

By Senator Pruitt

rb07sa-06

1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes;
 3 repealing ss. 16.555(3)(b), 212.08(5)(p),
 4 216.181(17), 220.03(1)(x), 265.702(7)(b),
 5 287.057(5)(f)14., 311.07(3)(b)11., 375.045(5),
 6 381.79(3)(b), 386.206(1) and (5), 394.908(8),
 7 403.08725(9)(b), 409.913(8)(g), 468.404(1)(b),
 8 470.001, 470.002, 470.003, 470.005, 470.019,
 9 470.023, 470.027, 470.028, 470.031, 470.033,
 10 470.034, 470.035, 470.036, 497.105, 497.109,
 11 497.111, 497.113, 497.115, 497.117, 497.119,
 12 497.123, 497.125, 497.127, 497.129, 497.131,
 13 497.135, 497.137, 497.209, 497.217, 497.221,
 14 497.225, 497.233, 497.301, 497.341, 497.431,
 15 497.435, 497.443, 497.445, 497.447, 497.515,
 16 497.517, 497.519, 497.529, 559.904(12),
 17 561.121(4)(b), 624.91(3)(c), and 957.03, F.S.,
 18 all of which provisions have become inoperative
 19 by noncurrent repeal or expiration and,
 20 pursuant to s. 11.242(5)(b) and (i), may be
 21 omitted from the 2006 Florida Statutes only
 22 through a reviser's bill duly enacted by the
 23 Legislature; amending ss. 287.042, 943.053, and
 24 943.325, F.S., to conform to the repeal of s.
 25 957.03, F.S.; and repealing s. 957.04(8), F.S.,
 26 to conform to the repeal of s. 957.03, F.S.

27
 28 Be It Enacted by the Legislature of the State of Florida:
 29

30 Section 1. Paragraph (b) of subsection (3) of section
 31 16.555, Florida Statutes, is repealed.

1 Reviser's note.--The cited paragraph, which
2 relates to use of moneys in the Crime Stoppers
3 Trust Fund for department expenses for the
4 2004-2005 fiscal year only, expired pursuant to
5 its own terms, effective July 1, 2005.

6
7 Section 2. Paragraph (p) of subsection (5) of section
8 212.08, Florida Statutes, is repealed.

9
10 Reviser's note.--The cited paragraph, which
11 relates to a sales tax exemption for certain
12 equipment used to deploy broadband
13 technologies, was repealed pursuant to its own
14 terms, effective June 30, 2005.

15
16 Section 3. Subsection (17) of section 216.181, Florida
17 Statutes, is repealed.

18
19 Reviser's note.--The cited subsection, which
20 authorizes the Agency for Health Care
21 Administration to submit a specified budget
22 amendment in order to implement Specific
23 Appropriation 216 of the 2004-2005 General
24 Appropriations Act upon the happening of a
25 certain event, expired pursuant to its own
26 terms, effective July 1, 2005.

27
28 Section 4. Paragraph (x) of subsection (1) of section
29 220.03, Florida Statutes, is repealed.

30
31

1 Reviser's note.--The cited paragraph, which
2 defines "Secretary" as the secretary of the
3 Department of Commerce, which department no
4 longer exists, expired pursuant to its own
5 terms, effective June 30, 2005.

6
7 Section 5. Paragraph (b) of subsection (7) of section
8 265.702, Florida Statutes, is repealed.

9
10 Reviser's note.--The cited paragraph, which
11 relates to a limit on the amount of a grant for
12 regional cultural facilities for the 2004-2005
13 fiscal year only, expired pursuant to its own
14 terms, effective July 1, 2005.

15
16 Section 6. Subparagraph 14. of paragraph (f) of
17 subsection (5) of section 287.057, Florida Statutes, is
18 repealed.

19
20 Reviser's note.--The cited subparagraph, which
21 provides that specified voter education
22 activities of the Department of State are not
23 subject to competitive-solicitation
24 requirements under s. 287.057, expired pursuant
25 to its own terms, effective July 1, 2005.

26
27 Section 7. Subparagraph 11. of paragraph (b) of
28 subsection (3) of section 311.07, Florida Statutes, is
29 repealed.

