

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 683
SPONSOR(S): Grimsley
TIED BILLS:

Public K-12 Educational Instruction

IDEN./SIM. BILLS: SB 1298

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) PreK-12 Committee		Howlette	Mizereck
2) Health Care General Committee			
3) Education Appropriations Committee			
4) Fiscal Council			
5) Education Council			

SUMMARY ANALYSIS

House Bill 683 requires district school board pupil progression plans to provide instruction regarding sun safety and skin protection to students in elementary, middle, and high schools. Instruction may be offered within health, science, comprehensive health education, life management skills, or physical education courses.

The bill shall take effect upon becoming law.

Substantive Impact

House Bill 683 creates a new section of law requiring instruction in the harmful effects of sun exposure that leads to melanoma. No such specific requirement exists in current law.

Fiscal Impact

Local school districts may incur costs for teacher education and instructional materials relating to melanoma and its prevention. Because the proposed instruction would be offered within existing health, science, health education, life management skills, or physical education courses, no additional instructional costs would be incurred.

Comments:

See “Drafting Issues or Other Comments.”

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – The bill adds another area of required instruction for district school boards. Pupil progression plans would have to include instruction in sun safety and skin protection for students in elementary, middle, and high school.

Promote personal responsibility – Personal responsibility is not promoted when government assumes the responsibility for teaching children about sun safety and skin protection.

Empower families – Families are not empowered when government assumes the authority and responsibility for teaching children about sun safety and skin protection.

B. EFFECT OF PROPOSED CHANGES:

House bill 683 creates a new section of law requiring each district school board to make provisions within their student progression plan for instruction regarding sun safety and skin protection. The instruction will be offered at the elementary, middle and secondary school levels and taught within health, science, comprehensive health education, life management skills, or physical education courses. The instruction can be conveyed in print or electronically.

Instruction regarding sun safety and skin protection must include risk factors for melanoma, sources of ultraviolet rays, and measures to prevent skin cancer. Specific instruction must be given regarding the proper application of sunscreen; the intervals at which sunscreen must be reapplied to maintain skin protection; avoiding sun exposure during certain daylight hours; and wearing appropriate clothing, including hats.

Current law does not require the inclusion of comprehensive health education, or any other provision in this section, in district student progression plans. Section 1003.42, Florida Statutes (Required instruction), addresses comprehensive health education ([2)(m)] and includes instruction on injury prevention, safety and personal health.

In addition, the Sunshine State Standards for Health Education address health-enhancing behavior through the following, but do not explicitly identify instruction in sun safety and skin protection.

- Health Literacy Standard 1: The student comprehends concepts related to health promotion and disease prevention.
- Responsible Health Behavior Standard 1: The student knows health-enhancing behaviors and how to reduce health risks.

C. SECTION DIRECTORY:

Section 1: Creates s. 1003.4205, F.S., requiring instruction in sun safety and skin protection.

Section 2: Establishes an effective date upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

See fiscal comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a fiscal impact on local government revenues.

D. FISCAL COMMENTS:

The projected cost of the proposed bill cannot be determined. Local school districts may incur costs for teacher education and instructional materials relating to skin melanoma and its prevention. Because the proposed instruction would be offered within existing health, science, health education, life management skills, or physical education courses, no additional instructional costs would be incurred.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require a city or county to spend funds or take any action requiring the expenditure of funds.

2. Other:

B. RULE-MAKING AUTHORITY:

C. DRAFTING ISSUES OR OTHER COMMENTS:

Required instruction in sun safety and skin protection is not appropriately placed in school district student progression plans. Those are reserved for areas of instruction that determine whether or not students should be promoted to the next grade or be retained. House bill 683 should be redrafted to add a new subsection (2)(s) to section 1003.42, Florida Statutes (Required instruction) to require instruction at elementary, middle and high school in sun safety and skin protection.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES