

By the Committee on Rules, Ethics & Elections and
 Representative Goodlette

1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes;
 3 amending ss. 83.682, 229.0073, 420.507,
 4 501.976, and 570.71, F.S., to conform to the
 5 directive in s. 1, ch. 93-199, Laws of Florida,
 6 to remove gender-specific references applicable
 7 to human beings from the Florida Statutes
 8 without substantive change in legal effect.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (b) of subsection (1) of section
 13 83.682, Florida Statutes, is amended to read:

14 83.682 Termination of rental agreement by a member of
 15 the United States Armed Forces.--

16 (1)

17 (b) In the event a member of the United States Armed
 18 Forces dies during active duty, an adult member of his or her
 19 immediate family may terminate the member's ~~his~~ rental
 20 agreement by providing the landlord with a written notice of
 21 termination to be effective on the date stated in the notice
 22 that is at least 30 days after the landlord's receipt of the
 23 notice. The notice to the landlord must be accompanied by
 24 either a copy of the official military orders or a written
 25 verification signed by the member's Commanding Officer.

26 Section 2. Section 229.0073, Florida Statutes, is
 27 amended to read:

28 229.0073 Reorganization of the Department of
 29 Education.--Effective July 1, 2001, notwithstanding the
 30 provisions of s. 20.15, the secretary's Education
 31 Reorganization Workgroup is established to direct and provide

1 oversight for the reorganization of Florida's K-20 Department
2 of Education. The workgroup shall be comprised of the
3 Secretary of the Florida Board of Education, the Commissioner
4 of Education, the Governor or his or her designee, the
5 Chancellor of Colleges and Universities, the Chancellor of
6 Community Colleges, the Chancellor of Public Schools, and the
7 Executive Director of Independent Education, who shall consult
8 with the legislative members of the Education Governance
9 Reorganization Transition Task Force. The reorganization
10 shall:

11 (1) Eliminate duplication across divisions; achieve
12 greater efficiencies in financial and human resources and
13 education services; and identify functions, resources, and
14 services that should be eliminated, transferred, or realigned.

15 (2) Include a review and assessment of all bureaus,
16 offices, divisions, and functions of the department
17 reorganized pursuant to this section.

18 (3) Establish an Office of the Commissioner of
19 Education that includes the general areas of operation that
20 are common to all delivery sectors, such as administration,
21 communication, legal services, financial aid, and government
22 and public relations, in order to increase efficiency, improve
23 service delivery to students, and fully support the
24 operational needs of the Florida Board of Education.

25 (4) Establish the following divisions within the
26 department:

27 (a) Division of Public Schools (K-12).--The state's
28 public elementary, middle, junior high, and high schools, as
29 well as combination schools, charter schools, district magnet
30 programs, and area technical centers.

31

1 (b) Division of Community Colleges.--The state's 28
2 public community colleges.

3 (c) Division of Colleges and Universities.--The
4 state's public universities and colleges and the 4-year
5 independent colleges and universities whose students are
6 eligible to receive the William L. Boyd, IV, Florida resident
7 access grants pursuant to s. 240.605, to enable more effective
8 articulation between these public and private institutions.
9 The division chancellor shall administer those provisions of
10 chapter 246 that apply to the independent colleges and
11 universities within the division and shall establish a liaison
12 responsible for partnerships that enhance articulation between
13 and communication with Florida's 4-year independent colleges
14 and universities.

15 (d) Division of Independent Education.--The
16 independent education providers within the state, including
17 home education programs that meet the requirements of s.
18 232.0201, private K-12 institutions as described in s.
19 229.808, independent colleges and universities, except those
20 identified under paragraph (c), and private postsecondary
21 career preparation and vocational training institutions.

22 1. The division shall be under an executive director
23 and shall house a new commission, appointed by the Governor,
24 to oversee licensing of independent postsecondary
25 institutions, consumer protection, and program improvement.
26 The commission shall have the powers and duties of the State
27 Board of Independent Colleges and Universities specified in
28 chapter 246, except the powers and duties relating to those
29 institutions identified under paragraph (c), and of the State
30 Board of Nonpublic Career Education.

31

1 2. The division shall serve as the advocate for and
2 liaison to the independent education providers identified in
3 this paragraph.

4 3. The executive director of the division shall
5 establish a mechanism for regular interaction and input from
6 independent education providers in the development of policies
7 that provide seamless articulation for all students.

8 4. The division shall afford students and parents
9 educational options apart from the public K-20 system.

