institutional knowledge.³⁰

Effect of Proposed Changes

The bill modifies s. 413.407, F.S., by removing diversity, race, ethnicity, gender, and age from the requirement that the Assistive Technology Advisory Council members be representative of the state's population. The bill also increases the term limit of council members from three to five years.

²⁸ Section 381.853(4), F.S.

²⁹ Section 413.407, F.S.

³⁰ Section 413.407(1), F.S.

Apprenticeship Training Programs

Present Situation

Apprenticeship training provides educational opportunities for individuals to develop skills for trades, occupations, and professions that align with their abilities. These programs promote hands-on training in occupations requiring physical manipulative skills by expanding job training opportunities and strengthening coordination between academic programs, career programs, and registered apprenticeships. By combining on-the-job training with related classroom instruction, apprenticeship programs help individuals gain practical experience while enhancing their knowledge and expertise.

Efforts to support apprenticeship training include establishing preapprenticeship programs within the public school system, expanding existing registered programs, and developing new programs in occupations that are well-suited for apprenticeship. Oversight of these programs ensures the adoption of uniform minimum standards, assists educational institutions in developing preapprenticeship opportunities, and upholds the quality of training through program promotion, registration, monitoring, and enforcement of standards.³¹

The established uniform minimum standards and policies governing apprenticeship and preapprenticeship programs ensure training providers submit necessary performance data while maintaining quality training standards. These standards regulate apprentice employment and training conditions, including ratios of apprentices to journeymen, safety measures, related instruction, and on-the-job training. An annual report is published by September 1 detailing registered programs, expenditures, program completion rates, wage progression, and public engagement efforts. It also assists district school boards, Florida College System institutions, program sponsors, and workforce development boards in promoting apprenticeship opportunities to students, parents, and the community.³²

Apprenticeship and preapprenticeship programs must meet established standards to be registered and maintained, ensuring compliance through monitoring and investigation of complaints. Programs that fail to adhere to standards or refuse to cooperate with oversight efforts may have their registration canceled. The development and expansion of apprenticeship opportunities are supported through outreach initiatives, including efforts to educate veterans on career pathways. Local apprenticeship sponsors receive assistance in developing training standards, and registered programs are encouraged to grant credit to individuals who have completed preapprenticeship programs. Apprenticeship programs must operate in compliance with all applicable standards, with minority and gender diversity considered in their administration.³³

Effect of Proposed Changes

The bill modifies s. 446.032, F.S., by changing the required publishing date of the annual report on apprenticeship and preapprenticeship programs from September 1 to November 30.

³¹ Section 446.011, F.S.

³² Section 446.032, F.S.

³³ Section 446.041, F.S.

The bill amends s. 446.041, F.S., by removing the term “minority and gender diversity” and replacing it with “underrepresented groups” to be considered in the administration of apprenticeship and preapprenticeship training programs.

Florida Educational Equity Act

Present Situation

The Florida Educational Equity Act³⁴ (FEEA) requires equal access to, and prohibits discrimination against, any student or employee of the state’s K-20 public education system on the basis of race, ethnicity, gender, national origin, disability, religion, or marital status. No individual may, on such bases, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.³⁵ Additionally, the prohibition on discrimination extends to participation in any interscholastic, intercollegiate, club, or intermural athletics offered by a public K-20 educational institution, and no K-20 education institution may provide athletics separately on such basis, except as provided by law.³⁶ Further, the FEEA expressly requires that any discrimination motivated by anti-Semitic³⁷ intent be treated in an identical manner to discrimination motivated by race.³⁸

Public schools and Florida College System (FCS) institutions must develop and implement strategies to increase participation among students of a particular race, color, national origin, sex, disability, or marital status in programs where they have been traditionally underrepresented. These efforts apply to fields such as mathematics, science, computer technology, electronics, communications technology, engineering, and career education to promote greater diversity and inclusion.³⁹

The FEEA is implemented by the Board of Governors through regulations⁴⁰ and rules adopted by the State Board of Education (SBE).⁴¹ Additionally, the Office of Equal Educational Opportunity (OEEO), within the Department of Education (DOE), serves implementation functions including, but not limited to, the following:

³⁴ Section 1000.05(1), F.S.

³⁵ Section 1000.05(2)(a), F.S. Students may be separated for permissible single gender programs, for portions of a class that deals with human reproduction, or during participation in bodily contact sports. Section 1000.05(2)(d), F.S. All K-20 public education classes and guidance services must be made available to students without regard to any of the bases described above. Section 1000.05(2)(c) and (e), F.S.

³⁶ Section. 1000.05(3)(a), F.S. Public K-20 educational institutions are authorized to maintain separate teams for members of each gender or based on ability in certain circumstances. Section. 1000.05(3)(b)-(c), F.S. It is the responsibility of the Board of Governors and the Commissioner of Education to determine whether equal athletic opportunities are provided for both genders at state universities and in school districts and Florida College Systems, respectively. Section 1000.05(3)(d), F.S.

³⁷ For purposes of this section, the term “anti-Semitism” includes a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his or her property, or toward Jewish community institutions or religious facilities. Section 1005.05(8), F.S. The FEEA also lists examples of anti-Semitism. Section 1000.05(7)(a)-(b), F.S.

³⁸ Section 1000.05(8), F.S.

³⁹ Section 1000.05(5), F.S.

⁴⁰ Board of Governors Regulation 2.003.

⁴¹ Rule 6A-19.010, F.A.C.

- Requiring all district school boards and FCS institution boards of trustees to develop and submit plans for the implementation of the FEEA to the DOE.
- Requiring all district school boards and Florida College System institution boards of trustees to submit data and information necessary to determine compliance with the FEEA.
- Developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida College System institutions comply with Title IX of the Education Amendments of 1972 and the FEEA.
- Reporting to the Commissioner of Education any district school board or FCS institution board of trustees found to be out of compliance with the FEEA or the rules implementing the FEEA.⁴²

The SBE is responsible for ensuring compliance with its rules by district school boards and FCS institution boards of trustees. If a board is found to be out of compliance, the Commissioner of Education must report the violation, and the SBE may impose penalties, including declaring the institution ineligible for competitive state grants and directing the Chief Financial Officer to withhold general revenue funds until compliance is achieved. The institution remains ineligible for funding until it meets compliance requirements or the SBE approves a corrective plan.⁴³

The FEEA provides a cause of action for anyone aggrieved by a violation of the FEEA. Such an individual is authorized to seek equitable relief and, should he or she prevail, he or she may be awarded reasonable attorney fees and court costs.⁴⁴

Effect of Proposed Changes

The bill amends s. 1000.05, F.S., by renaming the “Florida Educational Equity Act” to the “Florida Educational Equality Act”. The bill changes the term “gender” to “sex” and removes the term “particular race, color, national origin, sex, disability or marital status” and replaces it with “underrepresented.”

Additionally, the bill removes the specific reporting duty of the OEEO and the penalties for non-compliance in favor of requiring the Commissioner of Education and State Board of Education to utilize their enforcement authority already specified in law.

Hillsborough Community College

Present Situation

Hillsborough Community College (HCC) opened in 1968 as “Hillsborough Junior College.” In 1970, the college’s name was changed to Hillsborough Community College to better reflect its community orientation and involvement.⁴⁵ HCC is accredited by the Southern Association of

⁴² Section 1000.05(6), F.S.

⁴³ Section 1000.05, F.S.

⁴⁴ S. 1000.05(9), F.S.

⁴⁵ Hillsborough Community College, About Us, *History*, <https://news.hccfl.edu/about-us/history/default.aspx> (last visited Mar. 14, 2025).

Colleges and Schools Commission on Colleges (SACS) to award associate and baccalaureate degrees.⁴⁶ HCC offers a baccalaureate degree in nursing.

Florida College System Institution Name Change

With the approval of its board of trustees, a Florida College System (FCS) institution may change the institution's name and use the designation "college" or "state college" if it has been authorized by the SBE to grant baccalaureate degrees and has been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the United States Department of Education (USDOE).⁴⁷

With the approval of its board of trustees, an FCS institution that either has not been authorized to grant baccalaureate degrees or has not been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the USDOE may request approval from the SBE to change the institution's name and use the designation "college." The SBE may approve the request if the FCS institution enters into an agreement with the SBE to do the following:

- Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education.
- Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.
- Continue to provide outreach to underserved populations.
- Continue to provide remedial education.
- Comply with all provisions of the statewide articulation agreement that relate to two-year and four-year public degree-granting institutions as adopted by the SBE.⁴⁸

A district board of trustees that approves a change to the name of an institution must seek statutory codification of such name change during the next regular legislative session.⁴⁹

Effect of Proposed Changes

The bill amends s. 1000.21, F.S., to change the name of "Hillsborough Community College" to "Hillsborough College".

Board of Governors

Present Situation

The State University System (SUS) is composed of 12 public universities,⁵⁰ each administered by a board of trustees. The Board of Governors (BOG) is responsible for operating, regulating,

⁴⁶ Southern Association of Colleges and Schools, Commission on Colleges, *Hillsborough Community College*, https://sacscoc.org/institutions/?institution_name=hillsborough+community+college&results_per_page=25&curpage=1 (last visited Mar. 14, 2025).

⁴⁷ Section 1001.60(2)(b)1., F.S.

⁴⁸ Section 1001.60(2)(b)2., F.S.

⁴⁹ Section 1001.60(2)(c), F.S.

⁵⁰ See State University System of Florida, *Universities*, <https://www.flbog.edu/universities/> (last visited Mar. 14, 2025) (identifying 12 state universities).

and managing the entire SUS.⁵¹ It also ensures compliance with all applicable local, state, and federal laws governing the institutions under its jurisdiction.⁵²

Additionally, the BOG oversees cost-effective policy decisions at each constituent university, ensuring alignment with institutional missions, the maintenance of high-quality education programs, performance measurement, data reporting, and input on state policy, budgeting, and education standards.⁵³ To fulfill these responsibilities, the BOG carries out key functions, including:

- Developing strategic and accountability plans with performance metrics for universities.
- Requiring universities to provide students with employment and earnings data for degree programs.⁵⁴
- Maintaining an information system to track and report institutional performance.
- Investigating allegations of waste, fraud, or financial mismanagement at state universities.
- Authorizing regulatory flexibilities and waivers to support institutional priorities.
- Monitoring and improving four-year graduation rates through institutional proposals.
- Matching student data with state and federal employment records to assess program effectiveness.⁵⁵

MyFloridaFuture is a free online tool, developed by the SUS, that helps students, parents, and policymakers make more informed decisions about college and career planning. This interactive tool allows users to explore data related to graduate salary, employment, and student debt by institution or major at both the statewide and individual institution levels.⁵⁶

Effect of Proposed Changes

The bill modifies s. 1001.706, F.S., by removing the requirement for the Board of Governors to provide electronic access to data on the top 25 percent of degrees with the highest job placement and earnings and the bottom 10 percent of degrees with the lowest job placement and earnings before registration.

Preeminent State Research Universities Program

Present Situation

The preeminent state research universities program is a collaborative partnership between the Board of Governors (BOG) and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.⁵⁷ A state university that meets 12 of the 13 academic and research excellent standards specified in law is designated a “preeminent

⁵¹ FLA. CONST., art. IX, s. 7(a)-(d).

⁵² Section 1001.705(2), F.S.

⁵³ Section 1001.706, F.S.

⁵⁴ See Section 1008.39, F.S. The Florida Education and Training Placement Information Program (FETPIP) is a data collection and consumer reporting system that provides employment and education follow-up data on former students and program participants who have graduated, exited, or completed a public education or training program within the State of Florida.

⁵⁵ Section 1001.706(5), F.S.

⁵⁶ Florida Board of Governors, *MyFloridaFuture*, <https://www.flbog.edu/myfloridafuture/> (last visited Mar. 14, 2025).

⁵⁷ Section 1001.706(1), F.S.

state research university.”⁵⁸ Currently, the University of Florida, Florida State University, University of South Florida, and Florida International University are designated as preeminent state research universities.⁵⁹

The following are the academic and research excellence standards established for the preeminent state research universities program and must be reported annually in the BOG Accountability Plan:

- An average weighted grade point average (GPA) of 4.0 or higher and an average SAT score of 1200 or higher or an average ACT score of 25 or higher for fall semester incoming freshmen.
- A top-50 ranking on at least two well-known national public university rankings, such as U.S. News & World Report.
- A 90% or higher freshman retention rate for full-time, first-time-in-college students.
- A 60% or higher four-year graduation rate for full-time, first-time-in-college students.
- At least six faculty members who are members of a national academy.
- Total annual research expenditures of \$200 million or more, including federal research funding.
- Annual research expenditures in diversified nonmedical sciences of \$150 million or more.
- A top-100 national ranking for research expenditures in five or more STEM fields.
- At least 100 patents awarded by the U.S. Patent and Trademark Office over the most recent three-year period.
- 400 or more doctoral degrees awarded annually, including professional doctoral degrees in medical and health care disciplines.
- 200 or more postdoctoral appointees annually.
- An endowment of \$500 million or more.
- Total annual STEM-related research expenditures of \$50 million or more, including federal research funding.⁶⁰

Effect of Proposed Changes

The bill amends s. 1001.7065, F.S., by expanding the standardized test options used to meet the academic and research excellence standards for the preeminent state research universities program. It adds the Classical Learning Test (CLT) as an alternative to the SAT and ACT, requiring an average CLT score of 83 or higher on a 120-point scale for incoming freshmen.

⁵⁸ Section 1001.7065(3), F.S.

⁵⁹ Board of Governors, State University System of Florida, *Accountability Propels State University System of Florida to New Heights*, <https://www.flbog.edu/2024/07/01/accountability-propels-state-university-system-of-florida-to-new-heights/> (last visited Mar. 14, 2025).

⁶⁰ Section 1001.7065(2), F.S.

Emergency Opioid Antagonists

Present Situation

Each Florida College System institution and state university must maintain a supply of emergency opioid antagonists,⁶¹ such as naloxone hydrochloride or any similarly acting drug approved by the United States Food and Drug Administration (FDA), in every residence hall or dormitory it owns or operates. These emergency opioid antagonists must be placed in clearly marked locations within each residence hall or dormitory and must be easily accessible to campus law enforcement officers trained in their administration. Public and private partnerships are encouraged to cover the costs associated with purchasing and placing these emergency opioid antagonists.⁶²

Campus law enforcement officers who are trained and administer or attempt to administer an emergency opioid antagonist in compliance with applicable laws, as well as the institution that employs such officers, are immune from civil or criminal liability.⁶³

Effect of Proposed Changes

The bill amends s. 1004.0971, F.S., by removing the specific reference to “naloxone hydrochloride or any similarly acting” drug and instead broadly defining an emergency opioid antagonist as any FDA-approved drug that blocks the effects of opioids and is used for opioid overdose treatment.

Graduation Alternative to Traditional Education Program

Present Situation

Created within the Department of Education, the Graduation Alternative to Traditional Education (GATE) Program offers a unique opportunity for students who have left high school to get back on track. Designed for students aged 16 to 21, GATE provides a pathway to earn valuable career education credentials while also completing a standard high school diploma or its equivalent.⁶⁴

Through the GATE program, students can enroll in a Career and Technical Education (CTE) program and an Adult Secondary Education (ASE) program simultaneously. Eligible ASE programs include Adult High School or GED® Preparation. Participants will work towards earning both a high school diploma and a credential from a Career Education Program on the Master Credential list in their chosen career field. Students have up to three years to complete the GATE Program.⁶⁵

⁶¹ Section 1004.0971(1)(b), F.S., defines an “emergency opioid antagonist” as naloxone hydrochloride or any similarly acting drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

⁶² Section 1004.0971, F.S.

⁶³ Section 1004.0971(5), F.S.

⁶⁴ Section 1004.933, F.S. and Florida Department of Education, Adult Education, *Graduation Alternative to Traditional Education (GATE) Program*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.shtml> (last visited Mar. 14, 2025).

⁶⁵ Florida Department of Education, Adult Education, *Graduation Alternative to Traditional Education (GATE) Program*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.shtml> (last visited Mar. 4, 2025).

To be eligible for participation in the GATE Program, a student must:

- Not have earned a standard high school diploma or a high school equivalency diploma before enrolling in the GATE Program;
- Have been withdrawn from high school;
- Be a resident of the state for tuition purposes;
- Be 16 to 21 years of age at the time of initial enrollment, and if 16 or 17 years of age, have withdrawn from school enrollment pursuant to certain requirements and safeguards;⁶⁶
- Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List. The student must remain in their chosen pathway after enrollment, except that, if necessary, the student may enroll in an adult basic education program prior to enrolling in the adult secondary education program;
- Maintain a 2.0 grade point average (GPA) for career and technical education coursework; and
- Complete the adult secondary education program and the career education program within three years unless the institution determines that an extension is warranted due to extenuating circumstances.⁶⁷

GATE Startup Grant Program

The GATE Startup Grant Program is established within the Department of Education (department) to fund and support the startup and implementation of the GATE Program. The purpose of the grant program is to increase access to programs that support adult learners earning a high school credential, either a high school diploma or its equivalent, and a workforce credential aligned to statewide or regional demand. The department is required to administer the grants, determine eligibility, and distribute grant awards.⁶⁸

Applicants eligible to apply for the GATE Startup Grant Program must meet the definition of an “institution”⁶⁹ and must be located in or serve a rural area of opportunity as designated by the Governor. Rural Areas of Opportunity (RAO) are areas designated by the Governor that have been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster.⁷⁰

Florida’s designated RAOs are:

- Northwest Rural Area of Opportunity: Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington Counties, and the area within the city limits of Freeport and Walton County north of the Choctawhatchee Bay and intercostal waterway.
- South Central Rural Area of Opportunity: DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County) and Immokalee (Collier County).

⁶⁶ Section. 1003.21(1), F.S.

⁶⁷ Section 1004.933(4), F.S.

⁶⁸ Section 1011.804, F.S.

⁶⁹ Section 1011.804(2), F.S. The term “institution” means a school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21 which offers the GATE Program pursuant to s. 1004.933.

⁷⁰ Section 288.0656(d), F.S.

- North Central Rural Area of Opportunity: Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor and Union.⁷¹

Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, and student services. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department.⁷²

Effect of Proposed Changes

The bill amends s. 1004.933, F.S., by authorizing an institution to enter into an agreement with an online provider for the adult education or career instruction portion of the GATE Program, provided the provider's instructional content and services align with the state career and adult education curriculum frameworks.

The bill also modifies the age requirement at initial enrollment, changing it from "16 to 21" to "at least 16" years old. Additionally, it clarifies that students are not required to enroll in adult secondary and career education program coursework simultaneously with the GATE Program but maintains the three-year completion requirement.

The bill amends s. 1011.804, F.S., by expanding the authorized use of the GATE Startup Fund. Specifically, it authorizes institutions with existing GATE Programs located in or serving a RAO to apply for grant funds exclusively for marketing and outreach efforts to increase student participation. Additionally, all grant recipients are authorized to use funds for these purposes.

Nonpublic Religious Postsecondary Institutions

Present Situation

The Commission for Independent Education

The Commission for Independent Education (commission) was established in 2001 and is responsible for matters relating to nonpublic postsecondary educational institutions. The commission's functions include consumer protection, program improvements, institutional policies and administration, data management, and the licensure of independent schools, colleges, and universities.⁷³

Licensure of Nonpublic Postsecondary Educational Institutions

Each college or school operating within the state must obtain licensure from the commission unless the institution is not under the commission's purview or jurisdiction as provided in law.⁷⁴ The commission has developed 12 standards by which to evaluate institutions for licensure.

⁷¹ Department of Education, *Graduation Alternative to Traditional Education (GATE) Program*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/gate.shtml> (last visited Mar. 14, 2025).

⁷² Section 1011.804(6), F.S.

⁷³ Section 1005.21, F.S., and Florida Department of Education, *Commission for Independent Education*, <https://www.fldoe.org/policy/cie/> (last visited Jan. 16, 2024).

⁷⁴ Sections 1005.31(1) and 1005.06, F.S.

