

By Senator McKay

rb2000-5

1 A reviser's bill to be entitled
2 An act relating to the Florida Statutes;
3 amending ss. 633.061, 641.23, 641.316, 663.066,
4 671.304, 741.29, 744.444, 768.28, 938.07,
5 943.051, 943.0535, 943.0544, 943.1702, 943.25,
6 946.205, 946.515, 946.518, 960.045, and 985.03,
7 F.S.; and reenacting s. 658.26, F.S., pursuant
8 to s. 11.242, F.S.; deleting provisions which
9 have expired, have become obsolete, have had
10 their effect, have served their purpose, or
11 have been impliedly repealed or superseded;
12 replacing incorrect cross-references and
13 citations; correcting grammatical,
14 typographical, and like errors; removing
15 inconsistencies, redundancies, and unnecessary
16 repetition in the statutes; improving the
17 clarity of the statutes and facilitating their
18 correct interpretation; and confirming the
19 restoration of provisions unintentionally
20 omitted from republication in the acts of the
21 Legislature during the amendatory process.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Paragraph (c) of subsection (3) of section
26 633.061, Florida Statutes, is amended to read:

27 633.061 License or permit required of organizations
28 and individuals servicing, recharging, repairing, testing,
29 marking, inspecting, installing, or hydrotesting fire
30 extinguishers and preengineered systems.--

31 (3)

1 (c) A license of any class shall not be issued or
2 renewed by the State Fire Marshal and a license of any class
3 shall not remain operative unless:

4 1. The applicant has submitted to the State Fire
5 Marshal evidence of registration as a Florida corporation or
6 evidence of compliance with s. 865.09.

7 2. The State Fire Marshal or his or her designee has
8 by inspection determined that the applicant possesses the
9 equipment required for the class of license sought. The State
10 Fire Marshal shall give an applicant a reasonable opportunity
11 to correct any deficiencies discovered by inspection. A fee of
12 \$50, payable to the State Fire Marshal, shall be required for
13 any subsequent reinspection.

14 3. The applicant has submitted to the State Fire
15 Marshal proof of insurance providing coverage for
16 comprehensive general liability for bodily injury and property
17 damage, products liability, completed operations, and
18 contractual liability. The State Fire Marshal shall adopt
19 rules providing for the amounts of such coverage, but such
20 amounts shall not be less than \$300,000 for Class A or Class D
21 licenses, \$200,000 for Class B licenses, and \$100,000 for
22 Class C licenses; and the total coverage for any class of
23 license held in conjunction with a Class D license shall not
24 be less than \$300,000. The State Fire Marshal may, at any
25 time after the issuance of a license or its renewal, require
26 upon demand, and in no event more than 30 days after notice of
27 such demand, the licensee to provide proof of insurance, on a
28 form provided by the State Fire Marshal, containing
29 confirmation of insurance coverage as required by this
30 chapter. Failure, for any length of time, to provide proof of
31 insurance coverage as required shall result in the immediate

1 suspension of the license until proof of proper insurance is
2 provided to the State Fire Marshal. An insurer which provides
3 such coverage shall notify the State Fire Marshal of any
4 change in coverage or of any termination, cancellation, or
5 nonrenewal of any coverage.

6 4. The applicant successfully completes a prescribed
7 training course offered by the State Fire College or an
8 equivalent course approved by the State Fire Marshal. This
9 subparagraph does not apply to any holder of or applicant for
10 a permit under paragraph (f) ~~(d)~~ or to a business organization
11 or a governmental entity seeking initial licensure or renewal
12 of an existing license solely for the purpose of inspecting,
13 servicing, repairing, marking, recharging, and maintaining
14 fire extinguishers used and located on the premises of and
15 owned by such organization or entity.

16 5. The applicant has a current retestor identification
17 number that is appropriate for the license for which the
18 applicant is applying and that is listed with the United
19 States Department of Transportation.

20 6. The applicant has passed, with a grade of at least
21 70 percent, a written examination testing his or her knowledge
22 of the rules and statutes regulating the activities authorized
23 by the license and demonstrating his or her knowledge and
24 ability to perform those tasks in a competent, lawful, and
25 safe manner. Such examination shall be developed and
26 administered by the State Fire Marshal, or his or her
27 designee. An applicant shall pay a nonrefundable examination
28 fee of \$50 for each examination or reexamination scheduled.
29 No reexamination shall be scheduled sooner than 30 days after
30 any administration of an examination to an applicant. No
31 applicant shall be permitted to take an examination for any

1 level of license more than a total of four times during 1
2 year, regardless of the number of applications submitted. As a
3 prerequisite to taking the examination, the applicant:

4 a. Must be at least 18 years of age.