10 (5) Establish the following offices within the Office
11 of the Commissioner of Education which shall coordinate their
12 activities with all other divisions and offices:

13 (a) Office of Technology and Information Services.--In
14 conjunction with the Chancellor of Public Schools, the
15 Chancellor of Community Colleges, and the Chancellor of
16 Colleges and Universities, the office shall be responsible for
17 developing a systemwide technology plan, making budget
18 recommendations to the commissioner, providing data collection
19 and management for the system, and coordinating services with
20 other state, local, and private agencies. The office shall
21 develop a method to address the need for a statewide approach
22 to planning and operations of library and information services
23 to achieve a single K-20 education system library information
24 portal and a unified higher education library management
25 system. The Florida Virtual High School shall be
26 administratively housed within the office.

27 (b) Office of Workforce and Economic Development.--The
28 office shall evaluate the role of each sector of education in
29 Florida's workforce and economic development, assess the
30 specific work skills and variety of careers provided, and
31

1 report to the Florida Board of Education the effectiveness of
2 each sector.

3 (c) Office of Educational Facilities and SMART Schools
4 Clearinghouse.--The office shall validate all educational
5 plant surveys and verify Florida Inventory of School Houses
6 (FISH) data. The office shall provide technical assistance to
7 public school districts when requested. The office, staff,
8 property, and functions of the SMART Schools Clearinghouse are
9 transferred by a type two transfer, pursuant to s. 20.06(2),
10 from the Department of Management Services to the Office of
11 Educational Facilities and SMART Schools Clearinghouse within
12 the Office of the Commissioner of Education.

13 (d) Office of Student Financial Assistance.--The
14 office shall provide access to and administer state and
15 federal grants, scholarships, and loans to those students
16 seeking financial assistance for postsecondary study pursuant
17 to program criteria and eligibility requirements.

18 (6) Establish a K-20 education leadership team,
19 including, but not limited to, the Secretary of the Florida
20 Board of Education and the education governance officers. The
21 leadership team shall be responsible for systemwide horizontal
22 and vertical communication, and assisting the achievement of
23 the seamless K-20 education system.

24 Section 3. Subsection (39) of section 420.507, Florida
25 Statutes, is amended to read:

26 420.507 Powers of the corporation.--The corporation
27 shall have all the powers necessary or convenient to carry out
28 and effectuate the purposes and provisions of this part,
29 including the following powers which are in addition to all
30 other powers granted by other provisions of this part:

31

1 (39) To create recognition programs to honor
2 individuals, community-based development organizations, units
3 of local government, or others who have demonstrated the
4 ideals of community stewardship and increased access to
5 housing for low-income households, including their stewardship
6 in economically distressed areas. Such programs may
7 incorporate certificates of recognition by the Governor and
8 may include presentation by the Governor or his or her
9 representative.

10 Section 4. Subsections (5) and (6) of section 501.976,
11 Florida Statutes, are amended to read:

12 501.976 Actionable, unfair, or deceptive acts or
13 practices.--It is an unfair or deceptive act or practice,
14 actionable under the Florida Deceptive and Unfair Trade
15 Practices Act, for a dealer to:

16 (5) Represent orally or in writing that a particular
17 vehicle has not sustained structural or substantial skin
18 damage unless the statement is made in good faith and the
19 vehicle has been inspected by the dealer or his or her agent
20 to determine whether the vehicle has incurred such damage.

21 (6) Sell a vehicle without fully and conspicuously
22 disclosing in writing at or before the consummation of sale
23 any warranty or guarantee terms, obligations, or conditions
24 that the dealer or manufacturer has given to the buyer. If the
25 warranty obligations are to be shared by the dealer and the
26 buyer, the method of determining the percentage of repair
27 costs to be assumed by each party must be disclosed. If the
28 dealer intends to disclaim or limit any expressed or implied
29 warranty, the disclaimer must be in writing in a conspicuous
30 manner and in lay ~~layman's~~ terms in accordance with chapter
31

1 672 and the Magnuson-Moss Warranty--Federal Trade Commission
2 Improvement Act.

3

4 In any civil litigation resulting from a violation of this
5 section, when evaluating the reasonableness of an award of
6 attorney's fees to a private person, the trial court shall
7 consider the amount of actual damages in relation to the time
8 spent.

9 Section 5. Subsection (11) of section 570.71, Florida
10 Statutes, is amended to read:

11 570.71 Conservation easements and agreements.--

12 (11) If a landowner objects to having his or her
13 property included in any lists or maps developed to implement
14 this act, the department shall remove the property from any
15 such lists or maps upon receipt of the landowner's written
16 request to do so.

17

18 Reviser's note.--Amended pursuant to the
19 directive of the Legislature in s. 1, ch.
20 93-199, Laws of Florida, to remove
21 gender-specific references applicable to human
22 beings from the Florida Statutes without
23 substantive change in legal effect.

24

25

26

27

28

29

30

31