Standards include administrative organization, academic programs, admissions requirements, finances, faculty, library resources, facilities, student services and advertising.⁷⁵

Provisional Licensure is the first level of licensure obtained by an applicant and allows the institution to advertise, recruit students, accept fees and tuition from students, and hold classes. Provisional Licensure is granted when the commission has determined that an applicant is in substantial compliance with the standards for licensure. A Provisional License is typically granted for one year. The process to obtain Provisional Licensure for a new applicant normally takes six to twelve months.⁷⁶ A provisional license may include conditions required by the commission and all conditions must be met before the institution may receive a different licensure status.⁷⁷

Annual Licensure is typically the second level of licensure obtained by an institution holding a Provisional License, or seeking renewal of an Annual License, when the commission has determined that an institution is in full compliance with the standards for licensure. An institution may continue to hold an Annual License as long as the institution remains in full compliance with the standards for licensure, does not undergo a substantive change, or meets the requirements and applies for a License by Means of Accreditation. An Annual License is typically granted for one year. Prior to the granting of an initial Annual License, a satisfactory on-site visit must occur. The process to obtain an initial Annual License or renewal of an Annual License normally takes three months from receipt of the Application for Annual License.

Institutions that hold an Annual License may add new degrees, programs, or majors to their offerings or alter any licensed program by more than 20 percent since their last review, change the title of a program or the credential awarded, or discontinue a program upon approval by the commission.⁷⁸

Religious Institutions

The commission does not have jurisdiction or purview over all nonpublic postsecondary educational institutions. Certain postsecondary educational institutions are exempt from licensure and jurisdiction under the commission.⁷⁹

Religious institutions are not under the jurisdiction or purview of the commission and are not required to obtain licensure. A religious college may operate without governmental oversight if the college annually verifies by sworn affidavit to the commission that:

- The name of the institution includes a religious modifier or the name of a religious patriarch, saint, person, or symbol of the church.

⁷⁵ Section 1005.31(2), F.S. and Rule 6E-2.004, F.A.C.

⁷⁶ Florida Department of Education, 2022-2023 *Commission for Independent Education Annual Report* (2024), available at <https://www.fldoe.org/core/fileparse.php/7748/urlt/2223annualreport.pdf> at 14 (last visited Apr. 2, 2025).

⁷⁷ Section 1005.31(5), F.S.

⁷⁸ Florida Department of Education, 2022-2023 *Commission for Independent Education Annual Report* (2024), available at <https://www.fldoe.org/core/fileparse.php/7748/urlt/2223annualreport.pdf> at 20 (last visited Apr. 2, 2025).

⁷⁹ Section 1005.06, F.S. These include public colleges and universities; institutions that are otherwise licensed, such as dental schools, midwifery schools, or real estate schools; institutions eligible for the Effective Access for Student Education tuition assistance program; continuing education programs; and religious institutions.

- The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work.
- The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications.
- The duration of all degree programs offered by the institution is consistent with the standards of the commission.
- The institution's consumer practices are consistent with those specified in law.⁸⁰

The commission may provide such a religious institution with a letter stating that the institution has met the requirements specified in law and is not subject to government oversight.

Effect of Proposed Changes

The bill amends s. 1005.06, F.S., to revise the criteria under which nonpublic religious postsecondary educational institutions may operate without licensure from the Commission for Independent Education. Specifically, the bill replaces the term "religious college" with "nonpublic religious postsecondary educational institution" and expands the number of affirmations required in the annual sworn affidavit from five to seven, to include:

- An explanation of the religious modifier, religious name, or religious symbol used in the institution's name.
- The titles and majors of every degree program offered by the institution as they appear on degrees and transcripts issued by the institution.

The bill authorizes the commission to request documentation from the institution demonstrating compliance with the affidavit requirements and the consumer protection standards. The institution is required to submit the requested documentation within 30 days after the request. The bill requires the commission to review affidavits in a public meeting and approve the affidavit unless the affidavit is facially invalid, is contradicted by the institution's public advertisements or by other evidence, or the institution fails to provide requested documentation.

Additionally, the bill requires the commission to revoke its approval, in a public meeting, if an institution previously received a written exemption and the institution fails to remain in compliance. If an affidavit is denied by the commission, the commission is authorized to take action unless the institution applies for licensure, ceases operations in the state, or submits documentation showing it meets the requirements of the exemption.

The bill authorizes the commission to adopt rules.

⁸⁰ Section 1005.06(1), F.S. and Rule 6E-5.001, F.A.C.

Florida Postsecondary Academic Library Network

Present Situation

The Florida Postsecondary Academic Library Network (Network) is administered by the Florida Virtual Campus (FLVC), which operates under the Northwest Regional Data Center (NWRDC), an affiliate of Florida State University.⁸¹ The Network provides academic support services to Florida College System (FCS) institutions and state universities, including access to distance learning courses, coordination of online academic resources, and administration of a shared library automation system. Additionally, it negotiates statewide licensing agreements for electronic library resources and promotes the use of low-cost and open-access educational materials to reduce textbook costs for students.⁸²

The Student Open Access Resources Repository is a statewide searchable database of open educational resources curated by faculty members from FCS institutions and state universities. It is designed to expand access to free and low-cost instructional materials and support the development of faculty-created content. The repository is based on the statewide course numbering system and aims to accelerate textbook affordability. Institutions receiving grant funds for open educational resources must openly license and share materials developed using these funds by adding them to the repository.⁸³

The Network is administered by a host entity responsible for delivering statewide academic support services. This host entity must submit an annual report by December 31 to the Chancellors of the State University System and Florida College System. The report includes data on the usage of open educational resources, the number and types of courses in the repository, and grant fund distributions. Additionally, the Chancellors must submit an annual performance report on the host entity's service delivery to the Governor, the Legislature, the Board of Governors, and the State Board of Education. The Board of Governors and the Department of Education are also required to include any necessary funding increases for these services in their legislative budget requests.⁸⁴

Effect of Proposed Changes

The bill amends s. 1006.73, F.S., by removing certain reporting requirements related to the Student Open Access Resources Repository, which is no longer funded. Specifically, it eliminates the requirement to report the number and types of courses included in the repository and data on the utilization of the repository and open educational resources by FCS institutions and state universities.

The bill removes the requirement for the Chancellors of the SUS and the FCS to submit an annual performance report on the host entity's delivery of services. It also eliminates the

⁸¹ Florida Virtual Campus, About FLVC Library Services, [\(https://libraries.flvc.org/about-flvc-#::~:~:text=Funded%20by%20the%20state%20as,\)%20\(Served%20only%20state%20universities\)](https://libraries.flvc.org/about-flvc-#::~:~:text=Funded%20by%20the%20state%20as,)%20(Served%20only%20state%20universities)) (last visited Mar. 14, 2025).

⁸² Section 1006.73(1), F.S.

⁸³ Section 1006.73(4), F.S.

⁸⁴ Section 1006.73(5), F.S.

requirement for the BOG and the DOE to include any necessary funding increases for these services in their annual legislative budget requests.

Additionally, the bill removes an obsolete provision that required the Commissioner of Education and the Chancellor of the BOG to submit a joint recommendation on expanding access to postsecondary distance learning, student support services, and library assets for school district career centers and charter technical career centers.

College Reach-Out Program

Present Situation

The College Reach-Out Program (CROP) was established in 1983 to motivate and prepare students in grades six–12 from low-income educationally disadvantaged backgrounds towards pursuing and successfully completing postsecondary education. Participants are students who otherwise would be unlikely to seek admission to a postsecondary institution without additional support and recruitment efforts.⁸⁵

Effect of Proposed Changes

The bill modifies s. 1007.34, F.S., by replacing the term “minority” with “underrepresented” in references to the student population within the College Reach-Out Program.

Florida Partnership for Minority and Underrepresented Student Achievement

Present Situation

The Florida Partnership for Minority and Underrepresented Student Achievement was established to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.⁸⁶

Each public high school, including alternative sites and centers of the Department of Juvenile Justice, must provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or the PreACT to all 10th-grade students. A written notice must be provided to parents, including the opportunity to exempt their child from taking the assessment.⁸⁷

The partnership is responsible for identifying students for participation in advanced courses, providing information to students and parents regarding available opportunities, and explaining enrollment procedures. This information must include details on the benefits of advanced coursework in preparing students for postsecondary education, increasing access to postsecondary opportunities, and qualifying for scholarships and financial aid.⁸⁸

⁸⁵ Florida Department of Education, *College Reach-Out Program (CROP)* available at <https://www.fldoe.org/schools/family-community/activities-programs/pre-collegiate/crop.stml> (last visited Mar. 14, 2025)

⁸⁶ Section 1007.35(4), F.S.

⁸⁷ Section 1007.35(5), F.S.

⁸⁸ Section 1007.35(6)(i), F.S.

The partnership must coordinate efforts to expand student access to advanced coursework, including working with school districts, the Florida Virtual School, and Florida College System (FCS) institutions and state universities to develop advanced courses and provide instructional support.⁸⁹ It must also provide assessment tools to evaluate student strengths and weaknesses related to success in advanced coursework.⁹⁰

Effect of Proposed Changes

The bill amends s. 1007.35, F.S., by renaming the “Florida Partnership for Minority and Underrepresented Student Achievement” to the “Florida Partnership for Underrepresented Student Achievement.” The bill removes the partnership’s specific focus on minority students, broadening its scope to all underrepresented student populations.

The bill also provides legislative intent recognizing the value of career pathways beyond traditional college access, including vocational and trade schools, and emphasizes the importance of incentivizing high school programs that prepare students for those career paths.

Additionally, the bill removes requirements for the partnership to:

- Provide teacher training, professional development, and instructional materials.
- Consider ways to incorporate FCS institutions into its mission of preparing all students for postsecondary success.
- Cooperate with the DOE to provide information on partnership activities, opportunities, and priorities.

The bill also makes conforming provisions to s. 1007.27, F.S., related to the Florida Partnership for Minority and Underrepresented Student Achievement.

Florida Gold Seal Career and Professional Education (CAPE) Scholars Award

Present Situation

The Florida Gold Seal CAPE Scholars Award, established within the Bright Futures Scholarship Program, supports students who complete industry certifications that articulate for postsecondary credit.⁹¹

To qualify, students must earn at least five postsecondary credit hours through CAPE industry certifications and complete at least 30 volunteer hours or 100 hours of paid work.⁹² This scholarship provides funding for career-focused postsecondary programs, including technical degrees, applied technology diplomas, or career certificates, and may extend to bachelor’s degree programs in specific articulated pathways.⁹³

⁸⁹ Section 1007.35(6)(g) and (l), F.S.

⁹⁰ Section 1007.35(6)(d), F.S.

⁹¹ Section 1009.536, F.S.

⁹² Section 1009.536(2), F.S.

⁹³ Section 1009.536(5), F.S.

Effect of Proposed Changes

The bill amends s. 1009.536, F.S., by modifying the eligibility requirements for the Florida Gold Seal CAPE Scholars award. Specifically, the bill reduces the required minimum postsecondary credit hours earned through CAPE industry certifications from five to three and adds a requirement that students earn a minimum cumulative weighted grade point average (GPA) of 2.5 in all subjects required for high school graduation, excluding electives.

The bill also expands eligibility by allowing students who complete the GATE Program to apply for the award before or within three months of completion.

Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund***Present Situation***

The PIPELINE Fund is a performance-based funding initiative designed to reward public postsecondary nursing education programs for their excellence and effectiveness.⁹⁴ The fund provides allocations to eligible institutions, school district career centers, charter technical career centers, Florida College System institutions, and state universities,⁹⁵ based on two key performance metrics:

- Number of program completers; and
- First-time passage rate on the National Council of State Boards of Nursing Licensing Examination (NCLEX).⁹⁶

Programs with first-time NCLEX passage rates above the national average receive additional rewards.⁹⁷

Effect of Proposed Changes

The bill modifies s. 1009.897, F.S., by specifying that funds under the PIPELINE Fund must be used for healthcare industry-related programs.

Contracting for Educational Facilities***Present Situation***

Governing boards overseeing educational facilities, including district school boards, Florida College System institution boards of trustees, and state university boards of trustees, must competitively bid construction, remodeling, renovation, demolition, or improvement projects and award contracts to the lowest responsible bidder once funds are available and project plans are approved.⁹⁸

⁹⁴ Section 1009.897, F.S.

⁹⁵ Section 1009.897(2), F.S.

⁹⁶ Section 1009.897(3), F.S.

⁹⁷ Section 1009.897(3)(b), F.S.

⁹⁸ Section 1013.46(1)(a), F.S.

Boards are authorized to allocate up to 10 percent of capital project funds exclusively for contracts with minority business enterprises, which are competitively bid only among qualifying businesses to address the effects of past discriminatory practices.⁹⁹ To ensure compliance and contractor qualifications, boards must also prequalify bidders and require that contractors hold the appropriate certificates or licenses before awarding any construction contract.¹⁰⁰ This statutory framework is designed to maintain fair competition, emergency flexibility, and equitable contracting practices while ensuring adherence to licensing and safety regulations.

Effect of Proposed Changes

The bill amends s. 1013.46, F.S., by removing the provision related to the option of setting aside 10 percent of allocated funds for construction contracts with minority business enterprises.

University Campus Master Plans

Present Situation

Each university board of trustees (BOT) is required to prepare and adopt a campus master plan for the university and maintain a copy of the plan on the university's website. The master plan must identify general land uses and address the need for and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The plans contain certain elements and address the compatibility with the surrounding community. These master plans must be updated every 5 years.

Effect of Proposed Changes

The bill amends s. 1013.30, F.S., to revise the frequency of the university master plan submission from five years to 10 years.

The bill is effective July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁹⁹ Section 1013.46(1)(c), F.S.

¹⁰⁰ Section 1013.46(2), F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Should the Office of Program Policy Analysis and Government Accountability develop contracts with institutions in the State University System, it may result in a revenue increase for the institutions. However, it may result in a cost to the Office of Program Policy Analysis and Government Accountability.

Requiring state universities and Florida College System institutions to waive tuition and fees for active members of the Florida State Guard would result in a revenue loss for the institutions.

Modifying the grandparent out-of-state fee waiver has an indeterminate fiscal impact on institutions. The bill may reduce the number of individuals enrolling due to the grandparent requirement to have established a domicile in the state for five years.

Hillsborough Community College may have costs associated with their name change, such as those related to signage, publication, documentation, advertising, and other related items.

There would be a fiscal impact on any institution participating in the Graduation Alternative to Traditional Education Program (GATE) Program that chooses to enter into an agreement with an online provider for the adult education or career instruction portion of the program. Eliminating the 21-year-old age cap would likely expand the number of GATE Program participants. However, this waiver is subject to the availability of funds.

The changes to the Florida Gold Seal CAPE Scholars award is indeterminate. It is assumed that reducing the required minimum postsecondary credit hours earned through CAPE would increase the number of eligible participants. The bill also adds provisions regarding minimum GPA requirements which could cause a cost neutral result. However,

there would be a negative fiscal impact on the Florida Gold Seal CAPE Scholars award by expanding it to GATE Program completers.

Revising the frequency of the university campus master plans from five years to 10 years may result in a costs savings to the institutions.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.51, 251.001, 288.036, 381.853, 413.407, 446.032, 446.041, 1000.05, 1000.21, 1001.706, 1001.7065, 1004.0971, 1004.933, 1005.06, 1006.73, 1007.34, 1007.35, 1009.21, 1009.23, 1009.24, 1009.26, 1009.536, 1009.897, 1011.804, 1013.46, and 1007.27.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Fiscal Policy on April 2, 2025:

The committee substitute adds a provision related to nonpublic religious postsecondary institutions. Specifically the committee substitute:

- Replaces the term “religious college” with “nonpublic religious postsecondary educational institution.”
- Expands the affidavit requirements from five to seven affirmations, now requiring institutions not only to attest that their name includes a religious modifier and that their programs are limited to religious vocations, but also to explain the meaning of their religious name or symbol and to list the titles and majors of every degree program as they appear on degrees and transcripts.
- Authorizes the Commission for Independent Education (commission) to request supporting documentation from the institution to verify compliance with the affidavit requirements and consumer protection laws, with a mandatory 30-day response period.
- Requires the commission to review these affidavits in a public meeting and directs the commission to approve them unless there is facial invalidity, contradictory evidence, or a failure to provide required documentation.
- Requires the commission to revoke its approval, in a public meeting, if an institution that previously received a written exemption if the institution fails to remain in compliance.
- Specifies that if an affidavit is denied, the institution must either apply for licensure, cease operating, or submit corrective documentation to regain compliance.

- Authorizes the commission to adopt rules.

CS by Appropriations Committee on Higher Education on March 24, 2025:

The committee substitute modifies the bill by:

- Removing the proposed definition of a “nonresident online student” and the associated provisions that would have required the out-of-state fee for such students to be based on market rates and to exceed the university’s current out-of-state fee.
- Revising the grandparent out-of-state fee waiver by replacing the legal residency requirement with a new standard requiring the grandparent to have established domicile in Florida for at least five years, rather than repealing the waiver altogether.
- Creating the state college regional consortium service organization to improve the effectiveness of small institutions in the Florida College System that serve rural communities.
- Renaming Hillsborough Community College to Hillsborough College, rather than Hillsborough State College.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Fiscal Policy (Calatayud) recommended the following:

Senate Amendment (with title amendment)

Between lines 558 and 559
insert:

Section 15. Paragraph (f) of subsection (1) of section
1005.06, Florida Statutes, is amended to read:

1005.06 Institutions not under the jurisdiction or purview
of the commission.—

(1) Except as otherwise provided in law, the following
institutions are not under the jurisdiction or purview of the



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commission and are not required to obtain licensure:

(f)1. A nonpublic religious postsecondary educational institution ~~religious college~~ may operate without licensure ~~governmental oversight~~ if the institution ~~college~~ annually verifies by sworn affidavit to the commission each of the following affirmations ~~that~~:

a.1. The name of the institution includes a religious modifier or the name of a religious patriarch, saint, person, or symbol of the church.

b. An explanation of the religious modifier, religious name, or religious symbol used in the institution's name.

c.2. The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work.

d.3. The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications.

e. The titles and majors of every degree program offered by the institution as they appear on degrees and transcripts issued by the institution.



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40 f.4. The duration of all degree programs offered by the
41 institution is consistent with the standards of the commission.

42 g.5. The institution's consumer practices are consistent
43 with those required by s. 1005.04.

44 2. If requested by the commission, the institution must
45 submit documentation demonstrating compliance with the
46 requirements of this paragraph and with s. 1005.04. The
47 institution must submit such documentation within 30 days after
48 the request.

49 3. The commission shall review for approval or denial, in a
50 public meeting, affidavits submitted pursuant to this paragraph.
51 The commission shall approve an affidavit unless the affidavit
52 is facially invalid, the affidavit is contradicted by the
53 institution's public advertisements or by other evidence, or the
54 institution has failed to comply with the requirements of
55 subparagraph 2. The commission may provide such a religious
56 institution a letter stating that the institution has met the
57 requirements of state law and is not subject to licensure by the
58 commission ~~governmental oversight.~~

59 a. If a nonpublic religious postsecondary educational
60 institution that has been issued a written notice of exemption
61 from licensure by the commission subsequently fails to comply
62 with the requirements of this paragraph, the commission must
63 revoke its approval of the institution's affidavit in a public
64 meeting.

