

By Senator Lee

rb09sa-02

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.

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

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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.

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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.

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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  
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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:

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

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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.

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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.

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