5 b. Must have 4 years of proven experience as a fire
6 equipment permittee at a level equal to or greater than the
7 level of license applied for or have a combination of
8 education and experience determined to be equivalent thereto
9 by the State Fire Marshal. Having held a permit at the
10 appropriate level for the required period constitutes the
11 required experience.

12 c. Must not have been convicted of, or pled nolo
13 contendere to, any felony. If an applicant has been convicted
14 of any such felony, the applicant must comply with s.
15 112.011(1)(b).

16

17 This subparagraph does not apply to any holder of or applicant
18 for a permit under paragraph (f) ~~(d)~~ or to a business
19 organization or a governmental entity seeking initial
20 licensure or renewal of an existing license solely for the
21 purpose of inspecting, servicing, repairing, marking,
22 recharging, hydrotesting, and maintaining fire extinguishers
23 used and located on the premises of and owned by such
24 organization or entity.

25

26 Reviser's note.--Amended to conform to the
27 redesignation of paragraph (d) as paragraph (f)
28 by s. 53, ch. 98-419, Laws of Florida, and s.
29 2, ch. 98-170, Laws of Florida.

30

31

1 Section 2. Subsection (5) of section 641.23, Florida
2 Statutes, is amended to read:

3 641.23 Revocation or cancellation of certificate of
4 authority; suspension of enrollment of new subscribers; terms
5 of suspension.--

6 (5) The department shall promulgate rules establishing
7 an actuarially sound medical loss ratio ~~ratios~~ for Medicaid.
8 In determining the appropriate medical loss ratio, the
9 department shall consider factors, including but not limited
10 to, plan age, plan structure, geographic service area, product
11 mix, provider network, medical inflation, provider services,
12 other professional services, out of network referrals and
13 expenditures, in and out of network emergency room
14 expenditures, inpatient expenditures, other medical
15 expenditures, incentive pool adjustments, copayments,
16 coordination of benefits, subrogation, and any other expenses
17 associated with the delivery of medical benefits. The
18 department shall utilize assistance from the Agency for Health
19 Care Administration, the State University System, an
20 independent actuary, and representatives from health
21 maintenance organizations in developing the rule for
22 appropriate medical loss ratios.

23
24 Reviser's note.--Amended to improve clarity and
25 facilitate correct interpretation.

26
27 Section 3. Paragraph (b) of subsection (2) and
28 subsection (6) of section 641.316, Florida Statutes, are
29 amended to read:

30 641.316 Fiscal intermediary services.--

31 (2)

1 (b) The term "fiscal intermediary services
2 organization" means a person or entity which performs
3 fiduciary or fiscal intermediary services to health care
4 professionals who contract with health maintenance
5 organizations other than a fiscal intermediary services
6 organization owned, operated, or controlled by a hospital
7 licensed under chapter 395, an insurer licensed under chapter
8 624, a third-party administrator licensed under chapter 626, a
9 prepaid limited health service organization licensed under
10 chapter 636, a health maintenance organization licensed under
11 this chapter, or physician group practices as defined in s.
12 455.654(3)(h)~~455.654(3)(f)~~.

13 (6) Any fiscal intermediary services organization,
14 other than a fiscal intermediary services organization owned,
15 operated, or controlled by a hospital licensed under chapter
16 395, an insurer licensed under chapter 624, a third-party
17 administrator licensed under chapter 626, a prepaid limited
18 health service organization licensed under chapter 636, a
19 health maintenance organization licensed under this chapter,
20 or physician group practices as defined in s. 455.654(3)(h)
21 ~~455.654(3)(f)~~, must register with the department and meet the
22 requirements of this section. In order to register as a fiscal
23 intermediary services organization, the organization must
24 comply with ss. 641.21(1)(c) and (d) and 641.22(6). Should the
25 department determine that the fiscal intermediary services
26 organization does not meet the requirements of this section,
27 the registration shall be denied. In the event that the
28 registrant fails to maintain compliance with the provisions of
29 this section, the department may revoke or suspend the
30 registration. In lieu of revocation or suspension of the
31

1 registration, the department may levy an administrative
2 penalty in accordance with s. 641.25.

3

4 Reviser's note.--Amended to conform to the
5 redesignation of s. 455.654(3)(f) as s.
6 455.654(3)(h) by s. 1, ch. 99-356, Laws of
7 Florida.

8

9 Section 4. Section 658.26, Florida Statutes, is
10 reenacted to read:

11 658.26 Places of transacting business; branches;
12 facilities.--

13 (1) Any bank or trust company heretofore or hereafter
14 incorporated pursuant to this chapter shall have one main
15 office, which shall be located within the state.

16 (2)(a) In addition, with the approval of the
17 department and upon such conditions as the department
18 prescribes, any bank or trust company may establish branches
19 within or outside the state. With the approval of the
20 department upon a determination that the resulting bank or
21 trust company will be of sound financial condition, any bank
22 or trust company incorporated pursuant to this chapter may
23 establish branches by merger with any other bank or trust
24 company.

25 (b) An application for a branch shall be in writing in
26 such form as the department prescribes and be supported by
27 such information, data, and records as the department may
28 require to make findings necessary for approval. Applications
29 filed pursuant to this subsection shall not be published in
30 the Florida Administrative Weekly but shall otherwise be
31 subject to the provisions of chapter 120. Upon the filing of

1 an application and a nonrefundable filing fee for the
2 establishment of any branch permitted by paragraph (a), the
3 department shall make an investigation with respect to
4 compliance with the requirements of paragraph (a) and shall
5 investigate and consider all factors relevant to such
6 requirements, including the following:

7 1. The sufficiency of capital accounts in relation to
8 the deposit liabilities of the bank, or in relation to the
9 number and valuation of fiduciary accounts of the trust
10 company, including the proposed branch, and the additional
11 fixed assets, if any, which are proposed for the branch and
12 its operations, without undue risk to the bank or its
13 depositors, or undue risk to the trust company or its
14 fiduciary accounts;

15 2. The sufficiency of earnings and earning prospects
16 of the bank or trust company to support the anticipated
17 expenses and any anticipated operating losses of the branch
18 during its formative or initial years;

19 3. The sufficiency and quality of management available
20 to operate the branch;

21 4. The name of the proposed branch to determine if it
22 reasonably identifies the branch as a branch of the main
23 office and is not likely to unduly confuse the public; and

24 5. Substantial compliance by the applicants with
25 applicable law governing their operations.

26 (c) As provided by departmental rule, a financial
27 institution operating in a safe and sound manner may establish
28 a branch by filing a written notice with the department at
29 least 30 days before opening that branch. In such case, the
30 financial institution need not file a branch application or
31 pay a branch application fee.

1 (3)(a) An office in this state may be relocated with
2 prior written approval of the department. An application for
3 relocation shall be in writing in such form as the department
4 prescribes and shall be supported by such information, data,
5 and records as the department may require to make findings
6 necessary for approval.

7 (b) Applications filed pursuant to this subsection
8 shall not be published in the Florida Administrative Weekly
9 but shall otherwise be subject to the provisions of chapter
10 120. However, an application for the relocation of a main
11 office that has not been in operation for at least 24 months
12 shall be published in the Florida Administrative Weekly. Upon
13 the filing of a relocation application and a nonrefundable
14 filing fee, the department shall investigate to determine
15 substantial compliance by the financial institution with
16 applicable law governing its operations. Additional
17 investments in land, buildings, leases, and leasehold
18 improvements resulting from such relocation shall comply with
19 the limitations imposed by s. 658.67(7)(a). A main office may
20 not be moved outside this state unless expressly authorized by
21 the financial institutions codes or by federal law.

22 (c) A relocation application, filed by a strong,
23 well-managed state bank or trust company, which is not denied
24 within 10 working days after receipt shall be deemed approved
25 unless the department notifies the financial institution in
26 writing that the application was not complete.

27 (d) In addition to the application required by
28 paragraph (a), a financial institution whose main office in
29 this state has been in operation less than 24 months must
30 provide evidence that the criteria of s. 658.21(1) will be
31 met.

1 (e) With 30 days' prior written notice, an established
2 branch office may be consolidated with another established
3 branch office when the two offices are located within a 1-mile
4 radius. The notice shall include any information the
5 department may prescribe by rule.