65 b. If an affidavit is denied by the commission, the
66 commission may take any of the actions specified in s. 1005.38
67 unless the institution applies for a license pursuant to s.
68 1005.31(1)(a), ceases operating in this state, or submits



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documentation indicating compliance with this paragraph.

c. The commission may adopt rules to administer this paragraph.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 60

and insert:

coursework simultaneously; amending s. 1005.06, F.S.;
authorizing certain institutions to operate without
licensure; specifying affirmations required as a part
of an affidavit; requiring submission of requested
documentation in a specified timeframe; requiring the
Commission for Independent Education to review such
affidavit in a public meeting; specifying commission
actions for noncompliance; authorizing the commission
to adopt rules; amending s. 1006.73, F.S.;

By the Appropriations Committee on Higher Education; and Senator Calatayud

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1 A bill to be entitled
 2 An act relating to higher education; amending s.
 3 11.51, F.S.; authorizing the Office of Program Policy
 4 Analysis and Government Accountability to develop
 5 contracts or agreements with institutions in the State
 6 University System for a specified purpose; amending s.
 7 251.001, F.S.; providing tuition assistance to active
 8 members of the Florida State Guard; amending s.
 9 288.036, F.S.; revising the duties of the Office of
 10 Ocean Economy; amending s. 381.853, F.S.; specifying
 11 that the President of the University of Florida
 12 appoints the members of the scientific advisory
 13 council within the Florida Center for Brain Tumor
 14 Research; amending s. 413.407, F.S.; revising the
 15 qualifications for members of the Assistive Technology
 16 Advisory Council; increasing the maximum term length
 17 for such members; amending s. 446.032, F.S.; revising
 18 the date by which the Department of Education is
 19 required to publish an annual report on apprenticeship
 20 and preapprenticeship programs; amending s. 446.041,
 21 F.S.; requiring the department to take into account
 22 underrepresented groups in administering the
 23 apprenticeship training program, rather than minority
 24 and gender diversity; amending s. 1000.05, F.S.;
 25 renaming the Florida Educational Equity Act as the
 26 "Florida Educational Equality Act"; changing the term
 27 "gender" to "sex"; requiring public schools and
 28 Florida College System institutions to develop and
 29 implement methods and strategies to increase

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30 participation of underrepresented students, rather
 31 than students with certain characteristics, in certain
 32 programs and courses; requiring the Commissioner of
 33 Education and the State Board of Education to utilize
 34 their authority to enforce compliance; amending s.
 35 1000.21, F.S.; renaming Hillsborough Community College
 36 as "Hillsborough College"; creating s. 1001.68, F.S.;
 37 authorizing Florida College System institutions with a
 38 certain number of full-time equivalent students to
 39 enter into cooperative agreements to form a state
 40 college regional consortium service organization;
 41 requiring such organizations to provide at least a
 42 specified number of certain services; requiring that
 43 regional consortium service organizations be governed
 44 by a board of directors consisting of specified
 45 members; amending s. 1001.706, F.S.; deleting a
 46 requirement that state universities provide student
 47 access to certain information; amending s. 1001.7065,
 48 F.S.; revising academic standards for the preeminent
 49 state research university program to include a
 50 specified average Classic Learning Test score;
 51 amending s. 1004.0971, F.S.; revising the definition
 52 of the term "emergency opioid antagonist"; amending s.
 53 1004.933, F.S.; authorizing an institution to enter
 54 into an agreement with an online provider for the
 55 adult education or career instruction portion of the
 56 Graduation Alternative to Traditional Education (GATE)
 57 Program; removing the age limit for enrollment in the
 58 program; clarifying that students are not required to

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59 enroll in adult secondary and career education
 60 coursework simultaneously; amending s. 1006.73, F.S.;
 61 revising reporting requirements relating to the
 62 Florida Postsecondary Academic Library Network;
 63 amending s. 1007.34, F.S.; expanding the scope of the
 64 college reach-out program to all low-income
 65 educationally disadvantaged and underrepresented
 66 students regardless of minority status; amending s.
 67 1007.35, F.S.; revising legislative findings; renaming
 68 the Florida Partnership for Minority and
 69 Underrepresented Student Achievement as the "Florida
 70 Partnership for Underrepresented Student Achievement";
 71 revising the purposes and duties of the partnership to
 72 focus on all underrepresented students regardless of
 73 minority status; revising duties of the partnership;
 74 amending s. 1009.23, F.S.; authorizing the Florida
 75 College System to allocate a portion of financial aid
 76 fees to assist underrepresented students, rather than
 77 students who are members of a targeted gender or
 78 ethnic minority population; amending s. 1009.26, F.S.;
 79 revising the residency requirement for a grandparent
 80 for an out-of-state fee waiver; revising the residency
 81 criteria for a grandparent in a specified attestation;
 82 amending s. 1009.536, F.S.; clarifying the required
 83 minimum cumulative weighted grade point average for
 84 the Florida Gold Seal CAPE Scholars award; authorizing
 85 students to apply for a Florida Gold Seal CAPE
 86 Scholars award within a specified timeframe before or
 87 after completing the GATE Program; amending s.

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88 1009.897, F.S.; requiring institutions receiving funds
 89 through the Prepping Institutions, Programs,
 90 Employers, and Learners through Incentives for Nursing
 91 Education Fund to allocate funding to health care-
 92 related programs; amending s. 1011.804, F.S.;
 93 authorizing certain institutions to apply for and use
 94 grant funds under the GATE Startup Grant Program for
 95 specified purposes; amending s. 1013.30, F.S.;
 96 revising the timeframe for updates to state university
 97 campus master plans; amending s. 1013.46, F.S.;
 98 deleting a provision relating to set asides for
 99 construction contracts with minority business
 100 enterprises; amending s. 1007.27, F.S.; conforming a
 101 provision to changes made by the act; providing an
 102 effective date.

103
 104 Be It Enacted by the Legislature of the State of Florida:

105
 106 Section 1. Subsection (5) is added to section 11.51,
 107 Florida Statutes, to read:

108 11.51 Office of Program Policy Analysis and Government
 109 Accountability.—

110 (5) The Office of Program Policy Analysis and Government
 111 Accountability may develop contracts or agreements with
 112 institutions in the State University System to use the expertise
 113 of state university faculty and research staff to provide
 114 assistance in analysis and evaluative research.

115 Section 2. Subsection (9) of section 251.001, Florida
 116 Statutes, is amended to read:

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251.001 Florida State Guard Act.—

(9) REIMBURSEMENT, BENEFIT, AND COMPENSATION.—

(a) The division shall reimburse members of the Florida State Guard for per diem and travel expenses incurred to attend required training or in the course of active service as provided in s. 112.061.

(b) Members of the Florida State Guard may be compensated for time spent training or in the course of active service at rates established by the director, subject to appropriation.

(c) A member of the Florida State Guard may not make any purchase or enter into any contract or agreement for purchases or services as a charge against the state without the authority of the director.

(d) As a benefit to the active members of the Florida State Guard, subject to approval by the director of the Division of the State Guard, each state university and Florida College System institution shall waive tuition and fees for active members of the Florida State Guard to enroll for up to 6 credit hours of courses per term on a space-available basis.

Section 3. Subsections (3) and (4) of section 288.036, Florida Statutes, are amended to read:

288.036 Ocean economy development.—

(3) The Office of Ocean Economy shall:

(a) Develop and undertake activities and strategies with a focus on research and development, technological innovation, emerging industries, strategic business recruitment, public and private funding opportunities, and workforce training and education to promote and stimulate the ocean economy.

(b)1. Collaborate ~~Foster relationships~~ and coordinate with

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state universities, private universities, career centers, and Florida College System institutions, including the College of the Florida Keys, to periodically ~~survey~~ surveying the development of academic research relating to the ocean economy across all disciplines and facilitating the transfer of innovative technology into marketable goods and services. ~~The office shall encourage collaboration between state universities and Florida College System institutions that have overlapping areas of academic research.~~

2. Include and update on the office's website information related to:

a. An inventory of current research and current collaborations, including contact information; and

b. Any available resources for research and technology development, including financial opportunities.

(c) Collaborate with relevant industries to identify economic challenges that may be solved through innovation in the ocean economy, including commercializing or otherwise facilitating public access to academic research and resources, removing governmental barriers, strengthening the workforce, and maximizing access to financial or other opportunities for growth and development.

(d) Develop and facilitate a pipeline for innovative ideas and strategies to be created, developed, researched, commercialized, and financed. This includes promotion and coordination of industry collaboration, academic research, accelerator programs, training and technical assistance, and startup or second-stage funding opportunities.

(e) Maintain and update on the office's website:

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1. Reports and data on the number, growth, and average wages of jobs included in the ocean economy; the impacts on the number, growth, and development of businesses in the ocean economy; and the collaboration, transition, or adoption of innovation and research into new, viable ideas employed in the ocean economy.

2. A current inventory of programs related to the ocean economy, an evaluation of additional opportunities to earn credentials, and the institutions or training providers where such credentials may be earned.

(f) Educate other state and local entities on the interests of the ocean economy and how such entities may positively address environmental issues while simultaneously considering the economic impact of their policies.

(g) Communicate the state's role as an integral component of the ocean economy by promoting the state on national and international platforms and other appropriate forums as the premier destination for convening on pertinent subject matters.

(h) Collaborate with public and private educational and industry organizations to make recommendations:

1. For strengthening employment opportunities in:

a. Commercial fishing;

b. Fisheries and aquaculture, marine and freshwater;

c. Processing and preserving fish, crustaceans, and mollusks;

d. Shipbuilding and repair; and

e. Shipping, water transport such as sea and coastal and inland water transportation of both freight and passengers, ports, and related services and support activities.

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2. Regarding the expansion of existing maritime programs and the addition of new programs and strategies for a public awareness campaign.

3. To increase the availability of dual enrollment, preapprenticeship and apprenticeship, and work-study programs at both public and private institutions.

4. For aligning the regulatory framework for fishing and boat operations with the demand for personnel through consultation with the Fish and Wildlife Conservation Commission.

(4) By August 1, 2025, and each August 1 thereafter, the office shall provide to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives and post on its website a detailed report on demonstrating the economic benefits of the office and the development of emerging ocean economy industries. By August 1, 2026, the report must include the recommendations in paragraph (3) (h).

Section 4. Subsection (4) of section 381.853, Florida Statutes, is amended to read:

381.853 Florida Center for Brain Tumor Research.—

(4) There is established within the center a scientific advisory council that includes biomedical researchers, physicians, clinicians, and representatives from public and private universities and hospitals. The council shall meet at least annually.

(a) The council shall consist of members appointed by the President of the University of Florida, in consultation with the dean of the University of Florida College of Medicine:

1. Two members from the Florida Center for Brain Tumor

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Research within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida ~~appointed by the Governor.~~

2. Two members from The Scripps Research Institute, one of whom must have expertise in basic brain tumor research ~~appointed by the Speaker of the House of Representatives.~~

3. Two members from other public and private universities and institutions directly involved in brain tumor research ~~appointed by the President of the Senate.~~

4. One member from the Mayo Clinic in Jacksonville who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor ~~research appointed by the State Surgeon General.~~

5. Two members from the Cleveland Clinic in Florida who are directly involved in basic brain tumor research ~~appointed by the Governor.~~

6. One member from the H. Lee Moffitt Cancer Center and Research Institute who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research ~~appointed by the Speaker of the House of Representatives.~~

7. One member from the M. D. Anderson Cancer Center Orlando who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research ~~appointed by the President of the Senate.~~

(b) Council members shall serve staggered 4-year terms.

(c) Council members shall serve without compensation, and each organization represented shall cover all expenses of its representative.

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Section 5. Paragraphs (d) and (f) of subsection (1) of section 413.407, Florida Statutes, are amended to read:

413.407 Assistive Technology Advisory Council.—There is created the Assistive Technology Advisory Council, responsible for ensuring consumer involvement in the creation, application, and distribution of technology-related assistance to and for persons who have disabilities. The council shall fulfill its responsibilities through statewide policy development, state and federal legislative initiatives, advocacy at the state and federal levels, planning of statewide resource allocations, policy-level management, and reviews of consumer responsiveness and the adequacy of program service delivery and by performing the functions listed in this section.

(1)

(d) Members of the council must be geographically representative of the state and reflect the ~~diversity of the state's~~ population with respect to ~~race, ethnicity, gender, age,~~ type of disability, and type of disability-related services and devices received.

(f)1. Each member of the council shall serve for a term of not more than 5 3 years, except that a member appointed to fill a vacancy occurring before the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of such term.

2. A member of the council may not serve more than two consecutive terms; however, any appointment under subparagraph 1., if for less than 18 months, is not considered a term for the purposes of this section.

3. A member who has served two consecutive terms and has

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been retired from the council for at least 3 years may be reappointed to the council on the same basis as a new member.

Section 6. Subsection (2) of section 446.032, Florida Statutes, is amended to read:

446.032 General duties of the department for apprenticeship training.—The department shall:

(2) By November 30 ~~September 1~~ of each year, publish an annual report on apprenticeship and preapprenticeship programs. The report must be published on the department's website and, at a minimum, include all of the following:

(a) A list of registered apprenticeship and preapprenticeship programs, sorted by local educational agency, as defined in s. 1004.02(18), and apprenticeship sponsor, under s. 446.071.

(b) A detailed summary of each local educational agency's expenditure of funds for apprenticeship and preapprenticeship programs, including:

1. The total amount of funds received for apprenticeship and preapprenticeship programs.

2. The total amount of funds allocated by training provider, program, and occupation.

3. The total amount of funds expended for administrative costs by training provider, program, and occupation.

4. The total amount of funds expended for instructional costs by training provider, program, and occupation.

(c) The number of apprentices and preapprentices per trade and occupation.

(d) The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.

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(e) Information and resources related to applications for new apprenticeship programs and technical assistance and requirements for potential applicants.

(f) Documentation of activities conducted by the department to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives and the outcomes of such activities and their impact on establishing or expanding apprenticeship and preapprenticeship programs.

(g) Retention and completion rates of participants disaggregated by training provider, program, and occupation.

(h) Wage progression of participants as demonstrated by starting, exit, and postapprenticeship wages at 1 and 5 years after participants exit the program.

Section 7. Subsection (12) of section 446.041, Florida Statutes, is amended to read:

446.041 Duties of the department.—The department shall:

(12) Ensure that underrepresented groups ~~minority and gender diversity~~ are considered in administering this program.

Section 8. Subsection (1), paragraph (d) of subsection (2), paragraph (e) of subsection (3), subsection (5), and subsection (7) of section 1000.05, Florida Statutes, are amended to read:

1000.05 Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required.—

(1) This section may be cited as the "Florida Educational Equality ~~Equity~~ Act."

(2)

(d) Students may be separated by sex for a single-sex

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single-gender program, for any portion of a class that deals with human reproduction, or during participation in bodily contact sports. For the purpose of this section, bodily contact sports include wrestling, boxing, rugby, ice hockey, football, basketball, and other sports in which the purpose or major activity involves bodily contact.

(3)

(e) A public school or Florida College System institution may provide separate toilet, locker room, and shower facilities on the basis of sex ~~gender~~, but such facilities shall be comparable to such facilities provided for students of the other sex.

(5) Public schools and Florida College System institutions shall develop and implement methods and strategies to increase the participation of underrepresented students ~~of a particular race, color, national origin, sex, disability, or marital status~~ in programs and courses in which students of that particular ~~race, color, national origin, sex, disability, or marital status~~ have been traditionally underrepresented, including, but not limited to, mathematics, science, computer technology, electronics, communications technology, engineering, and career education.

(7) The functions of the Office of Equal Educational Opportunity of the Department of Education shall include, but are not limited to:

(a) Requiring all district school boards and Florida College System institution boards of trustees to develop and submit plans for the implementation of this section to the Department of Education.

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(b) Conducting periodic reviews of school districts and Florida College System institutions to determine compliance with this section and, after a finding that a school district or a Florida College System institution is not in compliance with this section, notifying the entity of the steps that it must take to attain compliance and performing followup monitoring.

(c) Providing technical assistance, including assisting school districts or Florida College System institutions in identifying unlawful discrimination and instructing them in remedies for correction and prevention of such discrimination and performing followup monitoring.

(d) Conducting studies of the effectiveness of methods and strategies designed to increase the participation of students in programs and courses in which students of a particular race, color, national origin, sex, disability, or marital status have been traditionally underrepresented and monitoring the success of students in such programs or courses, including performing followup monitoring.

(e) Requiring all district school boards and Florida College System institution boards of trustees to submit data and information necessary to determine compliance with this section. The Commissioner of Education shall prescribe the format and the date for submission of such data and any other educational equity data. If any board does not submit the required compliance data or other required educational equity data by the prescribed date, the commissioner shall notify the board of this fact and, if the board does not take appropriate action to immediately submit the required report, the State Board of Education shall impose monetary sanctions.

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(f) Based upon rules of the State Board of Education, developing and implementing enforcement mechanisms with appropriate penalties to ensure that public K-12 schools and Florida College System institutions comply with Title IX of the Education Amendments of 1972 and subsection (3) of this section. However, the State Board of Education may not force a public school or Florida College System institution to conduct, nor penalize such entity for not conducting, a program of athletic activity or athletic scholarship for female athletes unless it is an athletic activity approved for women by a recognized association whose purpose is to promote athletics and a conference or league exists to promote interscholastic or intercollegiate competition for women in that athletic activity.

~~(g) Reporting to The Commissioner of Education any district school board or Florida College System institution board of trustees found to be out of compliance with rules of the State Board of Education adopted as required by paragraph (f) or paragraph (3)(d). To penalize the board, the State Board of Education shall:~~

~~1. Declare the school district or Florida College System institution ineligible for competitive state grants.~~

~~2. Notwithstanding the provisions of s. 216.192, direct the Chief Financial Officer to withhold general revenue funds sufficient to obtain compliance from the school district or Florida College System institution.~~

~~The school district or Florida College System institution shall remain ineligible and the funds shall not be paid until the institution comes into compliance or the State Board of~~

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~~Education approves a plan for compliance.~~

The Commissioner of Education and the State Board of Education shall use their authority under s. 1008.32 to enforce compliance with this subsection.

Section 9. Paragraph (j) of subsection (5) of section 1000.21, Florida Statutes, is amended to read:

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

(5) "Florida College System institution" except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(j) Hillsborough Community College, which serves Hillsborough County.

Section 10. Section 1001.68, Florida Statutes, is created to read:

1001.68 State college regional consortium service organizations.—In order to create effectiveness and efficiency of small institutions in the Florida College System which serve rural communities:

(1) Colleges with 5,000 or fewer full-time equivalent students may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall, at a minimum, provide three of the following services: grant procurement; institutional research and reporting; risk management; professional development for faculty and staff; leadership

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support; information technology and cybersecurity training; faculty and staff recruitment; workforce development programs; cooperative purchasing; administrative services; or enrollment management services.

(2) Each regional consortium service organization must be governed by a board of directors composed of the presidents of the respective member colleges.

Section 11. Paragraph (d) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(d) The Board of Governors shall annually require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Commerce pursuant to s. 445.07. ~~In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:~~

~~1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.~~

~~2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.~~

Section 12. Paragraph (a) of subsection (2) of section 1001.7065, Florida Statutes, is amended to read:

1001.7065 Preeminent state research universities program.—

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(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1200 or higher on a 1600-point scale or an average ACT score of 25 or higher on a 36 score scale, using the latest published national concordance table developed jointly by the College Board and ACT, Inc., or an average Classic Learning Test score of 83 or higher on a 120 score scale, for fall semester incoming freshmen, as reported annually.

Section 13. Paragraph (b) of subsection (1) of section 1004.0971, Florida Statutes, is amended to read:

1004.0971 Emergency opioid antagonists in Florida College System institution and state university housing.—

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

(b) "Emergency opioid antagonist" means ~~a naloxone hydrochloride or any similarly acting~~ drug that blocks the effects of opioids administered from outside the body and that is approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

Section 14. Paragraph (b) of subsection (3) and paragraph (b) of subsection (4) of section 1004.933, Florida Statutes, are amended to read:

1004.933 Graduation Alternative to Traditional Education (GATE) Program.—

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

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(b) "Institution" means any ~~a~~ school district career center established under s. 1001.44, a charter technical career center established under s. 1002.34, or a Florida College System institution identified in s. 1000.21. Any such institution may enter into an agreement with an online provider for the adult education or career instruction portion of the program if such provider offers instructional content and services that align with the state career and adult education curriculum frameworks.

(4) PAYMENT WAIVER; ELIGIBILITY.—

(b) To be eligible for participation in the GATE Program, a student must:

1. Not have earned a standard high school diploma pursuant to s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 before enrolling in the GATE Program;

2. Have been withdrawn from high school;

3. Be a resident of this state as defined in s. 1009.21(1);

4. Be at least 16 ~~to 21~~ years of age at the time of initial enrollment, provided that a student who is 16 or 17 years of age has withdrawn from school enrollment pursuant to the requirements and safeguards in s. 1003.21(1)(c);

5. Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE Program, provided that the career education program is included on the Master Credentials List under s. 445.004(4). The student is not required to enroll in adult secondary and career education program coursework simultaneously. The student may not change the requested pathway after enrollment, except that, if necessary for the student, the student may enroll in an adult basic education program prior to enrolling in the adult

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secondary education program;

6. Maintain a 2.0 GPA for career and technical education coursework; and

7. Notwithstanding s. 1003.435(4), complete the programs under subparagraph 5. within 3 years after his or her initial enrollment unless the institution determines that an extension is warranted due to extenuating circumstances.

Section 15. Subsections (5) and (7) of section 1006.73, Florida Statutes, are amended to read:

1006.73 Florida Postsecondary Academic Library Network.—

(5) REPORTING.—

~~(a)~~ By December 31 each year, the host entity shall submit a report to the Chancellors of the State University System and the Florida College System regarding the implementation and operation of all components described in this section, including, but not limited to, all of the following:

(a) ~~1-~~ Usage information collected under paragraph (2)(c).

(b) ~~2-~~ Information and associated costs relating to the services and functions of the program.

(c) ~~3-~~ The implementation and operation of the automated library services.

(d) ~~4-~~ The number and value of grants awarded under paragraph (4)(d) and the distribution of those funds.

~~5. The number and types of courses placed in the Student Open Access Resources Repository.~~

~~6. Information on the utilization of the Student Open Access Resources Repository and utilization of open educational resources in course sections, by Florida College System institution and state university.~~

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581 ~~(b) The Chancellors will provide an annual report on the~~
 582 ~~performance of the host entity in delivering the services and~~
 583 ~~any recommendations for changes needed to this section to the~~
 584 ~~Governor, the President of the Senate, the Speaker of the House~~
 585 ~~of Representatives, the Board of Governors, and the State Board~~
 586 ~~of Education. The Board of Governors and the Department of~~
 587 ~~Education shall include any necessary funding increases in their~~
 588 ~~annual legislative budget requests.~~

589 ~~(7) RECOMMENDATION ON OTHER EDUCATIONAL INSTITUTIONS TO BE~~
 590 ~~INCLUDED WITHIN THE FLORIDA POSTSECONDARY ACADEMIC LIBRARY~~
 591 ~~NETWORK. By June 1, 2022, the Commissioner of Education and the~~
 592 ~~Chancellor of the Board of Governors shall provide a joint~~
 593 ~~recommendation for a process by which school district career~~
 594 ~~centers operated under s. 1001.44 and charter technical career~~
 595 ~~centers under s. 1002.34 would access appropriate postsecondary~~
 596 ~~distance learning, student support services and library assets~~
 597 ~~described in this section. The recommendation must include an~~
 598 ~~analysis of the resources necessary to expand access and assets~~
 599 ~~to centers and their students.~~

600 Section 16. Paragraph (d) of subsection (5) and paragraph
 601 (c) of subsection (7) of section 1007.34, Florida Statutes, are
 602 amended to read:

603 1007.34 College reach-out program.—

604 (5) In selecting proposals for approval, the State Board of
 605 Education shall give preference to:

606 (d) A program that includes innovative approaches, provides
 607 a great variety of activities, and includes a large percentage
 608 of low-income educationally disadvantaged and underrepresented
 609 minority students in the college reach-out program.

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610 (7) A proposal must contain the following information:

611 (c) An identification of existing programs for enhancing
 612 the academic performance of minority and low-income
 613 educationally disadvantaged and underrepresented students for
 614 enrollment in postsecondary education.

615 Section 17. Section 1007.35, Florida Statutes, is amended
 616 to read:

617 1007.35 Florida Partnership for Minority and
 618 Underrepresented Student Achievement.—

619 (1) This section may be referred to by the popular name the
 620 "Florida Partnership for Minority and Underrepresented Student
 621 Achievement Act."

622 (2) (a) The Legislature recognizes the importance of not
 623 only access to college but also success in college for all
 624 students. It is the intent of the Legislature that every student
 625 enrolled in a public secondary school has access to high-
 626 quality, rigorous academics, with a particular focus on access
 627 to advanced courses. The Legislature also recognizes the
 628 importance of other career pathways, such as vocational and
 629 trade schools, and the importance of incentivizing the
 630 availability of high school programs to prepare students for
 631 those career paths.

632 (b) It is the intent of the Legislature to provide
 633 assistance to all public secondary schools, with a primary focus
 634 on low-performing middle and high schools.

635 ~~(c) It is the intent of the Legislature that the~~
 636 ~~partnership created in this section accomplish its mission~~
 637 ~~primarily through strengthening the content knowledge of~~
 638 ~~teachers and providing instructional resources, including~~

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materials and strategies, which enable teachers to provide instruction to students who have diverse learning styles.

(3) There is created the Florida Partnership for Minority and Underrepresented Student Achievement. The Department of Education may contract for operation of the partnership.

(4) The mission of the partnership is to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.

(5) Each public high school, including, but not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, shall provide for the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), or the PreACT to all enrolled 10th grade students. However, a written notice shall be provided to each parent which must include the opportunity to exempt his or her child from taking the PSAT/NMSQT or the PreACT.

(a) Test results will provide each high school with a database of student assessment data which certified school counselors will use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in advanced high school courses.

(b) Funding for the PSAT/NMSQT or the PreACT for all 10th grade students shall be contingent upon annual funding in the General Appropriations Act.

(c) Public school districts must choose either the PSAT/NMSQT or the PreACT for districtwide administration.

(6) The partnership shall:

(a) ~~Provide teacher training and professional learning to~~

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enable teachers of advanced courses to have the necessary content knowledge and instructional skills to prepare students for success on assessments developed pursuant to s. 1007.27(2) ~~and mastery of postsecondary general education core courses.~~

~~(b) Provide to middle school teachers and administrators professional learning that will enable them to educate middle school students at the level necessary to prepare the students to enter high school ready to participate in advanced courses.~~

~~(c) Provide teacher training and materials that are aligned with the state standards and are consistent with best theory and practice regarding multiple learning styles and research on learning, instructional strategies, instructional design, and classroom assessment. Curriculum materials must be based on current, accepted, and essential academic knowledge.~~

~~(d) Provide assessment of individual strengths and weaknesses as related to potential success in advanced courses and readiness for college.~~

(b)(e) Provide college entrance exam preparation through a variety of means that may include, but are not limited to, training teachers to provide courses at schools; training community organizations to provide courses at community centers, faith-based organizations, and businesses; and providing online courses.

~~(f) Consider ways to incorporate Florida College System institutions in the mission of preparing all students for postsecondary success.~~

(c)(g) Provide a plan for communication and coordination of efforts with the Florida Virtual School's provision of online advanced courses.

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697 (d) ~~(h)~~ Work with school districts to identify ~~minority and~~
 698 underrepresented students for participation in advanced courses.
 699 (e) ~~(i)~~ Work with school districts to provide information to
 700 students and parents that explains available opportunities for
 701 students to take advanced courses and that explains enrollment
 702 procedures that students must follow to enroll in such courses.
 703 Such information must also explain the value of such courses as
 704 they relate to:

- 705 1. Preparing the student for postsecondary level
- 706 coursework.
- 707 2. Enabling the student to gain access to postsecondary
- 708 education opportunities.
- 709 3. Qualifying for scholarships and other financial aid
- 710 opportunities.
- 711 (f) ~~(j)~~ Provide information to students, parents, teachers,
 712 counselors, administrators, districts, Florida College System
 713 institutions, and state universities regarding PSAT/NMSQT or the
 714 PreACT administration, including, but not limited to:
- 715 1. Test administration dates and times.
- 716 2. That participation in the PSAT/NMSQT or the PreACT is
- 717 open to all 10th grade students.
- 718 3. The value of such tests in providing diagnostic feedback
- 719 on student skills.
- 720 4. The value of student scores in predicting the
- 721 probability of success on advanced course examinations.
- 722 ~~(k) Cooperate with the department to provide information to~~
 723 ~~administrators, teachers, and counselors, whenever possible,~~
 724 ~~about partnership activities, opportunities, and priorities.~~
- 725 (g) ~~(i)~~ Partner with the Florida College System institutions

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726 and state universities identified by the State Board of
 727 Education and Board of Governors pursuant to s. 1007.25(3) to
 728 develop advanced courses ~~and provide teacher training.~~
 729 (7) By May 31 of each year, the Department of Education
 730 shall approve a plan of delivery of services for the subsequent
 731 academic year.
 732 (8) (a) By September 30 of each year, the partnership shall
 733 submit to the department a report that contains an evaluation of
 734 the effectiveness of the delivered services and activities.
 735 Activities and services must be evaluated on their effectiveness
 736 at raising student achievement and increasing the number of AP
 737 or other advanced course examinations in low-performing middle
 738 and high schools. Other indicators that must be addressed in the
 739 evaluation report include the number of middle and high school
 740 teachers trained; the effectiveness of the training; measures of
 741 postsecondary readiness of the students affected by the program;
 742 levels of participation in 10th grade PSAT/NMSQT or the PreACT
 743 testing; and measures of student, parent, and teacher awareness
 744 of and satisfaction with the services of the partnership.
 745 (b) The department shall contribute to the evaluation
 746 process by providing access, consistent with s. 119.071(5)(a),
 747 to student and teacher information necessary to match against
 748 databases containing teacher professional learning data and
 749 databases containing assessment data for the PSAT/NMSQT, SAT,
 750 ACT, PreACT, AP, and other appropriate measures. The department
 751 shall also provide student-level data on student progress from
 752 middle school through high school and into college and the
 753 workforce, if available, in order to support longitudinal
 754 studies. The partnership shall analyze and report student

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performance data in a manner that protects the rights of students and parents as required in 20 U.S.C. s. 1232g and s. 1002.22.

(9) (a) Funding for the partnership shall be contingent upon annual funding in the General Appropriations Act.

(b) The participating partner, if one is chosen, is required to match at least one-third of the allocation provided to the partnership in the General Appropriations Act in materials and services to the program.

(10) Nothing in this section shall prohibit any organization from partnering with the state to improve the college readiness of students.

Section 18. Paragraph (c) of subsection (8) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—

(8) (c) Up to 25 percent or \$600,000, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of an underrepresented a targeted gender or ethnic minority population. The financial aid fee revenues allocated for athletic scholarships and any fee exemptions provided to athletes pursuant to s. 1009.25(2) must be distributed equitably as required by s. 1000.05(3) (d). A minimum of 75 percent of the balance of these funds for new awards shall be used to provide financial aid based on absolute need, and the remainder of the funds shall be used for academic merit purposes and other purposes approved by the boards of

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trustees. Such other purposes shall include the payment of child care fees for students with financial need. The State Board of Education shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the revenue collected pursuant to this paragraph, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards that are based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. An award for academic merit requires a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

Section 19. Paragraphs (a) and (c) of subsection (20) of section 1009.26, Florida Statutes, are amended to read:

1009.26 Fee waivers.—

(20) (a) Beginning with the 2022-2023 academic year, a state university shall waive the out-of-state fee for a student who:

1. Has a grandparent who has established a domicile in this state pursuant to s. 222.17 for at least 5 years preceding an application for the fee waiver ~~is a legal resident as defined in s. 1009.21(1)~~. For purposes of this subsection, the term "grandparent" means a person who has a legal relationship to a student's parent as the natural or adoptive parent or legal guardian of the student's parent.

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813 2. Earns a high school diploma comparable to a Florida
 814 standard high school diploma, or its equivalent, or completes a
 815 home education program.

816 3.a. Achieves an SAT combined score no lower than the 89th
 817 national percentile on the SAT;

818 b. Achieves an ACT score concordant to the required SAT
 819 score in sub-subparagraph a., using the latest published
 820 national concordance table developed jointly by the College
 821 Board and ACT, Inc.; or

822 c. If a state university accepts the Classic Learning Test
 823 (CLT) for admission purposes, achieves a CLT score concordant to
 824 the required SAT score specified in sub-subparagraph a., using
 825 the latest published scoring comparison developed by Classic
 826 Learning Initiatives.

827 4. Beginning with students who initially enroll in the 2022
 828 fall academic term and thereafter, enrolls as a full-time
 829 undergraduate student at a state university in the fall academic
 830 term immediately following high school graduation.

831 (c) Before waiving the out-of-state fee, the state
 832 university shall require the student or the student's parent, if
 833 the student is a dependent child, to provide a written
 834 declaration pursuant to s. 92.525(2) attesting to the student's
 835 familial relationship to a grandparent who meets the residency
 836 requirement of subparagraph (a)1. ~~is a legal resident~~ and any
 837 other corroborating documentation required by regulation of the
 838 Board of Governors. A state university is not required to
 839 independently verify the statements contained in each
 840 declaration if the signatory declares it to be true under the
 841 penalties of perjury as required by s. 92.525(2). However, the

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842 state university may refer any signed declaration suspected of
 843 containing fraudulent representations to law enforcement.

844 Section 20. Subsection (2) of section 1009.536, Florida
 845 Statutes, is amended, and subsection (6) is added to that
 846 section, to read:

847 1009.536 Florida Gold Seal Vocational Scholars and Florida
 848 Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational
 849 Scholars award and the Florida Gold Seal CAPE Scholars award are
 850 created within the Florida Bright Futures Scholarship Program to
 851 recognize and reward academic achievement and career preparation
 852 by high school students who wish to continue their education.

853 (2) A student is eligible for a Florida Gold Seal CAPE
 854 Scholars award if he or she meets the general eligibility
 855 requirements for the Florida Bright Futures Scholarship Program,
 856 and the student:

857 (a) Earns a minimum of 3 ~~5~~ postsecondary credit hours
 858 through CAPE industry certifications approved pursuant to s.
 859 1008.44 which articulate for college credit; ~~and~~

860 (b) Earns a minimum cumulative weighted grade point average
 861 of 2.5, as calculated pursuant to s. 1009.531, on all subjects
 862 required for a standard high school diploma, excluding elective
 863 courses; and

864 (c) Completes at least 30 hours of volunteer service or,
 865 beginning with a high school student graduating in the 2022-2023
 866 academic year and thereafter, 100 hours of paid work, approved
 867 by the district school board, the administrators of a nonpublic
 868 school, or the Department of Education for home education
 869 program students, or 100 hours of a combination of both.
 870 Eligible paid work completed on or after June 27, 2022, shall be

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included in a student's total required paid work hours. The student may identify a social or civic issue or a professional area that interests him or her and develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, through papers or other presentations, evaluate and reflect upon his or her experience. Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

(6) Before or within 3 months after completion of the GATE Program as provided in s. 1004.933, a student may apply for the Florida Gold Seal CAPE Scholars award.

Section 21. Present subsection (4) of section 1009.897, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

1009.897 Prepping Institutions, Programs, Employers, and Learners through Incentives for Nursing Education (PIPELINE) Fund.—

(4) Each institution that receives funds through the PIPELINE Fund shall allocate the funds to its health care industry-related programs.

Section 22. Subsections (3) and (6) of section 1011.804, Florida Statutes, are amended to read:

1011.804 GATE Startup Grant Program.—

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(3) The department may solicit proposals from institutions without programs that meet the requirements of s. 1004.933(2). Such institutions must be located in or serve a rural area of opportunity as designated by the Governor. Additionally, institutions that meet program requirements and are located in or serve a rural area of opportunity may apply for grant funds specifically for marketing and outreach efforts to expand student participation in the GATE Program.

(6) Grant funds may be used for planning activities and other expenses associated with the creation of the GATE Program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, ~~and~~ student services, and outreach and marketing efforts to recruit and enroll eligible students. Institutions with existing programs that meet the requirements of s. 1004.933(2) and that are located in or serve a rural area of opportunity may apply for grant funds exclusively for marketing and outreach purposes to expand student participation in the GATE Program. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department. The department shall consolidate such annual reports and include the reports in the report required by s. 1004.933(5).

Section 23. Subsection (3) of section 1013.30, Florida Statutes, is amended to read:

1013.30 University campus master plans and campus development agreements.—

(3) Each university board of trustees shall prepare and adopt a campus master plan for the university and maintain a copy of the plan on the university's website. The master plan

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must identify general land uses and address the need for and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The plans must contain elements relating to future land use, intergovernmental coordination, capital improvements, recreation and open space, general infrastructure, housing, and conservation. Each element must address compatibility with the surrounding community. The master plan must identify specific land uses, general location of structures, densities and intensities of use, and contain standards for onsite development, site design, environmental management, and the preservation of historic and archaeological resources. The transportation element must address reasonable transportation demand management techniques to minimize offsite impacts where possible. Data and analyses on which the elements are based must include, at a minimum: the characteristics of vacant lands; projected impacts of development on onsite and offsite infrastructure, public services, and natural resources; student enrollment projections; student housing needs; and the need for academic and support facilities. Master plans must be updated at least every 10 5 years.

Section 24. Paragraph (c) of subsection (1) of section 1013.46, Florida Statutes, is amended to read:

1013.46 Advertising and awarding contracts; prequalification of contractor.—

(1)

~~(c) As an option, any county, municipality, or board may set aside up to 10 percent of the total amount of funds allocated for the purpose of entering into construction capital~~

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~~project contracts with minority business enterprises, as defined in s. 287.094. Such contracts shall be competitively bid only among minority business enterprises. The set-aside shall be used to redress present effects of past discriminatory practices and shall be subject to periodic reassessment to account for changing needs and circumstances.~~

Section 25. Paragraph (b) of subsection (1) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—

(1)

(b) The State Board of Education and the Board of Governors shall identify Florida College System institutions and state universities to develop courses that align with s. 1007.25 for students in secondary education and provide the training required under s. 1007.35(6).

Section 26. This act shall take effect July 1, 2025.

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

4-2-2025

Meeting Date

Fiscal Policy

Committee

1624

Bill Number or Topic

937726

Amendment Barcode (if applicable)

Name

Mark Anderson

Phone

813-205-0658

Address

110 S. Monroe

Street

Tallahassee

City

State

Zip

Email

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

FL Council of Private Colleges



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/CS/SB 1626

INTRODUCER: Fiscal Policy Committee; Appropriations Committee on Health and Human Services;
Children, Families, and Elder Affairs Committee; and Senator Grall

SUBJECT: Child Welfare

DATE: April 3, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Rao</u>	<u>Tuszynski</u>	<u>CF</u>	<u>Fav/CS</u>
2.	<u>Sneed</u>	<u>McKnight</u>	<u>AHS</u>	<u>Fav/CS</u>
3.	<u>Rao</u>	<u>Siples</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 1626 creates a new section of law to require the Department of Children and Families (DCF) to enter into agreements with the federal Family Advocacy Program to conduct child protective investigations at military institutions located in Florida.

The bill amends current law to include children that are the subject of a court order to take the child into the custody of the DCF in the definition of “missing child,” allowing the Florida Department of Law Enforcement to deploy additional resources to locate the child. The bill also assigns agency jurisdictions in situations in which a child is the subject of a court order to take the child into custody of the DCF.

The bill requires the DCF to adopt rules that allow caretakers to schedule and facilitate medical appointments to ensure the continuity of psychotropic medication prescriptions.

The bill allows the DCF to administer provisional licenses for new domestic violence centers and waive operational experience requirements if there is an emergency need for a new domestic violence center and no other viable option is available.

The bill revises the requirements for Governor’s appointees to councils on children services.

The bill grants the DCF the ability to grant limited exemptions to disqualification from background screenings due to certain disqualifying offenses, and limits individuals who receive the exemption to working with specific populations.

The bill increases the licensure extension period for certain child care facilities from 30 days to 90 days. The bill requires the DCF to establish a methodology for determining daily room and board rates for residential child-caring agencies.

The bill exempts a subcontractor of a Community-Based Care (CBC) lead agency that is a direct provider of foster care and related services from liability due to the acts or omissions of the lead agency; the DCF; or the officers of the lead agency or the DCF. The bill deems any conflicting provision in a contract between a subcontractor and lead agency is void and unenforceable.

The bill clarifies fire suppression requirements for child-caring agencies.

The bill has no fiscal impact on state expenditures or revenues. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2025, except as otherwise stated in the bill.

II. Present Situation:

The present situation is presented in Section III under the Effect of Proposed Changes.

III. Effect of Proposed Changes:

Background

The Dependency System Process

Chapter 39, F.S., creates Florida's dependency system charged with protecting children who have been abused, abandoned, or neglected. Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. The Department of Children and Families (DCF) and community-based care lead agencies (CBCs) work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children.¹

¹ See, Chapter 39, F.S.

Central Abuse Hotline

The DCF is required to operate and maintain a central abuse hotline (hotline)² to receive reports of known or suspected instances of child abuse,³ abandonment,⁴ or neglect,⁵ or instances when a child does not have a parent, legal custodian, or adult relative available to provide supervision and care.⁶ The hotline must operate 24 hours a day, 7 days a week, and accept reports through a single statewide toll-free telephone number or through electronic reporting.⁷

Child Protective Investigations

If the hotline determines a report meets the statutory criteria for child abuse, abandonment, or neglect, a DCF child protective investigator must complete a child protective investigation.⁸ Through face-to-face interviews with the child and family members, and assessments of the immediate safety of the children in the home, the CPI determines further actions. The CPI must either implement a safety plan for the child, which allows the child to remain in the home with in-home services or take the child into custody. If the child cannot safely remain in the home with a safety plan, the DCF must file a shelter petition and remove the child from his or her current home and temporarily place them in out-of-home care.⁹

When child welfare necessitates that the DCF remove a child from the home to ensure his or her safety, a series of dependency court proceedings must occur to place that child in an out-of-home placement, adjudicate the child dependent, and if necessary, terminate parental rights and free the child for adoption. Steps in the dependency process usually include:

- A report to the Florida Abuse Hotline.
- A child protective investigation to determine the safety of the child.
- The court finding the child dependent.
- Case planning for the parents to address the problems resulting in the child's dependency.

² Hereinafter cited as "hotline." The "Florida Abuse Hotline" is the DCF's central abuse reporting intake assessment center, which receives and processes reports of known or suspected child abuse, neglect or abandonment 24 hours a day, seven days a week. Chapter 65C-30.001, F.A.C. and Section 39.101, F.S.

³ Section 39.01(2), F.S., defines "abuse" as any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired.

⁴ Section 39.01(1), F.S., defines "abandoned" or "abandonment" as a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. "Establish or maintain a substantial and positive relationship" means, in part, frequent and regular contact with the child, and the exercise of parental rights and responsibilities.

⁵ Section 39.01(53), F.S., states "neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired, except when such circumstances are caused primarily by financial inability unless services have been offered and rejected by such person.

⁶ Section 39.201(1), F.S.

⁷ Section 39.101(1), F.S.

⁸ Prior to July 1, 2023, seven counties allowed the local sheriff's office to perform child protective investigations. The 2023 legislative session transitioned this responsibility fully back to the Department after changes in Florida's child welfare system aimed to integrate child protective investigations within existing crisis-oriented systems the DCF maintains. *See generally*: Laws of Fla. 2023-77.

⁹ Section 39.301, F.S.

- Placement in out-of-home care, if necessary.
- Reunification with the child's parent or another option to establish permanency, such as adoption after termination of parental rights.¹⁰

Dependency Proceeding	Description of Process	Controlling Statute(s)
Removal	The DCF may remove a child from his or her home if there is probable cause to believe the child has been abused, neglected, or abandoned, or that the parent or legal custodian of the child is unable or unavailable to care for the child.	s. 39.401, F.S.
Shelter Hearing	The court must hold a shelter hearing within 24 hours after removal. At this hearing, the judge determines whether the child can return to his or her home upon receiving DCF services, or keep the child in out-of-home care if services do not eliminate the need for removal.	s. 39.401, F.S. s. 39.402, F.S.
Petition for Dependency	The DCF must file a petition for dependency within 21 days of the shelter hearing. This petition seeks to find the child dependent, generally meaning the child has been abandoned, abused, or neglected by his or her parent's or legal custodians, or has no parent or legal custodian that can provide supervision or care.	s. 39.501, F.S. s. 39.01, F.S.
Arraignment Hearing and Shelter Review	The court must hold an arraignment and shelter review within 28 days of the shelter hearing. The hearing allows the parent to admit, deny, or consent to the allegations within the petition for dependency and allows the court to review any previous shelter placement.	s. 39.506, F.S.
Adjudicatory Trial	If the parent or legal custodian denies any allegations of the petition during the arraignment hearing, the court must hold an adjudicatory trial within 30 days of arraignment. The judge determines whether a child is dependent during this trial.	s. 39.507, F.S.
Disposition Hearing	If, at the arraignment hearing, the parent or legal custodian consents to any allegations of the dependency petition, the court must hold a disposition hearing within 15 days of arraignment. If, at the adjudicatory trial, the court finds the child dependent, the disposition hearing must be held within 30 days after the adjudicatory hearing. At the disposition hearing, the judge reviews the case plan and placement of the child and orders if the current case plan and placement should continue or be changed.	s. 39.506, F.S. s. 39.521, F.S.
Postdisposition Change of Custody Hearing	The court may change the temporary out-of-home placement of a child at a postdisposition hearing any time after disposition but before the child is residing in the permanent placement approved at a permanency hearing. The DCF or the current caregiver can file for this postdisposition change of custody.	s. 39.522, F.S.

¹⁰ The state has a compelling interest in providing stable and permanent homes for adoptive children in a prompt manner, in preventing the disruption of adoptive placements, and in holding parents accountable for meeting the needs of children. See Section 63.022, F.S.

Dependency Proceeding	Description of Process	Controlling Statute(s)
Judicial Review Hearings	After the initial judicial review hearing held within 90 days of the disposition hearing or approval of the case plan, the court must hold additional hearings to review the child's case plan and placement at least every 6 months, or upon motion of a party.	s. 39.701, F.S.
Permanency Hearings	The courts are required to conduct a permanency hearing within 12 months after a child is removed from his or her home. At this hearing, the judge will evaluate the progress of achieving the permanency goal, and determine if another permanency option needs to be pursued.	s. 39.621, F.S.
Petition for Termination of Parental Rights	If the DCF determines that reunification is no longer a viable goal and termination of parental rights is in the best interest of the child, and other requirements are met, a petition for termination of parental rights is filed. The DCF, the child's Guardian ad Litem, and any person knowledgeable about the facts of the case is able to file this petition.	s. 39.802, F.S. s. 39.8055, F.S. s. 39.806, F.S. s. 39.810, F.S.
Advisory Hearing	The court must hold an advisory hearing as soon as possible after all parties have been served with the petition for termination of parental rights. The hearing allows the parent to admit, deny, or consent to the allegations within the petition for termination of parental rights.	s. 39.808, F.S.
Adjudicatory Hearing	The court must hold an adjudicatory trial within 45 days after the advisory hearing. The judge determines whether to terminate parental rights to the child at this trial.	s. 39.809, F.S.

A child is found to be dependent if he or she is found by the court to be:

- Abandoned, abused, or neglected by the child's parent or parents or legal custodians;
- Surrendered to the DCF, the former Department of Health and Rehabilitative Services, or a licensed child-placing agency for purpose of adoption;
- Voluntarily placed with a licensed child-caring agency, a licensed child-placing agency, an adult relative, the DCF, or the former Department of Health and Rehabilitative Services, after which placement, under the requirements of this chapter, a case plan has expired and the parent or parents or legal custodians have failed to substantially comply with the requirements of the plan;
- Without a parent or legal custodian capable of providing supervision and care;
- At substantial risk of imminent abuse, abandonment, or neglect by the parent or parents or legal custodians; or
- Sexually exploited and to have no parent, legal custodian, or responsible adult relative currently known and capable of providing the necessary and appropriate supervision and care.¹¹

A petition for dependency may be filed by an attorney for the DCF or another person who has knowledge of the facts alleged or is informed of them and believes they are true.¹² At an

¹¹ Section 39.01(15), F.S.

¹² Section 39.501, F.S.

adjudicatory hearing, a judge will determine whether or not the facts support the allegations stated in the petition for dependency.¹³ A preponderance of evidence in the petition for dependency is required to establish the child as dependent.¹⁴

Child Protective Investigations on Military Installations

Present Situation

Federal Consultations with States

Federal law requires the states to report information regarding the abuse of a child at the hands of a family member that is in the U.S. military.¹⁵ The states have memorandums of understanding (MOUs) to create precedence of information sharing.¹⁶

Family Advocacy Program

Family Advocacy Programs (FAP) are congressionally mandated programs that aim to prevent and respond to reports of child abuse in military families.¹⁷ They are located at every military installation that houses families, both within and outside the United States.¹⁸

In Federal Fiscal Year (FFY) 2023, FAP received 11,854 reports of suspected child abuse and neglect.¹⁹ Of the total reports, 5,812 reports met the criteria for child abuse and neglect.²⁰ Upon a substantiated claim of child abuse in a military family, FAP staff will ensure the child's safety and well-being as well as notify the necessary law enforcement and child welfare services.²¹

Effect of Proposed Changes

Section 1 creates s. 39.3011, F.S., to require the DCF to enter into an agreement for child protective investigations within U.S. military installations. This change codifies current practice in Florida. The bill requires the DCF to enter into an agreement with the Family Advocacy Program, or any successor program, for each military institution located in Florida.

¹³ Section 39.01(4), F.S.

¹⁴ Section 39.507, F.S.

¹⁵ 10 U.S.C. Ch. 88

¹⁶ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 9, on file with the Senate Committee on Children, Families, and Elder Affairs.

¹⁷ U.S. Department of Defense, *Family Advocacy Program: Addressing Domestic Abuse*, available at: <https://dacowits.defense.gov/Portals/48/Documents/General%20Documents/RFI%20Docs/Sept2019/FAP%20RFI%208.pdf> (last visited 3/9/25).

¹⁸ U.S. Department of Defense, *Family Advocacy Program: Addressing Domestic Abuse*, available at: <https://dacowits.defense.gov/Portals/48/Documents/General%20Documents/RFI%20Docs/Sept2019/FAP%20RFI%208.pdf> (last visited 3/9/25).

¹⁹ U.S. Department of Defense, *Report to the Committees on Armed Services of the Senate and the House of Representatives, Report on Child Abuse and Neglect and Domestic Abuse in the Military for FFY 2023*, available at: <https://download.militaryonesource.mil/12038/MOS/Reports/DOD-Child-Abuse-and-Neglect-and-Domestic-Abuse-Report-FY2023.pdf> (last visited 3/9/25).

²⁰ *Id.*

²¹ U.S. Department of Defense Military One Source, *How to Report Child Abuse or Neglect in the Military*, available at: <https://www.militaryonesource.mil/relationships/prevent-violence-abuse/how-to-report-child-abuse-as-a-member-of-the-military/> (last visited 3/9/25).

The bill requires each agreement to include procedures for the following:

- Identifying the military personnel alleged to have committed the child abuse, abandonment, or neglect.
- Notifying and sharing information with the military installation when a child protective investigation implicating military personnel has been initiated.
- Maintaining confidentiality as required under state and federal law.

Taking a Child Alleged to be Dependent into Custody

Present Situation

A law enforcement officer or authorized agent of the DCF may take a child alleged to be dependent into custody if the officer or authorized agent has probable cause to support a finding²²:

- That the child has been abused, neglected, or abandoned, or is suffering from, or is in imminent danger of, illness or injury as a result of abuse, neglect, or abandonment;
- That the parent or legal custodian of the child has materially violated a condition of placement imposed by the court; or
- That the child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

The court may also issue an order to take a child into custody of the DCF upon a demonstration of reasonable cause that a child is abused, abandoned, or neglected.²³ This may happen upon the DCF's determination that an investigation into the allegations of abuse or neglect are founded, but the parent makes the child unavailable to the DCF.²⁴

A dependency judge may also issue an order for a law enforcement officer or authorized agent to take the child into the custody of the DCF if a parent violates an existing custody or visitation court order.²⁵ These orders are often referred to as Take Into Custody Orders (TICO) and allow law enforcement to assist the DCF in executing the court order.

Effect of Proposed Changes

Section 2 amends s. 39.401, F.S., to clarify when a law enforcement officer or authorized agent of the DCF can take a child into custody of the DCF. The bill allows the officer or authorized agent to take a child into DCF custody if there is probable cause to support a finding that the child is the subject of a court order to take the child into custody of the DCF.

Section 12 amends s. 937.0201, F.S., to include children that are the subject of a court order to take the child into custody of the DCF in the definition of "missing child." This change expands the resources available to find a child that the DCF cannot locate, by requiring the Florida Department of Law Enforcement to deploy its resources to locate the child, such as an Amber Alert.

²² Section 39.401, F.S.

²³ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 5, on file with the Senate Committee on Children, Families, and Elder Affairs.

²⁴ *Id.*

²⁵ *Id.*

Section 13 amends s. 937.021, F.S., to assign agency jurisdiction in situations in which a child is the subject of a court order to take the child into the custody of the DCF and jurisdiction cannot be determined. The bill requires the sheriff's office of the county in which the court order was entered to take jurisdiction.

Psychotropic Medications for Children in the Child Welfare System

Present Situation

Psychotropic medication refers to any medication prescribed with the intent to stabilize or improve mood, mental status, behavioral symptomatology, or mental illness and substances that may be prescribed to treat other medical conditions, but alter brain chemistry.²⁶ The following medications are considered psychotropic medications:²⁷

- Antipsychotics;
- Antidepressants;
- Sedative Hypnotics;
- Lithium;
- Stimulants;
- Non-stimulant Attention Deficit Hyperactivity Disorder medication;
- Anti-dementia medications and cognitions enhancers; and
- Anticonvulsants.

In the early 2000s, reports began to circulate that children in the child welfare system were being prescribed psychotropic medications at a disproportionate rate when compared to children not in the child welfare system.²⁸ Thus, states examined the procedures for prescribing children psychotropic medication while in out-of-home care.

In 2005, the Florida Legislature created statutory procedures that allowed the DCF to provide children with psychotropic medications.²⁹ The Legislature created different sets of procedures for initiating psychotropic medication for children that were not taking psychotropic medication at the time of removal, and children that had a current prescription for psychotropic medication at the time of removal.³⁰

As of March 27, 2025, there were 2,387 children in out-of-home care that had one or more current prescriptions for psychotropic medication.³¹

²⁶ 65C-35.001, F.A.C.

²⁷ *Id.*

²⁸ National Library of Medicine, *State Variation in Psychotropic Medication Use by Foster Care Children with Autism Spectrum Disorder*, doi: 10.1542/peds.2008-3713 (last visited 4/3/25).

²⁹ Chapter 2005-65, L.O.F.

³⁰ Chapter 2005-65, L.O.F.

³¹ Florida Department of Children and Families, *Psychotropic Medications Report for Children in Out-of-Home Care with One or More Current Prescriptions for a Psychotropic Medication*, available at: <https://www.myflfamilies.com/sites/default/files/2025-04/MedsReport%202025-03-28.pdf> (last visited 4/3/25).

Initiating the Prescription of Psychotropic Medications to a Child in Out-of-Home Care

When a CPI takes a child into the custody of the DCF, the CPI is required to ascertain if the child is taking psychotropic medications.³² If the child is not currently on psychotropic medication but an assessment of the child determines the need for such medication, a prescribing physician or psychiatric nurse³³ may prescribe the child psychotropic medications, providing certain conditions are met.³⁴ The physician or psychiatric nurse is required to consider alternate treatment interventions and assess the child's prior health conditions to determine if the prescription of psychotropic medication is an appropriate treatment.³⁵ Additionally, the prescribing physician or psychiatric nurse must attempt to obtain express and informed consent³⁶ from the child's parent or legal guardian before prescribing the psychotropic medication.³⁷ Child protective staff and the prescribing physician or psychiatric nurse are required make efforts to involve the parents, legal guardians, the child, and the child's caregiver in out-of-home placement during the treatment of the child.³⁸

The DCF may seek court authorization to provide psychotropic medications to a child if the parental rights of the parent have been terminated, the parent's location or identity is unknown and cannot be reasonably ascertained, or the parent declines to give express and informed consent.³⁹

Continuity of Psychotropic Medication Prescription

If a child taken into the custody of the DCF is currently taking psychotropic medications, the CPI is required to determine the following:⁴⁰

- The purpose of the medication;
- The name and phone number of the prescribing physician or psychiatric nurse;
- The dosage;
- Instructions regarding administration (e.g., timing, whether to administer with food); and
- Any other relevant information.

Florida law details the process that the DCF must take to obtain authorization to continue the provision of psychotropic medications to a child removed from his or her home.⁴¹ Additionally, once the DCF has obtained this authorization, the DCF has administrative rules to ensure that

³² 65C-35.006, F.A.C.

³³ For use in this section, a "psychiatric nurse" uses the definition in s. 394.455, F.S. to refer to an advanced practice registered nurse licensed under s. 464.012, F.S. who has a master's or doctoral degree in psychiatric nursing and holds a national advanced practice certification as a psychiatric mental health advanced practice nurse, and has 1 year of post-master's clinical experience under the supervision of a physician.

³⁴ 65C-35.002, F.A.C. and 65C-35.006, F.A.C.

³⁵ 65C-35.002, F.A.C.

³⁶ Express and informed consent refers to consent voluntarily given in writing, by a competent person, after sufficient explanation and disclosure of the subject matter involved to enable the person to make a knowing and willful decision without any element of force, fraud, deceit, duress, or other form of constraint or coercion. *See* Section 394.455(16), F.S.

³⁷ Section 39.407, F.S.

³⁸ 65C-35.003-65C-35.005, F.A.C. *See also* Section 409.407(3)(a)1., F.S.

³⁹ Section 39.407(3)(a)1., F.S.

⁴⁰ 65C-35.006, F.A.C.

⁴¹ Section 39.407(3), F.S.

children receive timely access to clinically appropriate psychotropic medications.⁴² Current law requires these rules to include, but need not be limited to, the following:⁴³

- The process for determining which adjunctive services are needed;
- The uniform process for facilitating the prescribing physician's or psychiatric nurse's ability to obtain the express and informed consent of a child's parent or guardian;
- The procedures for obtaining court authorization for the provision of a psychotropic medication;
- The frequency of medical monitoring and reporting on the status of the child to the court;
- How the child's parents will be involved in the treatment-planning process if their parental rights have not been terminated;
- How caretakers are to be provided information contained in the physician's or psychiatric nurse's signed medical report; and
- Uniform forms to be used in requesting court authorization for the use of a psychotropic medication and provide for the integration of each child's treatment plan and case plan.

Effect of the Proposed Changes

Section 3 of the bill amends s. 39.407, F.S. to require the DCF to adopt rules that include procedures to allow caretakers to schedule and facilitate medical appointments to ensure the timely access to and the management of existing psychotropic medication prescriptions.

The bill uses the term "caretaker" to refer to a person or entity in physical custody of a child placed pursuant to s. 39.401, F.S., including a representative of a licensed child-caring agency or emergency shelter.

Domestic Violence Centers

Present Situation

Florida law recognizes the importance of providing victims of domestic violence and their dependents access to safe emergency shelters, advocacy, and crisis intervention services.⁴⁴ The DCF is responsible for operating the state's domestic violence program, which includes the certification of domestic violence centers and promoting the involvement of domestic violence centers in the coordination, development, and planning of domestic violence programming throughout the state.⁴⁵

Domestic violence centers must provide minimum services that include, but are not limited to:

- Information and referral services.
- Counseling and case management services.
- Temporary emergency shelter for more than 24 hours.
- A 24-hour hotline.
- Nonresidential outreach services.

⁴² Section 39.407(3)(g), F.S.

⁴³ *Id.*

⁴⁴ Section 39.901, F.S.

⁴⁵ Section 39.903, F.S.

- Training for law enforcement personnel.
- Assessment and appropriate referral of resident children.
- Educational services for community awareness relating to the prevention of domestic violence, and the services available to victims of domestic violence.⁴⁶

The DCF sets certification standards for domestic violence shelters in administrative rule. A domestic violence center must:

- Be a not-for-profit corporation created for the purpose of operating a domestic violence center with a primary mission of the provision of services to victims of domestic violence.
- Demonstrate the unmet need in a service area when seeking certification within the service area of an existing certified center.
- Must have 18 consecutive months of operational experience, with 12 months operation as an emergency shelter.
- Must demonstrate an ability to operate, garner community support, and maintain solvency by providing proof of required safety and financial standards.⁴⁷

There are currently 41 certified domestic violence centers throughout Florida.⁴⁸ Certification allows a domestic violence shelter to receive state funds⁴⁹, if applicable, and utilize victim advocates who can provide advice, counseling, or assistance to victims of domestic violence under the confidential communication protections of current law.⁵⁰

In FY 2023-24, there were 12,543 individuals that received emergency shelter at a certified domestic violence center.⁵¹ However, individuals may experience a disruption in service delivery if a domestic violence center abruptly shuts down or loses certification and there is no other domestic violence center in that service area. Current law would restrict the ability of a new domestic violence center to open in that area, due to the required 18 months of operational experience.

Effect of Proposed Changes

Section 4 amends s. 39.905, F.S., to allow the DCF to waive operational experience requirements and issue a provisional certification for a new domestic violence center to ensure the provision of services. The bill allows the DCF to issue a provisional certification if there is an emergency need for a new domestic violence center, and there are no other viable options to ensure continuity of services.

The domestic violence center that receives a provisional certification under this section must meet all other criteria, except operational experience, that are required by law.

⁴⁶ Section 39.905, F.S.

⁴⁷ 65H-1.012, F.A.C.

⁴⁸ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 6, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁴⁹ Section 39.903, F.S.

⁵⁰ Section 90.5036, F.S.

⁵¹ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 6, on file with the Senate Committee on Children, Families, and Elder Affairs.

The bill gives the DCF rulemaking authority to provide minimum standards for a provisional certificate, including increased monitoring and site visits, and the length of time a provisional certificate is valid.

Council on Children Services

Present Situation

Counties can create independent special districts that provide funding for children's services throughout the county.⁵² These councils may use property taxes to meet the needs of the children and families living in their community.⁵³ The number of members of the council is either 10 or 33, depending on the county's regulations.⁵⁴

The Governor is responsible for appointing either 5 members of the council (in a 10-person council) or 7 members of the council (in a 33-person council).⁵⁵ Current law requires the Governor's appointees to represent the geographic and demographic diversity of the county's population, to the extent possible.⁵⁶

Currently, the following counties have created councils on children services⁵⁷:

- Alachua;
- Broward;
- Escambia;
- Duval;
- Leon;
- Hillsborough;
- Manatee;
- Martin;
- Miami-Dade;
- Okeechobee;
- Palm Beach;
- Pinellas; and
- St. Lucie.

All the councils on children services, except for Duval and Manatee, have an "independent" taxing authority to ensure that a dedicated funding source is available for children's programs and services.⁵⁸ Duval county is a dependent district and relies on funding from different sources, and Manatee County has a hybrid system.⁵⁹

⁵² Section 125.901, F.S.

⁵³ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁵⁴ Section 125.901, F.S., and Section 125.011, F.S.

⁵⁵ Section 125.901, F.S.

⁵⁶ Section 125.901, F.S.

⁵⁷ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁵⁸ *Id.*

⁵⁹ *Id.*

Effect of Proposed Changes

Section 5 amends s. 125.901, F.S., to revise the requirements for the selection and removal of the Governor's appointees to the Councils on Children's Services. Specifically, the bill:

- Changes the DCF employee who is responsible for being on the Council on Children's Services from the district administrator to a representative of the DCF.
- Revises the requirement for the Governor's appointees to represent the demographic makeup of the county's population.
- Allows the county governing body to submit recommendations to the Governor for vacant positions on the council.
- Allows the governing body to select an interim appointment for each vacant position from the list of recommendations submitted to the Governor if the Governor fails to make an appointment within the required 45-day period.
- Requires all members recommended by the county governing body and appointed by the Governor to have been residents of the county for the previous 24-month period.
- Includes a designee of the county manager or equivalent county officer in the list of members of a CSC with 33 members.
- Removes the ability of a member of a local alliance or coalition engaged in cross-system planning for health and social service delivery in the county to be on a CSC that is composed of 33 members.
- Increases the members-at-large that are appointed to the CSC by the majority of sitting council members from four to five.
- Increases the length of terms that appointed CSC members can serve from 2-year terms to 3-year terms.

Background Screening and Limited Exemptions

Present Situation

The DCF is responsible for the licensing and regulation of programs for children and vulnerable adults.⁶⁰ A Level II background screening is included in the regulation process. This background screening includes, but is not limited to⁶¹:

- Fingerprinting for statewide criminal history records checks through the Department of Law Enforcement.
- National criminal history records checks through the Federal Bureau of Investigation.
- Local criminal history records checks may be included through local law enforcement agencies.

In Fiscal Year 2023-24, the DCF screened 278,894 individuals for employment in child care facilities, CBC agencies, foster families, group homes, summer camps, substance abuse treatment facilities, and mental health treatment facilities.⁶²

⁶⁰ Florida Department of Children and Families, *Background Screening*, available at: <https://www.myflfamilies.com/services/background-screening> (last visited 3/9/25).

⁶¹ Section 435.04, F.S.

⁶² Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

Level II background screenings ensure an individual does not have any disqualifying offenses on his or her record, such as burglary or the fraudulent sale of controlled substances.⁶³ A full list of disqualifying offenses is included in statute.⁶⁴

An individual that has a disqualifying offense may apply for an exemption from disqualification depending on their disqualifying offense.⁶⁵ The applicant must provide evidence of rehabilitation from the circumstances of the disqualifying offense when seeking an exemption.⁶⁶ Florida law lists certain offenses that may not be exempted from disqualification for individuals seeking to be child care personnel.⁶⁷

In Fiscal Year 2023-24, the DCF received 1,544 requests for exemptions from disqualification for individuals seeking employment with vulnerable populations.⁶⁸ There are different qualifications for working with every population the DCF serves.

There is limited flexibility in granting exemptions from disqualification. Current law phrases exemptions as all-or-nothing; meaning, the DCF Secretary must either reject the exemption all together or allow the individual to work in all roles that work with a vulnerable population.⁶⁹ Current law does not allow the DCF Secretary to make exemptions with restrictions, such as restricting an applicant to working with adult populations only.⁷⁰

Effect of Proposed Changes

Section 6 amends s. 402.305, F.S., to provide the DCF with more oversight of instances in which an individual seeking employment as child care personnel can receive an exemption from a background screening despite a disqualifying offense.

The bill allows the DCF to grant limited exemptions that authorize a person seeking employment to work in a specified role or with a specified population, if the individual has a disqualifying offense in his or her background screening.

Section 8 amends s. 409.175, F.S., to grant limited exemptions authorizing a person who wishes to work in a family foster home, residential child-caring agency, and child-placing agency in a specified role or with a specified population.

⁶³ Section 435.04(2), F.S.

⁶⁴ *Id.*

⁶⁵ Section 435.07, F.S.

⁶⁶ Florida Department of Children and Families, *Apply for Exemption from Disqualification*, available at: <https://www.myflfamilies.com/services/background-screening/apply-exemption-disqualification> (last visited 3/9/25).

⁶⁷ Section 435.07(2)(c), F.S.

⁶⁸ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁶⁹ *Id.*

⁷⁰ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

License Extensions

Present Situation

The DCF provides licensure for family foster homes, residential child-caring agencies, and child-placing agencies.⁷¹ There are different licensure requirements based on the levels of licensed care associated with family foster homes, residential child-caring agencies, and child placing agencies housed in administrative rule.⁷² In Fiscal Year 2023-2024, the DCF licensed 9,316 child-caring agencies and foster homes.⁷³ The DCF is not allowed to issue provisional licenses under federal law for providers that fall into noncompliance.⁷⁴ To allow providers to come into compliance and follow federal standards, the DCF has the ability to provide a one-time 30-day extension to the provider.⁷⁵ The 30-day extension may not give the provider the adequate time needed to correct a licensure violation regardless of the provider's steps to correct the violation.⁷⁶

Effect of Proposed Changes

Section 8 amends s. 409.175, F.S., to extend the length of time the DCF can extend a license expiration date for family foster homes, residential child-caring agencies, and child-placing agencies from 30 days to 90 days. This change is intended to allow the provider enough time to implement corrective measures that may be out of the provider's control.

Community-Based Care Lead Agencies

Present Situation

The DCF contracts with Community-Based Care (CBC) lead agencies to administer a system of care⁷⁷ to children and families that must focus on:

- Prevention of separation of children from their families;
- Intervention to allow children to remain safely in their own homes;
- Reunification of families who have had their children removed their care;
- Safety for children who are separated from their families;
- Promoting the well-being of children through emphasis on educational stability and timely health care;
- Permanency, including providing adoption and postadoption services; and
- Transition to independence and self-sufficiency.⁷⁸

The CBCs must give priority to services that are evidence-based and trauma informed.⁷⁹ The CBCs contract with a number of subcontractors for case management and direct care services to

⁷¹ Section 409.175, F.S.

⁷² Section 409.175(5), F.S.

⁷³ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁷⁴ *Id.*

⁷⁵ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 7, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁷⁶ *Id.*

⁷⁷ Section 409.145(1), F.S.

⁷⁸ *Id.* Also see generally s. 409.988, F.S.

⁷⁹ Section 409.988(3), F.S.

children and their families. There are 16 CBCs statewide, which together serve the state's 20 judicial circuits.⁸⁰

Effect of Proposed Changes

Section 9 amends s. 409.993, F.S., to exempt subcontractors of CBC lead agencies that are a direct provider of foster care and related services from liability for the actions or omissions of the lead agency; the DCF or the officers, agents, or employees of the CBC lead agency or DCF. This change will reduce subcontractor's hesitancy to enter contracts with CBC lead agencies, as they will not be held liable for the actions and omissions of the lead agency.

Group Care

Present Situation

Group homes are a part of the DCF's licensed placement array for children in out-of-home care and provide staffed 24-hour care for children under the licensure of the DCF.⁸¹ Group homes place a child in a single family or multi-family community with no greater than 14 children to meet the physical, emotional, and social needs of the child.⁸²

The CBC lead agencies contract with group home providers and negotiate room and board rates in the regions the CBC lead agencies serve.⁸³ This has led to a significant increase in the cost of group homes and a wide variation in the room and board rates throughout the state. The following chart shows that the cost of group care has risen in recent years, while the number of children in group care has decreased.⁸⁴

Group Care Cost versus Group Care Placement						
Total Cost	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24
Statewide	\$116,808,722	\$118,243,424	\$114,783,908	\$126,063,837	\$157,688,554	\$174,223,084
Placement	6/30/19	6/30/20	6/30/21	6/30/22	6/30/23	6/30/24
Statewide	1,909	1,620	1,506	1,494	1,608	1,726

Effect of Proposed Changes

Section 7 amends s. 409.145, F.S., to require the DCF to establish a methodology to determine a daily room and board rates for children in out-of-home care who are placed in a residential child-caring agency. The bill requires the DCF to coordinate with its providers to develop a methodology, which may produce different payment rates based on factors including, but not

⁸⁰ The DCF, Lead Agency Information, available at: <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information> (last visited 3/11/25).

⁸¹ Section 409.175, F.S.

⁸² 65C-14.001, F.A.C.

⁸³ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

⁸⁴ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 8, on file with the Senate Committee on Children, Families, and Elder Affairs.

limited to, the acuity level of the child being placed and the geographic location of the residential child-caring agency.

The bill provides the DCF rulemaking authority to implement this section.

Building Code Regulation for Child-Caring Agencies

Present Situation

Fire Prevention and Control

State law requires all municipalities, counties, and special districts with fire safety responsibilities to enforce the Fire Code as the minimum fire prevention code to operate uniformly among local governments and in conjunction with the Building Code. Each county, municipality, and special district with fire safety enforcement responsibilities must employ or contract with a fire safety inspector (certified by the State Fire Marshal) to conduct all fire safety inspections required by law.⁸⁵

A “fire protection system” is a system individually designed to protect the interior or exterior of a specific building or buildings, structure, or other special hazard from fire. A fire protection system includes, but is not limited to:⁸⁶

- Water sprinkler systems;
- Water spray systems;
- Foam-water sprinkler systems;
- Foam-water spray systems;
- Carbon dioxide systems;
- Foam extinguishing systems;
- Dry chemical systems; and
- Halon and other chemical systems used for fire protection use.

Fire protection systems also include any tanks and pumps connected to fire sprinkler systems, overhead and underground fire mains, fire hydrants and hydrant mains, standpipes and hoses connected to sprinkler systems, sprinkler tank heaters, air lines, and thermal systems used in connection with fire sprinkler systems.⁸⁷

Fire protection systems must be installed in accordance with the Fire Code and the Building Code. Current law requires local governments to enforce the Fire Code and the Building Code including the permitting, inspecting, and approving the installation of a fire protection system.⁸⁸ Owners of fire protection systems must contract with a certified fire protection system contractor to regularly inspect such systems.⁸⁹

⁸⁵ Section 633.202, F.S.

⁸⁶ Section 633.102(11), F.S.

⁸⁷ Section 633.102(11), F.S.

⁸⁸ See generally chs. 553 and 633, F.S.; Florida Fire Prevention Code 8th Edition (NFPA Standard 1), available at [florida-fire-prevention-code-8th-edition-nfpa-101-fl-sp.pdf](#) (last visited Mar. 4, 2025).

⁸⁹ Section 633.312, F.S.

The Division of the State Fire Marshal follows the standards of the National Fire Protection Association to create fire safety standards with respect to residential child care facilities that provide full-time residence to five or fewer children.⁹⁰ The DCF has reported there to be disagreement in the intended purpose of this rule, which has caused some group homes to purchase costly fire suppression systems when one was not required.⁹¹

Effect of Proposed Changes

Section 10 amends s. 553.73, F.S., to prohibit the Florida Building Commission from mandating the installation of fire sprinklers or a fire suppression system in a residential child-caring agency licensed by the DCF which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee.

Section 11 amends s. 633.208, F.S., to prohibit the fire marshal from requiring a residential child-caring agency licensed by the DCF which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee from installing fire sprinklers or a fire suppression system. This prohibition is contingent upon the licensee meeting the requirements for portable fire extinguishers, fire alarms, and smoke detectors.

Other

Sections 14, 15, and 16 of the bill make conforming cross-reference changes to align statute with the substantive changes in the bill.

Section 17 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁹⁰ 69A-41.007, F.A.C. and 69A-41.101, F.A.C.

⁹¹ Florida Department of Children and Families, *2025 Agency Analysis*, pg. 9, on file with the Senate Committee on Children, Families, and Elder Affairs.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no identified fiscal impact on state expenditures or revenues.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 39.401, 39.407, 39.905, 125.901, 402.305, 402.30501, 409.145, 409.175, 409.993, 553.73, 633.208, 937.0201, 937.021, 1002.57, and 1002.59.

This bill creates the following sections of the Florida Statutes: 39.3011.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Fiscal Policy on April 2, 2025:

The committee substitute:

- Changes the membership requirements for certain Children’s Services Councils (CSC).
 - Allows a designee of the county manager or equivalent county officer to serve as a CSC council member and removes the requirement of specific members of a local alliance or coalition from serving as a CSC member.
 - Increases the members-at-large that are appointed to the CSC by the majority of sitting council members from four to five members.
 - Increases the length of an appointed CSC member’s term from 2-years to 3-years.

- Requires the DCF to adopt administrative rules that include procedures to allow caretakers to schedule and facilitate medical appointments to ensure timely access to and the management of existing psychotropic medication prescriptions.

CS/CS by Appropriations Committee on Health and Human Services on March 26, 2025:

The committee substitute:

- Removes language related to unaccompanied alien children (UAC) and special immigrant juvenile status (SIJ). Specifically, the amendment
 - Deletes sections 1, 2, and 6, related to the creation and implementation of a UAC reporting system; and
 - Deletes section 5 related to the filing of petitions in dependency court seeking SIJ status.
- Requires the DCF to establish a methodology to determine daily room and board rates rather than establishing a fee schedule.

CS by Children, Families, and Elder Affairs on March 12, 2025:

The committee substitute:

- Removes section of the original bill language related to the false reporting of child abuse, abandonment, and neglect, and the civil lawsuit a person who had a false report filed against them may file against the false reporter.
- Updates language surrounding the appointments to Councils on Children's Services including:
 - Changes the DCF employee who is responsible for being on the Council on Children's Services from the district administrator to a representative of the DCF.
 - Allows the governing body to select an interim appointment for each vacant position from the list of recommendations submitted to the Governor if the Governor fails to make an appointment within the required 45-day period.
 - Requires all members recommended by the county governing body and appointed by the Governor to have been residents of the county for the previous 24-month period.
- Provides that a subcontractor of a CBC lead agency is not liable for the acts or omissions of a lead agency; the DCF; or the officers, agents, employees of a lead agency or the DCF. Provides that any contractual provision in conflict with this requirement is void and unenforceable.
- Removes section of the original bill related to zoning requirements for community residential homes.
- Revises the changes made to take into custody orders by removing the provision related to "reasonable force."

B. Amendments:

None.



466770

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Calatayud) recommended the following:

Senate Amendment (with title amendment)

Delete lines 191 - 233
and insert:
equivalent county officer, or his or her designee; the district administrator from the appropriate district of the Department of Children and Families, or the administrator's designee who is a member of the Senior Management Service or the Selected Exempt Service; the director of the county health department or the director's designee; the state attorney for the county or the



466770

11 state attorney's designee; the chief judge assigned to juvenile
12 cases, or another juvenile judge who is the chief judge's
13 designee and who shall sit as a voting member of the board,
14 except that the judge may not vote or participate in setting ad
15 valorem taxes under this section; an individual who is selected
16 by the board of the local United Way or its equivalent; a member
17 of a locally recognized faith-based coalition, selected by that
18 coalition; a member of the local chamber of commerce, selected
19 by that chamber or, if more than one chamber exists within the
20 county, a person selected by a coalition of the local chambers;
21 a member of the early learning coalition, selected by that
22 coalition; a representative of a labor organization or union
23 active in the county; ~~a member of a local alliance or coalition~~
24 ~~engaged in cross-system planning for health and social service~~
25 ~~delivery in the county, selected by that alliance or coalition;~~
26 a member of the local Parent-Teachers Association/Parent-
27 Teacher-Student Association, selected by that association; a
28 youth representative selected by the local school system's
29 student government; a local school board member appointed by the
30 chair of the school board; the mayor of the county or the
31 mayor's designee; one member of the county governing body,
32 appointed by the chair of that body; a member of the state
33 Legislature who represents residents of the county, selected by
34 the chair of the local legislative delegation; an elected
35 official representing the residents of a municipality in the
36 county, selected by the county municipal league; and 4 members-
37 at-large, appointed to the council by the majority of sitting
38 council members. The remaining seven members shall be appointed
39 by the Governor in accordance with procedures set forth in



466770

paragraph (a), except that the Governor may remove a member for cause or upon the written petition of the council. Appointments by the Governor must, to the extent reasonably possible, represent the geographic and demographic makeup ~~diversity~~ of the population of the county. Members who are appointed to the council by reason of their position are not subject to the length of terms and limits on consecutive terms as provided in this section. The remaining appointed members of the governing body shall be appointed to serve 3-year ~~2-year~~ terms,

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 18 - 21

and insert:

revising membership requirements for the governing bodies of certain independent special districts; authorizing the county governing body to select an interim appointment for a vacancy under certain circumstances; revising the terms for certain members of the districts' governing bodies; amending s.



128932

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Calatayud) recommended the following:

Senate Amendment to Amendment (466770)

Delete line 36
and insert:
county, selected by the county municipal league; and 5 4
members-



873988

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete line 617

and insert:

Section 16. Paragraph (g) of subsection (3) of section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody.—

(3)



873988

(g) The department must ~~shall~~ adopt rules to ensure that children receive timely access to clinically appropriate psychotropic medications. These rules must include, but need not be limited to, the process for determining which adjunctive services are needed, the uniform process for facilitating the prescribing physician's or psychiatric nurse's ability to obtain the express and informed consent of a child's parent or guardian, the procedures for obtaining court authorization for the provision of a psychotropic medication, the frequency of medical monitoring and reporting on the status of the child to the court, how the child's parents will be involved in the treatment-planning process if their parental rights have not been terminated, ~~and~~ how caretakers are to be provided information contained in the physician's or psychiatric nurse's signed medical report, and the procedures to allow caretakers to schedule and facilitate medical appointments to ensure timely access to and the management of existing psychotropic medication prescriptions. For the purposes of this paragraph, the term "caretaker" means a person or entity in physical custody of a child placed pursuant to s. 39.401, to include a representative of a licensed child-caring agency or emergency shelter. The rules must also include uniform forms to be used in requesting court authorization for the use of a psychotropic medication and provide for the integration of each child's treatment plan and case plan. The department must begin the formal rulemaking process within 90 days after the effective date of this act.