30
31

1 Reviser's note.--The cited subparagraph, which
2 lists seaport security measures among projects
3 eligible for funding under the Florida Seaport
4 Transportation and Economic Development
5 Program, expired pursuant to its own terms,
6 effective June 30, 2005.
7

8 Section 8. Subsection (5) of section 375.045, Florida
9 Statutes, is repealed.
10

11 Reviser's note.--The cited subsection, which
12 authorizes the use of certain unobligated
13 moneys from the Florida Preservation 2000 Trust
14 Fund for appropriation to the Florida Forever
15 Trust Fund for use pursuant to s. 259.1051 for
16 the 2004-2005 fiscal year only, expired
17 pursuant to its own terms, effective July 1,
18 2005.
19

20 Section 9. Paragraph (b) of subsection (3) of section
21 381.79, Florida Statutes, is repealed.
22

23 Reviser's note.--The cited paragraph, which
24 authorizes appropriation of certain revenues
25 from the Brain and Spinal Cord Injury Program
26 Trust Fund for spinal cord injury and brain
27 injury research at the University of Miami for
28 the 2004-2005 fiscal year only, expired
29 pursuant to its own terms, effective July 1,
30 2005.
31

1 Section 10. Subsections (1) and (5) of section
2 386.206, Florida Statutes, are repealed.

3
4 Reviser's note.--Subsection (1), which relates
5 to signage requirements relating to the smoking
6 ban in enclosed indoor workplaces, expired
7 pursuant to subsection (5) of s. 386.206,
8 effective July 1, 2005.

9
10 Section 11. Subsection (8) of section 394.908, Florida
11 Statutes, is repealed.

12
13 Reviser's note.--The cited subsection, which
14 relates to allocation of specified funds
15 relating to substance abuse and mental health
16 services for the 2004-2005 fiscal year only,
17 expired pursuant to its own terms, effective
18 July 1, 2005.

19
20 Section 12. Paragraph (b) of subsection (9) of section
21 403.08725, Florida Statutes, is repealed.

22
23 Reviser's note.--The cited paragraph, which
24 provides, for the 2004-2005 fiscal year only,
25 for inapplicability of certain construction
26 requirements if the United States Environmental
27 Protection Agency fails to approve certain
28 revisions to the state implementation plan
29 within 4 years after submittal, expired
30 pursuant to its own terms, effective July 1,
31 2005.

1 Section 13. Paragraph (g) of subsection (8) of section
2 409.913, Florida Statutes, is repealed.

3
4 Reviser's note.--The cited paragraph, which
5 provides an exemption from specified
6 requirements for Medicaid reimbursement where
7 notifying a pharmacy at the point of sale that
8 a prescription will be approved is not
9 practical, expired pursuant to its own terms,
10 effective July 1, 2005.

11
12 Section 14. Paragraph (b) of subsection (1) of section
13 468.404, Florida Statutes, is repealed.

14
15 Reviser's note.--The cited paragraph, which
16 relates to the assessment level for talent
17 agency license fees for the 2004-2005 fiscal
18 year only, expired pursuant to its own terms,
19 effective July 1, 2005.

20
21 Section 15. Sections 470.001, 470.002, 470.003,
22 470.005, 470.019, 470.023, 470.027, 470.028, 470.031, 470.033,
23 470.034, 470.035, 470.036, 497.105, 497.109, 497.111, 497.113,
24 497.115, 497.117, 497.119, 497.123, 497.125, 497.127, 497.129,
25 497.131, 497.135, 497.137, 497.209, 497.217, 497.221, 497.225,
26 497.233, 497.301, 497.341, 497.431, 497.435, 497.443, 497.445,
27 497.447, 497.515, 497.517, 497.519, and 497.529, Florida
28 Statutes, are repealed.

29
30 Reviser's note.--The cited sections, which
31 relate to the funeral and cemetery industry,

1 | were repealed by s. 157, ch. 2004-301, Laws of
2 | Florida, effective October 1, 2005. Since the
3 | sections were not repealed by a "current
4 | session" of the Legislature, they may be
5 | omitted from the 2006 Florida Statutes only
6 | through a reviser's bill duly enacted by the
7 | Legislature. See s. 11.242(5)(b) and (i).

8 |
9 | Section 16. Subsection (12) of section 559.904,
10 | Florida Statutes, is repealed.

11 |
12 | Reviser's note.--The cited subsection, which
13 | provides for rulemaking authority to stagger
14 | motor vehicle repair shop registrations over a
15 | 2-year period in order to implement biennial
16 | registration requirements, expired pursuant to
17 | its own terms, effective June 30, 2005.

18 |
19 | Section 17. Paragraph (b) of subsection (4) of section
20 | 561.121, Florida Statutes, is repealed.