6 (f) A branch office may be closed with 30 days' prior
7 written notice to the department. The notice shall include any
8 information the department may prescribe by rule.

9 (4) With prior written notification to the department,
10 any bank may operate facilities which are not physically
11 connected to the main or branch office of the bank, provided
12 that the facilities are situated on the property of the main
13 or branch office or property contiguous thereto. Property
14 which is separated from the main or branch office of a bank by
15 only a street, and one or more walkways and alleyways are
16 determined to be, for purposes of this subsection, contiguous
17 to the property of the main or branch office.

18 (5) A bank may provide, directly or through a contract
19 with another company, off-premises armored car service to its
20 customers. Armored car services shall not be considered a
21 branch for the purposes of subsection (2).

22 (6)(a) Any state bank that is a subsidiary of a bank
23 holding company may agree to receive deposits, renew time
24 deposits, close loans, service loans, and receive payments on
25 loans and other obligations, as an agent for an affiliated
26 depository institution.

27 (b) The term "close loan" does not include the making
28 of a decision to extend credit or the extension of credit.

29 (c) As used in this section, "receive deposits" means
30 the taking of deposits to be credited to an existing account
31 and does not include the opening or origination of new deposit

1 accounts at an affiliated institution by the agent
2 institution.

3 (d) Under this section, affiliated banks may act as
4 agents for one another regardless of whether the institutions
5 are located in the same or different states. This section
6 applies solely to affiliated depository institutions acting as
7 agents, and has no application to agency relationships
8 concerning nondepositories as agent, whether or not affiliated
9 with the depository institution.

10 (e) In addition, under this section, agent banks may
11 perform ministerial functions for the principal bank making a
12 loan. Ministerial functions include, but are not limited to,
13 such activities as providing loan applications, assembling
14 documents, providing a location for returning documents
15 necessary for making the loan, providing loan account
16 information, and receiving payments. It does not include such
17 loan functions as evaluating applications or disbursing loan
18 funds.

19
20 For the purposes of this section, a strong, well-managed state
21 bank or trust company is an institution that has been in
22 operation for at least 24 months, is well capitalized, has
23 received a satisfactory rating at the institution's most
24 recent state or federal safety and soundness examination, and
25 is not the object of any enforcement action.

26
27 Reviser's note.--Section 3, ch. 99-138, Laws of
28 Florida, purported to amend paragraph (2)(c),
29 but failed to republish the flush left language
30 at the end of the section. In the absence of
31 affirmative evidence that the Legislature

1 intended to repeal the flush left language, s.
2 658.26 is reenacted to confirm that the
3 omission was not intended.

4
5 Section 5. Section 663.066, Florida Statutes, is
6 amended to read:

7 663.066 Acquisition or ownership of state banks by
8 international banking corporations.--~~Notwithstanding the~~
9 ~~provisions of s. 658.29,~~An international banking corporation
10 may, with the approval of the department pursuant to s.
11 658.28, acquire control over or organize a state bank
12 organized under the laws of this state. For the purposes of
13 this section, the word "bank" shall have the meaning given in
14 s. 2(c) of the Bank Holding Company Act of 1956, 12 U.S.C. s.
15 1841(c).

16
17 Reviser's note.--Amended to conform to the
18 repeal of s. 658.29 by s. 15, ch. 96-168, Laws
19 of Florida.

20
21 Section 6. Paragraphs (b) and (c) of subsection (2) of
22 section 671.304, Florida Statutes, are amended to read:

23 671.304 Laws not repealed; precedence where code
24 provisions in conflict with other laws; certain statutory
25 remedies retained.--

26 (2) The following laws and parts of laws are
27 specifically not repealed and shall take precedence over any
28 provisions of this code which may be inconsistent or in
29 conflict therewith:

30 (b) Chapter 687--Interest and usury; lending
31 practices.

1 (c) Chapter 516--Florida Consumer Finance Act ~~Small~~
2 ~~loan business.~~

3
4 Reviser's note.--Paragraph (2)(b) is amended to
5 conform to changes in the chapter title made
6 incident to the compilation of Florida Statutes
7 1991 and Florida Statutes 1999. Paragraph
8 (2)(c) is amended to conform to the designation
9 of chapter 516 as the Florida Consumer Finance
10 Act by s. 1, ch. 73-192, Laws of Florida.

11
12 Section 7. Subsection (2) of section 741.29, Florida
13 Statutes, is amended to read:

14 741.29 Domestic violence; investigation of incidents;
15 notice to victims of legal rights and remedies; reporting.--

16 (2) When a law enforcement officer investigates an
17 allegation that an incident of domestic violence has occurred,
18 the officer shall handle the incident pursuant to the arrest
19 policy provided in s. 901.15(7)~~901.15(7)(a)~~, and as developed
20 in accordance with subsections (3), (4), and (5). Whether or
21 not an arrest is made, the officer shall make a written police
22 report that is complete and clearly indicates the alleged
23 offense was an incident of domestic violence. Such report
24 shall be given to the officer's supervisor and filed with the
25 law enforcement agency in a manner that will permit data on
26 domestic violence cases to be compiled. Such report must
27 include:

28 (a) A description of physical injuries observed, if
29 any.

30 (b) If a law enforcement officer decides not to make
31 an arrest or decides to arrest two or more parties, the

1 officer shall include in the report the grounds for not
2 arresting anyone or for arresting two or more parties.

3 (c) A statement which indicates that a copy of the
4 legal rights and remedies notice was given to the victim.

5
6 Whenever possible, the law enforcement officer shall obtain a
7 written statement from the victim and witnesses concerning the
8 alleged domestic violence. The officer shall submit the report
9 to the supervisor or other person to whom the employer's rules
10 or policies require reports of similar allegations of criminal
11 activity to be made. The law enforcement agency shall, without
12 charge, send a copy of the initial police report, as well as
13 any subsequent, supplemental, or related report, which
14 excludes victim/witness statements or other materials that are
15 part of an active criminal investigation and are exempt from
16 disclosure under chapter 119, to the nearest locally certified
17 domestic violence center within 24 hours after the agency's
18 receipt of the report. The report furnished to the domestic
19 violence center must include a narrative description of the
20 domestic violence incident.

21
22 Reviser's note.--Amended to conform to the
23 removal of paragraph designations from s.
24 901.15(7) by s. 57, ch. 99-193, Laws of
25 Florida.

26
27 Section 8. Subsection (9) of section 744.444, Florida
28 Statutes, is amended to read:

29 744.444 Power of guardian without court
30 approval.--Without obtaining court approval, a plenary
31 guardian of the property, or a limited guardian of the

1 property within the powers granted by the order appointing the
2 guardian or an approved annual or amended guardianship report,
3 may:

4 (9) Elect whether to dissent from a will under the
5 provisions of s. 732.2125(2)~~732.210(2)~~ or assert any other
6 right or choice available to a surviving spouse in the
7 administration of a decedent's estate.

8
9 Reviser's note.--Amended to conform to the
10 redesignation of s. 732.210(2) as s.
11 732.2125(2) by s. 12, ch. 99-343, Laws of
12 Florida.

13
14 Section 9. Paragraph (c) of subsection (10) of section
15 768.28, Florida Statutes, is amended to read:

16 768.28 Waiver of sovereign immunity in tort actions;
17 recovery limits; limitation on attorney fees; statute of
18 limitations; exclusions; indemnification; risk management
19 programs.--

20 (10)

21 (c) For purposes of this section, regional poison
22 control centers created in accordance with s. 395.1027 and
23 coordinated and supervised under the Division of Children's
24 Medical Services Prevention and Intervention of the Department
25 of Health, or any of their employees or agents, shall be
26 considered agents of the State of Florida, Department of
27 Health. Any contracts with poison control centers must
28 provide, to the extent permitted by law, for the
29 indemnification of the state by the agency for any liabilities
30 incurred up to the limits set out in this chapter.

31

1 Reviser's note.--Amended to improve clarity,
2 facilitate correct interpretation, and conform
3 to amendments to s. 20.43 relating to the
4 Department of Health by s. 2, ch. 99-397, Laws
5 of Florida.

6
7 Section 10. Section 938.07, Florida Statutes, is
8 amended to read:

9 938.07 Driving under the influence.--Notwithstanding
10 any other provision of s. 316.193, a court cost of \$135 shall
11 be added to any fine imposed pursuant to s. 316.193, of which
12 \$25 shall be deposited in the Emergency Medical Services Trust
13 Fund, \$50 shall be deposited in the Criminal Justice Standards
14 and Training Trust Fund of the Department of Law Enforcement
15 to be used for operational expenses in conducting the
16 statewide criminal analysis laboratory system established in
17 s. 943.32, and \$60 shall be deposited in the Brain and Spinal
18 Cord Injury Rehabilitation Trust Fund created in s. 381.79
19 ~~413.613~~.