Section 17. This act shall take effect July 1, 2025.

===== T I T L E A M E N D M E N T =====



873988

40 And the title is amended as follows:
41 Delete line 53
42 and insert:
43 cross-references; amending s. 39.407, F.S.; requiring
44 the department to develop rules to include a specific
45 process to ensure children receive timely access to
46 clinically appropriate psychotropic medications;
47 providing an effective date.

By the Appropriations Committee on Health and Human Services;
the Committee on Children, Families, and Elder Affairs; and
Senator Grall

603-02903-25

20251626c2

1 A bill to be entitled
2 An act relating to child welfare; creating s. 39.3011,
3 F.S.; defining the term "Family Advocacy Program";
4 requiring the Department of Children and Families to
5 enter into agreements with certain military
6 installations for child protective investigations
7 involving military families; providing requirements
8 for such agreements; amending s. 39.401, F.S.;
9 authorizing a law enforcement officer or an authorized
10 agent of the department to take a child into custody
11 who is the subject of a specified court order;
12 amending s. 39.905, F.S.; authorizing the department
13 to waive a specified requirement if there is an
14 emergency need for a new domestic violence center, to
15 issue a provisional certification to such center under
16 certain circumstances, and to adopt rules relating to
17 provisional certifications; amending s. 125.901, F.S.;
18 revising membership requirements for certain
19 independent special districts; authorizing the county
20 governing board to select an interim appointment for a
21 vacancy under certain circumstances; amending s.
22 402.305, F.S.; authorizing the department to grant
23 certain exemptions from disqualification for certain
24 persons; amending s. 409.145, F.S.; requiring the
25 department to establish a methodology to determine
26 daily room and board rates for certain children by a
27 date certain, which may include different rates based
28 on a child's acuity level or the geographic location
29 of the residential child-caring agency; requiring the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 department to adopt rules; amending s. 409.175, F.S.;
31 authorizing the department to grant certain exemptions
32 from disqualification for certain persons; authorizing
33 the department to extend the expiration date of a
34 license by a specified amount of time for a certain
35 purpose; amending s. 409.993, F.S.; specifying that
36 subcontractors of lead agencies that are direct
37 providers of foster care and related services are not
38 liable for certain acts or omissions; providing that
39 certain contract provisions are void and
40 unenforceable; amending s. 553.73, F.S.; prohibiting
41 the Florida Building Commission from mandating the
42 installation of fire sprinklers or a fire suppression
43 system in certain agencies licensed by the department;
44 amending s. 633.208, F.S.; providing that certain
45 residential child-caring agencies are not required to
46 install fire sprinklers or a fire suppression system
47 under certain circumstances; amending s. 937.0201,
48 F.S.; revising the definition of the term "missing
49 child"; amending s. 937.021, F.S.; specifying the
50 entity with jurisdiction for accepting missing child
51 reports under certain circumstances; amending ss.
52 402.30501, 1002.57, and 1002.59, F.S.; conforming
53 cross-references; providing an effective date.

54
55 Be It Enacted by the Legislature of the State of Florida:

56
57 Section 1. Section 39.3011, Florida Statutes, is created to
58 read:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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39.3011 Protective investigations involving military families.—

(1) For purposes of this section, the term "Family Advocacy Program" means the program established by the United States Department of Defense to address child abuse, abandonment, and neglect in military families.

(2) The department shall enter into an agreement for child protective investigations involving military families with the Family Advocacy Program, or any successor program, of each United States military installation located in this state. Such agreement must include procedures for all of the following:

(a) Identifying the military personnel alleged to have committed the child abuse, abandonment, or neglect.

(b) Notifying and sharing information with the military installation when a child protective investigation implicating military personnel has been initiated.

(c) Maintaining confidentiality as required under state and federal law.

Section 2. Subsection (1) of section 39.401, Florida Statutes, is amended to read:

39.401 Taking a child alleged to be dependent into custody; law enforcement officers and authorized agents of the department.—

(1) A child may only be taken into custody:

(a) Pursuant to the provisions of this part, based upon sworn testimony, either before or after a petition is filed; or

(b) By a law enforcement officer, or an authorized agent of the department, if the officer or authorized agent has probable cause to support a finding that the:

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1. ~~That the~~ Child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment;

2. Child is the subject of a court order to take the child into the custody of the department;

~~3.2. That the~~ Parent or legal custodian of the child has materially violated a condition of placement imposed by the court; or

~~4.3. That the~~ Child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

Section 3. Paragraph (h) of subsection (1) of section 39.905, Florida Statutes, is amended to read:

39.905 Domestic violence centers.—

(1) Domestic violence centers certified under this part must:

(h) Demonstrate local need and ability to sustain operations through a history of 18 consecutive months' operation as a domestic violence center, including 12 months' operation of an emergency shelter as provided in paragraph (c), and a business plan which addresses future operations and funding of future operations. The department may waive this requirement if there is an emergency need for a new domestic violence center to provide services in an area and no other viable options exist to ensure continuity of services. If there is an emergency need, the department may issue a provisional certification to the domestic violence center as long as the center meets all other criteria in this subsection. The department may adopt rules to provide minimum standards for a provisional certificate,

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117 including increased monitoring and site visits and the time
 118 period that such certificate is valid.

119 Section 4. Paragraphs (a) and (b) of subsection (1) of
 120 section 125.901, Florida Statutes, are amended to read:

121 125.901 Children's services; independent special district;
 122 council; powers, duties, and functions; public records
 123 exemption.-

124 (1) Each county may by ordinance create an independent
 125 special district, as defined in ss. 189.012 and 200.001(8)(e),
 126 to provide funding for children's services throughout the county
 127 in accordance with this section. The boundaries of such district
 128 shall be coterminous with the boundaries of the county. The
 129 county governing body shall obtain approval at a general
 130 election, as defined in s. 97.021, by a majority vote of those
 131 electors voting on the question, to annually levy ad valorem
 132 taxes which shall not exceed the maximum millage rate authorized
 133 by this section. Any district created pursuant to the provisions
 134 of this subsection shall be required to levy and fix millage
 135 subject to the provisions of s. 200.065. Once such millage is
 136 approved by the electorate, the district shall not be required
 137 to seek approval of the electorate in future years to levy the
 138 previously approved millage. However, a referendum to increase
 139 the millage rate previously approved by the electors must be
 140 held at a general election, and the referendum may be held only
 141 once during the 48-month period preceding the effective date of
 142 the increased millage.

143 (a) The governing body of the district shall be a council
 144 on children's services, which may also be known as a juvenile
 145 welfare board or similar name as established in the ordinance by

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146 the county governing body. Such council shall consist of 10
 147 members, including the superintendent of schools; a local school
 148 board member; ~~a representative the district administrator~~ from
 149 the appropriate district of the Department of Children and
 150 Families, or his or her designee who is a member of the Senior
 151 Management Service or of the Selected Exempt Service; one member
 152 of the county governing body; and the judge assigned to juvenile
 153 cases who shall sit as a voting member of the board, except that
 154 said judge shall not vote or participate in the setting of ad
 155 valorem taxes under this section. If there is more than one
 156 judge assigned to juvenile cases in a county, the chief judge
 157 shall designate one of said juvenile judges to serve on the
 158 board. The remaining five members shall be appointed by the
 159 Governor, and shall, to the extent possible, represent the
 160 demographic makeup diversity of the population of the county.
 161 After soliciting recommendations from the public, the county
 162 governing body shall submit to the Governor recommendations the
 163 ~~names of at least three persons~~ for each vacancy occurring among
 164 the five members appointed by the Governor, and the Governor may
 165 ~~shall~~ appoint members to the council from the candidates
 166 nominated by the county governing body. The Governor shall make
 167 a selection within a 45-day period, but if the Governor fails to
 168 make an appointment within the 45-day period, the county
 169 governing body may select an interim appointment for each
 170 vacancy from the recommendations submitted to the Governor or
 171 ~~request a new list of candidates~~. All members recommended by the
 172 county governing body and appointed by the Governor must shall
 173 have been residents of the county for the previous 24-month
 174 period. Such members shall be appointed for 4-year terms, except

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175 that the length of the terms of the initial appointees shall be
 176 adjusted to stagger the terms. The Governor may remove a member
 177 for cause or upon the written petition of the county governing
 178 body. If any of the members of the council required to be
 179 appointed by the Governor under ~~the provisions of this~~
 180 subsection resigns, dies, or is ~~shall resign, die, or be~~ removed
 181 from office, the vacancy thereby created shall, as soon as
 182 practicable, be filled by appointment by the Governor, using the
 183 same method as the original appointment, and such appointment to
 184 fill a vacancy shall be for the unexpired term of the person who
 185 resigns, dies, or is removed from office.

186 (b) However, any county as defined in s. 125.011(1) may
 187 instead have a governing body consisting of 33 members,
 188 including the superintendent of schools, or his or her designee;
 189 two representatives of public postsecondary education
 190 institutions located in the county; the county manager or the
 191 equivalent county officer; the district administrator from the
 192 appropriate district of the Department of Children and Families,
 193 or the administrator's designee who is a member of the Senior
 194 Management Service or the Selected Exempt Service; the director
 195 of the county health department or the director's designee; the
 196 state attorney for the county or the state attorney's designee;
 197 the chief judge assigned to juvenile cases, or another juvenile
 198 judge who is the chief judge's designee and who shall sit as a
 199 voting member of the board, except that the judge may not vote
 200 or participate in setting ad valorem taxes under this section;
 201 an individual who is selected by the board of the local United
 202 Way or its equivalent; a member of a locally recognized faith-
 203 based coalition, selected by that coalition; a member of the

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204 local chamber of commerce, selected by that chamber or, if more
 205 than one chamber exists within the county, a person selected by
 206 a coalition of the local chambers; a member of the early
 207 learning coalition, selected by that coalition; a representative
 208 of a labor organization or union active in the county; a member
 209 of a local alliance or coalition engaged in cross-system
 210 planning for health and social service delivery in the county,
 211 selected by that alliance or coalition; a member of the local
 212 Parent-Teachers Association/Parent-Teacher-Student Association,
 213 selected by that association; a youth representative selected by
 214 the local school system's student government; a local school
 215 board member appointed by the chair of the school board; the
 216 mayor of the county or the mayor's designee; one member of the
 217 county governing body, appointed by the chair of that body; a
 218 member of the state Legislature who represents residents of the
 219 county, selected by the chair of the local legislative
 220 delegation; an elected official representing the residents of a
 221 municipality in the county, selected by the county municipal
 222 league; and 4 members-at-large, appointed to the council by the
 223 majority of sitting council members. The remaining seven members
 224 shall be appointed by the Governor in accordance with procedures
 225 set forth in paragraph (a), except that the Governor may remove
 226 a member for cause or upon the written petition of the council.
 227 Appointments by the Governor must, to the extent reasonably
 228 possible, represent the geographic and demographic makeup
 229 ~~diversity~~ of the population of the county. Members who are
 230 appointed to the council by reason of their position are not
 231 subject to the length of terms and limits on consecutive terms
 232 as provided in this section. The remaining appointed members of

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the governing body shall be appointed to serve 2-year terms, except that those members appointed by the Governor shall be appointed to serve 4-year terms, and the youth representative and the legislative delegate shall be appointed to serve 1-year terms. A member may be reappointed; however, a member may not serve for more than three consecutive terms. A member is eligible to be appointed again after a 2-year hiatus from the council.

Section 5. Subsection (2) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.—

(2) PERSONNEL.—Minimum standards for child care personnel shall include minimum requirements as to:

(a) Good moral character based upon screening as defined in s. 402.302(15). This screening shall be conducted as provided in chapter 435, using the level 2 standards for screening set forth in that chapter, and include employment history checks, a search of criminal history records, sexual predator and sexual offender registries, and child abuse and neglect registry of any state in which the current or prospective child care personnel resided during the preceding 5 years.

(b) Fingerprint submission for child care personnel, which shall comply with s. 435.12.

(c) ~~The department may grant exemptions from disqualification from working with children or the developmentally disabled as provided in s. 435.07.~~

~~(d)~~ Minimum age requirements. Such minimum standards shall prohibit a person under the age of 21 from being the operator of a child care facility and a person under the age of 16 from

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being employed at such facility unless such person is under direct supervision and is not counted for the purposes of computing the personnel-to-child ratio.

(d) ~~(e)~~ Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers at least the following topic areas:

a. State and local rules and regulations which govern child care.

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.

e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.

f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

g. Developmental disabilities, including autism spectrum disorder and Down syndrome, and early identification, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities.

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291 Within 90 days after employment, child care personnel shall
 292 begin training to meet the training requirements. Child care
 293 personnel shall successfully complete such training within 1
 294 year after the date on which the training began, as evidenced by
 295 passage of a competency examination. Successful completion of
 296 the 40-clock-hour introductory course shall articulate into
 297 community college credit in early childhood education, pursuant
 298 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
 299 the required training shall be granted to child care personnel
 300 based upon educational credentials or passage of competency
 301 examinations. Child care personnel possessing a 2-year degree or
 302 higher that includes 6 college credit hours in early childhood
 303 development or child growth and development, or a child
 304 development associate credential or an equivalent state-approved
 305 child development associate credential, or a child development
 306 associate waiver certificate shall be automatically exempted
 307 from the training requirements in sub-subparagraphs b., d., and
 308 e.
 309

310 2. The introductory course in child care shall stress, to
 311 the extent possible, an interdisciplinary approach to the study
 312 of children.

313 3. The introductory course shall cover recognition and
 314 prevention of shaken baby syndrome; prevention of sudden infant
 315 death syndrome; recognition and care of infants and toddlers
 316 with developmental disabilities, including autism spectrum
 317 disorder and Down syndrome; and early childhood brain
 318 development within the topic areas identified in this paragraph.

319 4. On an annual basis in order to further their child care

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320 skills and, if appropriate, administrative skills, child care
 321 personnel who have fulfilled the requirements for the child care
 322 training shall be required to take an additional 1 continuing
 323 education unit of approved inservice training, or 10 clock hours
 324 of equivalent training, as determined by the department.

325 5. Child care personnel shall be required to complete 0.5
 326 continuing education unit of approved training or 5 clock hours
 327 of equivalent training, as determined by the department, in
 328 early literacy and language development of children from birth
 329 to 5 years of age one time. The year that this training is
 330 completed, it shall fulfill the 0.5 continuing education unit or
 331 5 clock hours of the annual training required in subparagraph 4.

332 6. Procedures for ensuring the training of qualified child
 333 care professionals to provide training of child care personnel,
 334 including onsite training, shall be included in the minimum
 335 standards. It is recommended that the state community child care
 336 coordination agencies (central agencies) be contracted by the
 337 department to coordinate such training when possible. Other
 338 district educational resources, such as community colleges and
 339 career programs, can be designated in such areas where central
 340 agencies may not exist or are determined not to have the
 341 capability to meet the coordination requirements set forth by
 342 the department.

343 7. Training requirements shall not apply to certain
 344 occasional or part-time support staff, including, but not
 345 limited to, swimming instructors, piano teachers, dance
 346 instructors, and gymnastics instructors.

347 8. The child care operator shall be required to take basic
 348 training in serving children with disabilities within 5 years

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after employment, either as a part of the introductory training or the annual 8 hours of inservice training.

~~(e)-(f)~~ Periodic health examinations.

~~(f)-(g)~~ A credential for child care facility directors. The credential shall be a required minimum standard for licensing.

The department may grant limited exemptions authorizing a person to work in a specified role or with a specified population.

Section 6. Paragraph (e) is added to subsection (3) of section 409.145, Florida Statutes, to read:

409.145 Care of children; "reasonable and prudent parent" standard.—The child welfare system of the department shall operate as a coordinated community-based system of care which empowers all caregivers for children in foster care to provide quality parenting, including approving or disapproving a child's participation in activities based on the caregiver's assessment using the "reasonable and prudent parent" standard.

(3) ROOM AND BOARD RATES.—

(e) By July 1, 2026, the department shall, in coordination with its providers, establish a methodology to determine daily room and board rates for children in out-of-home care who are placed in a residential child-caring agency as defined in s. 409.175(2)(1). The methodology may produce different payment rates based on factors including, but not limited to, the acuity level of the child being placed and the geographic location of the residential child-caring agency. The department shall adopt rules to implement this paragraph.

Section 7. Paragraph (b) of subsection (5), subsection (7), and paragraph (e) of subsection (14) of section 409.175, Florida

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Statutes, are amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(5) The department shall adopt and amend rules for the levels of licensed care associated with the licensure of family foster homes, residential child-caring agencies, and child-placing agencies. The rules may include criteria to approve waivers to licensing requirements when applying for a child-specific license.

(b) The requirements for licensure and operation of family foster homes, residential child-caring agencies, and child-placing agencies shall include:

1. The operation, conduct, and maintenance of these homes and agencies and the responsibility which they assume for children served and the evidence of need for that service.

2. The provision of food, clothing, educational opportunities, services, equipment, and individual supplies to assure the healthy physical, emotional, and mental development of the children served.

3. The appropriateness, safety, cleanliness, and general adequacy of the premises, including fire prevention and health standards, to provide for the physical comfort, care, and well-being of the children served.

4. The ratio of staff to children required to provide adequate care and supervision of the children served and, in the case of family foster homes, the maximum number of children in the home.

5. The good moral character based upon screening,

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education, training, and experience requirements for personnel and family foster homes.

~~6. The department may grant exemptions from disqualification from working with children or the developmentally disabled as provided in s. 435.07.~~

~~7.~~ The provision of preservice and inservice training for all foster parents and agency staff.

~~7.8.~~ Satisfactory evidence of financial ability to provide care for the children in compliance with licensing requirements.

~~8.9.~~ The maintenance by the agency of records pertaining to admission, progress, health, and discharge of children served, including written case plans and reports to the department.

~~9.10.~~ The provision for parental involvement to encourage preservation and strengthening of a child's relationship with the family.

~~10.11.~~ The transportation safety of children served.

~~11.12.~~ The provisions for safeguarding the cultural, religious, and ethnic values of a child.

~~12.13.~~ Provisions to safeguard the legal rights of children served.

~~13.14.~~ Requiring signs to be conspicuously placed on the premises of facilities maintained by child-caring agencies to warn children of the dangers of human trafficking and to encourage the reporting of individuals observed attempting to engage in human trafficking activity. The signs must advise children to report concerns to the local law enforcement agency or the Department of Law Enforcement, specifying the appropriate telephone numbers used for such reports. The department shall specify, at a minimum, the content of the signs by rule.

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The department may grant limited exemptions authorizing a person to work in a specified role or with a specified population.

(7) The department may extend a license expiration date once for a period of up to 90 ~~30~~ days to allow for the implementation of corrective measures. However, the department may not extend a license expiration date more than once during a licensure period.

(14)

(e)1. In addition to any other preservice training required by law, foster parents, as a condition of licensure, and agency staff must successfully complete preservice training related to human trafficking which must be uniform statewide and must include, but need not be limited to, all of the following:

a. Basic information on human trafficking, such as an understanding of relevant terminology, and the differences between sex trafficking and labor trafficking.~~7~~

b. Factors and knowledge on identifying children at risk of human trafficking.~~7~~ ~~and~~

c. Steps that should be taken to prevent at-risk youths from becoming victims of human trafficking.

2. Foster parents, before licensure renewal, and agency staff, during each full year of employment, must complete inservice training related to human trafficking to satisfy the training requirement under subparagraph (5)(b)6 ~~(5)(b)7~~.

Section 8. Present paragraph (b) of subsection (3) of section 409.993, Florida Statutes, is redesignated as paragraph (c), a new paragraph (b) is added to that subsection, and paragraph (a) of that subsection is amended, to read:

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465 409.993 Lead agencies and subcontractor liability.—
 466 (3) SUBCONTRACTOR LIABILITY.—
 467 (a) A subcontractor of an eligible community-based care
 468 lead agency that is a direct provider of foster care and related
 469 services to children and families, and its employees or
 470 officers, except as otherwise provided in paragraph (c) ~~(b)~~,
 471 must, as a part of its contract, obtain a minimum of \$1 million
 472 per occurrence with a policy period aggregate limit of \$3
 473 million in general liability insurance coverage. The
 474 subcontractor of a lead agency must also require that staff who
 475 transport client children and families in their personal
 476 automobiles in order to carry out their job responsibilities
 477 obtain minimum bodily injury liability insurance in the amount
 478 of \$100,000 per person in any one automobile accident, and
 479 subject to such limits for each person, \$300,000 for all damages
 480 resulting from any one automobile accident, on their personal
 481 automobiles. In lieu of personal motor vehicle insurance, the
 482 subcontractor's casualty, liability, or motor vehicle insurance
 483 carrier may provide nonowned automobile liability coverage. This
 484 insurance provides liability insurance for automobiles that the
 485 subcontractor uses in connection with the subcontractor's
 486 business but does not own, lease, rent, or borrow. This coverage
 487 includes automobiles owned by the employees of the subcontractor
 488 or a member of the employee's household but only while the
 489 automobiles are used in connection with the subcontractor's
 490 business. The nonowned automobile coverage for the subcontractor
 491 applies as excess coverage over any other collectible insurance.
 492 The personal automobile policy for the employee of the
 493 subcontractor shall be primary insurance, and the nonowned

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494 automobile coverage of the subcontractor acts as excess
 495 insurance to the primary insurance. The subcontractor shall
 496 provide a minimum limit of \$1 million in nonowned automobile
 497 coverage. In a tort action brought against such subcontractor or
 498 employee, net economic damages shall be limited to \$2 million
 499 per liability claim and \$200,000 per automobile claim,
 500 including, but not limited to, past and future medical expenses,
 501 wage loss, and loss of earning capacity, offset by any
 502 collateral source payment paid or payable. In a tort action
 503 brought against such subcontractor, noneconomic damages shall be
 504 limited to \$400,000 per claim. A claims bill may be brought on
 505 behalf of a claimant pursuant to s. 768.28 for any amount
 506 exceeding the limits specified in this paragraph. Any offset of
 507 collateral source payments made as of the date of the settlement
 508 or judgment shall be in accordance with s. 768.76.

509 (b) A subcontractor of a lead agency that is a direct
 510 provider of foster care and related services is not liable for
 511 the acts or omissions of the lead agency; the department; or the
 512 officers, agents, or employees of the lead agency or the
 513 department. Any provision in a contract between a subcontractor
 514 and a lead agency which is in conflict with this paragraph is
 515 void and unenforceable.

516 Section 9. Paragraph (c) is added to subsection (20) of
 517 section 553.73, Florida Statutes, to read:

518 553.73 Florida Building Code.—

519 (20) The Florida Building Commission may not:

520 (c) Mandate the installation of fire sprinklers or a fire
 521 suppression system in a residential child-caring agency licensed
 522 by the Department of Children and Families under s. 409.175

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which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee.

Section 10. Subsection (12) is added to section 633.208, Florida Statutes, to read:

633.208 Minimum firesafety standards.—

(12) Notwithstanding subsection (8), a residential child-caring agency licensed by the Department of Children and Families under s. 409.175 which operates in a single-family residential property that is licensed for a capacity of five or fewer children who are unrelated to the licensee is not required to install fire sprinklers or a fire suppression system as long as the licensee meets the requirements for portable fire extinguishers, fire alarms, and smoke detectors under this chapter.

Section 11. Subsection (3) of section 937.0201, Florida Statutes, is amended to read:

937.0201 Definitions.—As used in this chapter, the term:

(3) "Missing child" means a person younger than 18 years of age whose temporary or permanent residence is in, or is believed to be in, this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency. The term includes a child who is the subject of a court order to take the child into the custody of the Department of Children and Families.

Section 12. Subsection (3) of section 937.021, Florida Statutes, is amended to read:

937.021 Missing child and missing adult reports.—

(3) A report that a child or adult is missing must be

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accepted by and filed with the law enforcement agency having jurisdiction in the county or municipality in which the child or adult was last seen. The filing and acceptance of the report imposes the duties specified in this section upon the law enforcement agency receiving the report. This subsection does not preclude a law enforcement agency from accepting a missing child or missing adult report when agency jurisdiction cannot be determined. If agency jurisdiction cannot be determined for cases in which there is a child who is the subject of a court order to take the child into the custody of the Department of Children and Families, the sheriff's office of the county in which the court order was entered must take jurisdiction.

Section 13. Section 402.30501, Florida Statutes, is amended to read:

402.30501 Modification of introductory child care course for community college credit authorized.—The Department of Children and Families may modify the 40-clock-hour introductory course in child care under s. 402.305 or s. 402.3131 to meet the requirements of articulating the course to community college credit. Any modification must continue to provide that the course satisfies the requirements of s. 402.305(2)(d) ~~s. 402.305(2)(e)~~.

Section 14. Subsections (3) and (4) of section 1002.57, Florida Statutes, are amended to read:

1002.57 Prekindergarten director credential.—

(3) The prekindergarten director credential must meet or exceed the requirements of the Department of Children and Families for the child care facility director credential under s. 402.305(2)(f) ~~s. 402.305(2)(g)~~, and successful completion of

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581 the prekindergarten director credential satisfies these
 582 requirements for the child care facility director credential.

583 (4) The department shall, to the maximum extent
 584 practicable, award credit to a person who successfully completes
 585 the child care facility director credential under s.
 586 402.305(2)(f) ~~s. 402.305(2)(g)~~ for those requirements of the
 587 prekindergarten director credential which are duplicative of
 588 requirements for the child care facility director credential.

589 Section 15. Subsection (1) of section 1002.59, Florida
 590 Statutes, is amended to read:

591 1002.59 Emergent literacy and performance standards
 592 training courses.—

593 (1) The department, in collaboration with the Just Read,
 594 Florida! Office, shall adopt minimum standards for courses in
 595 emergent literacy for prekindergarten instructors. Each course
 596 must consist of 5 clock hours and provide instruction in
 597 strategies and techniques to address the age-appropriate
 598 progress of prekindergarten students in developing emergent
 599 literacy skills, including oral communication, knowledge of
 600 print and letters, phonological and phonemic awareness,
 601 vocabulary and comprehension development, and foundational
 602 background knowledge designed to correlate with the content that
 603 students will encounter in grades K-12, consistent with the
 604 evidence-based content and strategies grounded in the science of
 605 reading identified pursuant to s. 1001.215(7). The course
 606 standards must be reviewed as part of any review of subject
 607 coverage or endorsement requirements in the elementary, reading,
 608 and exceptional student educational areas conducted pursuant to
 609 s. 1012.586. Each course must also provide resources containing

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610 strategies that allow students with disabilities and other
 611 special needs to derive maximum benefit from the Voluntary
 612 Prekindergarten Education Program. Successful completion of an
 613 emergent literacy training course approved under this section
 614 satisfies requirements for approved training in early literacy
 615 and language development under ss. 402.305(2)(d)5. ~~ss.~~
 616 ~~402.305(2)(e)5.~~, 402.313(6), and 402.3131(5).

617 Section 16. This act shall take effect July 1, 2025.

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

April 2, 2025
Meeting Date

1626
Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name David Daniel

Phone 850 224-5081

Address 311 EAST PARK AVENUE
Street

Email ddaniel@SBMPartners.com

TAULAHASSEE FL 32301
City State Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

CHILDREN'S HOME SOCIETY

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

Grimes, Michele

From: Boatwright, Chelsea
Sent: Wednesday, April 2, 2025 11:24 AM
To: Gruters, Joe
Cc: Siples, Yolanda; Grimes, Michele; Pitzer, Keri
Subject: Excusal from Committee

On Behalf of Senator Gaetz:

The Honorable Senator Joe Gruters
Committee on Fiscal Policy
2000 The Capital
404 South Monroe Street
Tallahassee, Florida 32399-1100

REF: EXCUSAL LETTER

Honorable Chair Gruters,

Please excuse my absence from committee, on Wednesday, April 2, 2025.

Thank you for your understanding and if you have any questions, please feel free to contact me.

A handwritten signature in black ink, appearing to read "Respectfully, Don". The signature is fluid and cursive.

Don Gaetz
Senator
District 1

CC: Yolanda Siples, Staff Director
Michele Grimes, Committee Administrative Assistant

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Committee on Fiscal Policy

Judge:

Started: 4/2/2025 8:59:56 AM

Ends: 4/2/2025 11:10:56 AM

Length: 02:11:01

9:00:00 AM Chair Gruters calls the meeting to order
9:00:04 AM Roll call
9:00:41 AM Chair Gruters makes opening remarks
9:00:56 AM Tab 2, CS/CS/SB 334 by AEG, RI, Rodriguez, Telecommunications Access System Act of 1991
9:01:06 AM Senator Rodriguez explains the bill
9:01:37 AM Senator Rodriguez waives close on the bill
9:01:45 AM Roll call
9:02:21 AM Tab 4, CS/SB 714 by AHS, Burton, Nonopioid Advance Directives
9:02:24 AM Senator Burton explains the bill
9:02:57 AM Amendment #684708 by Burton
9:04:03 AM Senator Burton waives close on the amendment
9:04:15 AM Chair Gruters reports the amendment
9:04:22 AM Back on the bill
9:04:25 AM Debate:
9:04:26 AM Chair Gruters
9:04:30 AM Senator Burton waives close on the bill
9:04:37 AM Roll call
9:05:22 AM Tab 5, CS/SB 738 by CF, Burton, Child Care and Early Learning Providers
9:05:28 AM Senator Burton explains the bill
9:06:07 AM Chair Gruters recognizes those who waive speaking
9:06:18 AM Senator Burton waives close on the bill
9:06:19 AM Roll call
9:06:57 AM Tab 6, CS/SB 756 by BI, Burton, Health Insurance Coverage for Individuals with Developmental Disabilities
9:07:01 AM Senator Burton explains the bill
9:07:40 AM Chair Gruters recognize those who waive speaking
9:07:45 AM Senator Burton waives close on the bill
9:07:49 AM Roll call
9:08:25 AM Tab 14, CS/SB 1356 by HE, Burton, Florida Institute for Pediatric Rare Diseases
9:08:27 AM Senator Burton explains the bill
9:10:00 AM Amendment #909844 by Burton
9:10:02 AM Senator Burton explains the amendment
9:10:15 AM Senator Burton waives close on the amendment
9:10:24 AM Chair Gruters reports the amendment
9:10:32 AM Back on the bill
9:10:43 AM Chair Gruters recognizes those who waive speaking
9:10:53 AM Debate:
9:10:55 AM Senator Boyd
9:11:14 AM Senator Burton waives close on the bill
9:11:23 AM Roll call
9:12:03 AM Tab 19, CS/SB 1624 by AHE, Calatayud, Higher Education
9:12:06 AM Senator Calatayud explains the bill
9:15:37 AM Amendment #937726 by Calatayud
9:15:52 AM Senator Calatayud explains the amendment
9:16:59 AM Chair Gruters recognizes public appearances
9:17:09 AM Mark Anderson
9:18:07 AM Senator Calatayud waives close on the amendment
9:18:18 AM Chair Gruters reports the amendment
9:18:24 AM Back on the bill
9:18:27 AM Questions:
9:18:30 AM Senator Davis
9:18:49 AM Senator Calatayud

9:19:23 AM Senator Davis
9:20:38 AM Senator Calatayud
9:22:03 AM Senator Davis
9:22:55 AM Senator Calatayud
9:23:51 AM Senator Davis
9:24:33 AM Senator Calatayud
9:25:06 AM Senator Davis
9:25:47 AM Senator Calatayud
9:26:47 AM Senator Osgood
9:28:01 AM Senator Calatayud
9:29:26 AM Senator Osgood
9:30:01 AM Senator Jones
9:30:37 AM Senator Calatayud
9:30:54 AM Senator Jones
9:31:50 AM Senator Calatayud
9:32:39 AM Senator Jones
9:33:27 AM Senator Calatayud
9:33:47 AM Senator Calatayud closes on the bill
9:34:11 AM Roll call
9:34:46 AM Tab 20, CS/CS/SB by 1626 by AHS, CF, Grall, Child Welfare
9:35:06 AM Senator Grall explains the bill
9:36:52 AM Amendment #873988 by Grall
9:37:01 AM Senator Grall explains the amendment
9:37:24 AM Chair Gruters reports the amendment
9:37:31 AM Amendment #466770 by Calatayud
9:37:47 AM Senator Calatayud explains the amendment
9:37:55 AM Amendment #128932 by Calatayud
9:38:05 AM Senator Calatayud explains the amendment to the amendment
9:38:23 AM Senator Calatayud waives close on the amendment to the amendment
9:38:38 AM Chair Gruters reports the amendment to the amendment
9:38:47 AM Back on the amendment
9:38:56 AM Senator Calatayud waives close on the amendment
9:38:57 AM Back on the bill
9:39:00 AM Chair Gruters recognize those who waive speaking
9:39:10 AM Chair Grall closes on the bill
9:39:22 AM Roll call
9:40:04 AM Tab 1, SB 178 by Rouson, Agronomic Study on Emerging Crops
9:40:14 AM Senator Osgood explains the bill
9:41:49 AM Senator Osgood waives close on the bill
9:41:55 AM Roll call
9:42:31 AM Tab 12, SB 1162 by Leek, Water Access Facilities
9:42:33 AM Senator Leek explains the bill
9:43:33 AM Senator Leek waives close on the bill
9:43:40 AM Roll call
9:44:19 AM Tab 9, CS/CS/SB 958 by AHS, HP, Bernard, Type 1 Diabetes Early Detection Program
9:44:23 AM Senator Bernard explains the bill
9:45:09 AM Chair Gruters recognizes those who waive speaking
9:45:21 AM Senator Bernard waives close on the bill
9:45:28 AM Roll call
9:45:55 AM Tab 11, CS/CS/SB 1070 by HP, ED, Simon, Electrocardiograms for Student Athletes
9:46:15 AM Amendment #968268 by Simon
9:46:19 AM Senator Simon explains the amendment
9:47:18 AM Amendment #120654 by Simon
9:47:27 AM Senator Simon explains the amendment to the amendment
9:47:50 AM Chair Gruters recognizes public appearances
9:48:09 AM Bob Harris
9:49:54 AM Senator Simon waives close on the amendment to the amendment
9:50:13 AM Chair Gruters reports the amendment to the amendment
9:50:19 AM Back on the amendment
9:50:23 AM Senator Simon waives close on the amendment
9:50:30 AM Chair Gruters reports the amendment
9:50:35 AM Back on the bill

9:50:37 AM Chair Gruters recognizes public appearances
9:50:46 AM Martha Anderson
9:53:10 AM Maruchi Mendez
9:57:17 AM Ralph Maccarone
10:00:08 AM Shawn Sima
10:03:04 AM Taffi Abt
10:06:45 AM Debate:
10:06:47 AM Senator Boyd
10:07:31 AM Senator Arrington
10:08:14 AM Senator Simon closes on the bill
10:09:54 AM Roll call
10:10:35 AM Tab 7, CS/SB 774 by ACJ, Wright, Electronic Transmittal of Court Orders
10:10:57 AM Senator Wright explains the bill
10:13:07 AM Chair Gruters recognize those who waive speaking
10:13:30 AM Senator Wright closes on the bill
10:13:36 AM Roll call
10:14:06 AM Tab 18, SB 1516 by Wright, Aerospace Industry
10:14:19 AM Senator Wright explains the bill
10:15:10 AM Chair Gruters recognize those who waive speaking
10:15:20 AM Senator Wright waives close on the bill
10:15:26 AM Roll call
10:15:59 AM Tab 10, SB 994 by Collins, Driver License Education Requirements
10:16:07 AM Senator Collins explains the bill
10:17:36 AM Questions:
10:17:40 AM Senator Ingoglia
10:18:14 AM Senator Collins
10:18:19 AM Senator Ingoglia
10:19:44 AM Senator Collins
10:20:03 AM Chair Gruters recognizes those who waive speaking
10:20:21 AM Debate:
10:20:24 AM Senator Jones
10:20:40 AM Senator Collins closes on the bill
10:20:58 AM Roll call
10:21:34 AM Tab 15, CS/CS/SB 1402 by AED, ED, Yarborough, Students Enrolled in Dropout Retrieval Programs
10:21:45 AM Senator Yarborough explains the bill
10:22:13 AM Chair Gruters recognizes those who waive speaking
10:22:23 AM Senator Yarborough waives close on the bill
10:22:29 AM Roll call
10:23:05 AM Tab 8, CS/SB 810 by ATD, Burgess, Stormwater Management Systems
10:23:06 AM Senator Burgess explains the bill
10:23:43 AM Amendment #115182 by Burgess
10:23:45 AM Senator Burgess explains the amendment
10:24:08 AM Questions:
10:24:11 AM Senator Davis
10:24:33 AM Senator Burgess
10:25:07 AM Senator Davis
10:25:28 AM Senator Burgess
10:25:49 AM Senator Arrington
10:26:14 AM Senator Burgess
10:27:02 AM Senator Osgood
10:28:11 AM Senator Burgess
10:29:02 AM Senator Osgood
10:29:10 AM Senator Burgess
10:29:50 AM Senator Osgood
10:30:16 AM Senator Burgess waives close on the amendment
10:30:25 AM Chair Gruter reports the amendment
10:30:31 AM Back on the bill
10:30:33 AM Questions:
10:30:36 AM Senator Arrington
10:30:58 AM Senator Burgess
10:31:10 AM Senator Arrington
10:31:28 AM Senator Davis

10:31:50 AM Senator Burgess
10:33:05 AM Chair Gruters recognizes public appearances
10:33:12 AM Matthew Singer
10:38:04 AM Questions:
10:38:06 AM Senator Avila
10:38:38 AM Matthew Singer
10:39:31 AM Jared Grigas
10:40:30 AM Kevin Coyne
10:42:58 AM Questions:
10:43:03 AM Senator Simon
10:43:48 AM Kevin Coyne
10:45:07 AM Senator Osgood
10:45:43 AM Kevin Coyne
10:47:08 AM Senator Osgood
10:48:15 AM Kevin Coyne
10:48:51 AM Senator Osgood
10:49:13 AM Kevin Coyne
10:49:24 AM Debate:
10:49:26 AM Senator Burton
10:50:05 AM Senator Arrington
10:50:33 AM Senator Boyd
10:50:50 AM Senator Avila
10:53:50 AM Senator Simon
10:55:01 AM Chair Gruters
10:56:40 AM Senator Burgess closes on the bill
10:59:09 AM Roll call
10:59:42 AM Tab 16, CS/SB 1470 by AED, Burgess, School Safety
11:00:10 AM Senator Burgess explains the bill
11:01:32 AM Questions:
11:01:36 AM Senator Davis
11:01:57 AM Senator Burgess
11:02:40 AM Senator Davis
11:03:15 AM Senator Burgess
11:03:31 AM Senator Davis
11:04:12 AM Senator Burgess
11:04:24 AM Chair Gruters recognizes those who waive in support
11:04:35 AM Senator Burgess waives close on the bill
11:04:42 AM Roll call
11:05:09 AM Tab 17, SB 1472 by Burgess, Public Records/School Security Guards
11:05:26 AM Senator Burgess explains the bill
11:06:02 AM Senator Burgess waives close on the bill
11:06:12 AM Roll call
11:06:46 AM Tab 3, SB 608 by DiCeglie, Gulf of America
11:07:03 AM Senator DiCeglie explains the bill
11:07:17 AM Chair Gruters recognizes those who waive speaking
11:07:29 AM Senator DiCeglie waives close on the bill
11:07:38 AM Roll call
11:08:13 AM Tab 13, SB 1226 by DiCeglie, Pet Insurance and Wellness Programs
11:08:34 AM Senator DiCeglie explains the bill
11:08:43 AM Chair Gruters recognizes those who waive speaking
11:08:52 AM Debate:
11:08:55 AM Senator Jones
11:09:19 AM Senator DiCeglie waives close on the bill
11:09:28 AM Roll call
11:10:00 AM Chair Gruters recognizes Senators wishing to record votes
11:10:10 AM Senator Boyd
11:10:18 AM Senator Yarborough
11:10:26 AM Senator Burton
11:10:36 AM Senator Bradley
11:10:45 AM Senator Boyd moves to adjourn
11:10:46 AM Meeting adjourned