20
21 Reviser's note.--Amended to conform to the
22 redesignation of s. 413.613 as s. 381.79 by s.
23 23, ch. 99-240, Laws of Florida.

24
25 Section 11. Paragraph (b) of subsection (3) of section
26 943.051, Florida Statutes, is amended to read:

27 943.051 Criminal justice information; collection and
28 storage; fingerprinting.--

29 (3)
30
31

1 (b) A minor who is charged with or found to have
2 committed the following offenses shall be fingerprinted and
3 the fingerprints shall be submitted to the department:

- 4 1. Assault, as defined in s. 784.011.
- 5 2. Battery, as defined in s. 784.03.
- 6 3. Carrying a concealed weapon, as defined in s.
7 790.01(1).
- 8 4. Unlawful use of destructive devices or bombs, as
9 defined in s. 790.1615(1).
- 10 5. Negligent treatment of children, as defined in s.
11 827.05.
- 12 6. Assault or battery on a law enforcement officer, a
13 firefighter, or other specified officers, as defined in s.
14 784.07(2)(a) and (b).
- 15 7. Open carrying of a weapon, as defined in s.
16 790.053.
- 17 8. Exposure of sexual organs, as defined in s. 800.03.
- 18 9. Unlawful possession of a firearm, as defined in s.
19 790.22(5).
- 20 10. Petit theft, as defined in s. 812.014(3).
- 21 11. Cruelty to animals, as defined in s. 828.12(1).
- 22 12. Arson, as defined in s. 806.031(1).
- 23 13. Unlawful possession or discharge of ~~or~~ a weapon or
24 firearm at a school-sponsored event or on school property as
25 defined in s. 790.115.

26
27 Reviser's note.--Amended to conform to context,
28 improve clarity, and facilitate correct
29 interpretation.
30
31

1 Section 12. Section 943.0535, Florida Statutes, is
2 amended to read:

3 943.0535 Aliens, criminal records.--It shall be the
4 duty of the clerk of court to furnish without charge a
5 certified copy of the complaint, information, or indictment
6 and the judgment and sentence and any other record pertaining
7 to the case of any alien to the United States immigration
8 officer in charge of the territory or district in which the
9 court is located in every case in which an alien is convicted
10 of a felony or misdemeanor or enters a plea of guilty or nolo
11 contendere to any felony or misdemeanor charge. The state
12 attorney shall assist the clerk of the court in determining if
13 a defendant entering a plea or ~~is~~ convicted is an alien.

14
15 Reviser's note.--Amended to improve clarity and
16 facilitate correct interpretation.

17
18 Section 13. Subsection (4) of section 943.0544,
19 Florida Statutes, is amended to read:

20 943.0544 Criminal justice information network and
21 information management.--

22 (4) In carrying out its duties under this section, the
23 department may enter into contracts; conduct pilot studies and
24 projects; and assess and collect fees, commissions, royalties,
25 or other charges from entities approved for special presence
26 on the Criminal Justice Network in consideration for such
27 presence. The department may enter into agreements by which
28 products, programs, or services of value to the department or
29 the information needs of criminal justice agencies are
30 provided in lieu of all or a part of a fee, commission,
31 royalty, or charge that might otherwise be assessed by the

1 department upon an entity granted special limited presence as
2 provided in this subsection.

3

4 Reviser's note.--Amended to improve clarity and
5 facilitate correct interpretation.

6

7 Section 14. Subsection (1) of section 943.1702,
8 Florida Statutes, is amended to read:

9 943.1702 Collection of statistics on domestic
10 violence.--

11 (1) In compiling the Department of Law Enforcement
12 Crime in Florida Annual Report, the department shall include
13 the results of the arrest policy provided for under s.
14 901.15(7)~~901.15(7)(a)~~with respect to domestic violence to
15 include: separate statistics on occurrences of and arrests for
16 domestic versus nondomestic violence, such as battery,
17 aggravated battery, assault, aggravated assault, sexual
18 battery, the illegal use of firearms, arson, homicide, murder,
19 manslaughter, or the attempt of any of the above.

20

21 Reviser's note.--Amended to conform to the
22 removal of paragraph designations from s.
23 901.15(7) by s. 57, ch. 99-193, Laws of
24 Florida.

25

26 Section 15. Subsection (1) of section 943.25, Florida
27 Statutes, is amended to read:

28 943.25 Criminal justice trust funds; source of funds;
29 use of funds.--

30 (1) The Department of Community Affairs may approve,
31 for disbursement from its ~~the~~ Operating Trust Fund ~~established~~

1 ~~pursuant to s. 290.034~~, those appropriated sums necessary and
2 required by the state for grant matching, implementing,
3 administering, evaluating, and qualifying for such federal
4 funds. Disbursements from the trust fund for the purpose of
5 supplanting state general revenue funds may not be made
6 without specific legislative appropriation.

7
8 Reviser's note.--Amended to conform to the
9 repeal of s. 290.034 by s. 14, ch. 99-4, Laws
10 of Florida.

11
12 Section 16. Section 946.205, Florida Statutes, is
13 amended to read:

14 946.205 Institutional work.--The department may cause
15 to be cultivated by the inmates of the adult correctional
16 institutions that are under the control and supervision of the
17 department such food items as are grown on farms or in gardens
18 generally, and as are needed and used in the state
19 institutions. The department may sell any surplus food items
20 to the corporation authorized under part II of this chapter.
21 Any proceeds received from such sales by the department shall
22 be deposited into the Correctional Work Program Trust Fund.
23 The department may also use the services of inmates of the
24 adult correctional institutions that are under the control and
25 supervision of the department to perform such work as is
26 needed and used within the state institutions.

27
28 Reviser's note.--Amended to improve clarity and
29 facilitate correct interpretation.

1 Section 17. Subsection (7) of section 946.515, Florida
2 Statutes, is amended to read:

3 946.515 Use of goods and services produced in
4 correctional work programs.--

5 (7) The provisions of ~~s. ss. 946.21~~ and 946.518 do not
6 apply to this section.

7
8 Reviser's note.--Amended to conform to the
9 repeal of s. 946.21 by s. 12, ch. 99-260, Laws
10 of Florida.

11
12 Section 18. Section 946.518, Florida Statutes, is
13 amended to read:

14 946.518 Sale of goods made by prisoners; when
15 prohibited, when permitted.--Goods, wares, or merchandise
16 manufactured or mined in whole or in part by prisoners (except
17 prisoners on parole or probation) may not be sold or offered
18 for sale in this state by any person or by any federal
19 authority or state or political subdivision thereof; however,
20 this section does and ~~s. 946.21~~ do not forbid the sale,
21 exchange, or disposition of such goods within the limitations
22 set forth in ~~s. 946.006(3), s. 946.515, or s. 946.519.~~

23
24 Reviser's note.--Amended to conform to the
25 repeal of ss. 946.006, 946.21, and 946.519 by
26 s. 12, ch. 99-260, Laws of Florida.

27
28 Section 19. Subsection (4) of section 960.045, Florida
29 Statutes, is amended to read:

30
31

1 960.045 Department of Legal Affairs; powers and
2 duties.--It shall be the duty of the department to assist
3 persons who are victims of crime.

4 (4) The department shall establish criteria governing
5 awards for catastrophic injury as a direct result of a crime.

6
7 Reviser's note.--Amended to conform to the
8 context of the section, improve clarity, and
9 facilitate correct interpretation.

10
11 Section 20. Paragraph (d) of subsection (28) of
12 section 985.03, Florida Statutes, is amended to read:

13 985.03 Definitions.--When used in this chapter, the
14 term:

15 (28) "Habitually truant" means that:

16 (d) The failure or refusal of the parent or legal
17 guardian or the child to participate, or make a good faith
18 effort to participate, in the activities prescribed to remedy
19 the truant behavior, or the failure or refusal of the child to
20 return to school after participation in activities required by
21 this subsection, or the failure of the child to stop the
22 truant behavior after the school administration and the
23 Department of Juvenile Justice have worked with the child as
24 described in s. 232.19(3) and (4)~~232.19(3)~~ shall be handled
25 as prescribed in s. 232.19.

26
27 Reviser's note.--Amended to conform to the
28 redesignation of s. 232.19(3) as s. 232.19(3)
29 and (4) by s. 9, ch. 97-234, Laws of Florida.