21 |
22 | Reviser's note.--The cited paragraph, which
23 | authorizes use of moneys in the Children and
24 | Adolescents Substance Abuse Trust Fund to fund
25 | programs directed at reducing and eliminating
26 | substance abuse problems among adults for the
27 | 2004-2005 fiscal year only, expired pursuant to
28 | its own terms, effective July 1, 2005.

29 |
30 | Section 18. Paragraph (c) of subsection (3) of section
31 | 624.91, Florida Statutes, is repealed.

1 Reviser's note.--The cited paragraph, which
2 relates to eligibility for Healthy Kids
3 benefits of individuals who attained the age of
4 19 as of March 31, 2004, was repealed pursuant
5 to its own terms, effective March 31, 2005.

6
7 Section 19. Section 957.03, Florida Statutes, is
8 repealed.

9
10 Reviser's note.--The cited section, which
11 relates to the Correctional Privatization
12 Commission, was repealed by s. 12, ch.
13 2004-248, Laws of Florida, effective July 1,
14 2005. Since the section was not repealed by a
15 "current session" of the Legislature, it may be
16 omitted from the 2006 Florida Statutes only
17 through a reviser's bill duly enacted by the
18 Legislature. See s. 11.242(5)(b) and (i).

19
20 Section 20. Paragraph (a) of subsection (17) of
21 section 287.042, Florida Statutes, is amended to read:

22 287.042 Powers, duties, and functions.--The department
23 shall have the following powers, duties, and functions:

24 (17)(a) To enter into contracts pursuant to chapter
25 ~~957, and to acquire the contractual rights and assume the~~
26 ~~contractual obligations of the Correctional Privatization~~
27 ~~Commission in contracts previously entered into pursuant to~~
28 ~~chapter 957,~~ for the designing, financing, acquiring, leasing,
29 constructing, or operating of private correctional facilities.
30 The department shall enter into a contract or contracts with
31 one contractor per facility for the designing, acquiring,

1 financing, leasing, constructing, and operating of that
2 facility or may, if specifically authorized by the
3 Legislature, separately contract for any such services.

4
5 The department may not delegate the responsibilities conferred
6 by this subsection.

7
8 Reviser's note.--Amended to conform to the
9 repeal of s. 957.03, which created the
10 Correctional Privatization Commission,
11 effective July 1, 2005, by s. 12, ch. 2004-248,
12 Laws of Florida; that repeal is confirmed by
13 this act. The Department of Management Services
14 has assumed responsibility for contracts under
15 chapter 957 pursuant to ss. 287.042(17) and
16 957.04, and the deleted material in the
17 amendment to s. 287.042(17)(a) has served its
18 purpose.

19
20 Section 21. Subsection (8) of section 943.053, Florida
21 Statutes, is amended to read:

22 943.053 Dissemination of criminal justice information;
23 fees.--

24 (8) Notwithstanding the provisions of s. 943.0525, and
25 any user agreements adopted pursuant thereto, and
26 notwithstanding the confidentiality of sealed records as
27 provided for in s. 943.059, the Department of Corrections
28 shall provide, in a timely manner, copies of the Florida
29 criminal history records for inmates housed in a private state
30 correctional facility to the private entity under contract to
31 operate the facility pursuant to the provisions of s. 944.105

1 ~~or s. 957.03~~. The department may assess a charge for the
2 Florida criminal history records pursuant to the provisions of
3 chapter 119. Sealed records received by the private entity
4 under this section remain confidential and exempt from the
5 provisions of s. 119.07(1).

6
7 Reviser's note.--Amended to delete a reference
8 to s. 957.03, which was repealed by s. 12, ch.
9 2004-248, Laws of Florida; the repeal of s.
10 957.03 is confirmed by this act.

11
12 Section 22. Paragraph (c) of subsection (1) of section
13 943.325, Florida Statutes, is amended to read:

14 943.325 Blood or other biological specimen testing for
15 DNA analysis.--

16 (1)

17 (c) As used in this section, the term "any person"
18 includes both juveniles and adults committed to a county jail
19 or committed to or under the supervision of the Department of
20 Corrections or the Department of Juvenile Justice, including
21 persons incarcerated in a private correctional institution
22 operated under contract pursuant to s. 944.105 ~~or s. 957.03~~.

23
24 Reviser's note.--Amended to delete a reference
25 to s. 957.03, which was repealed by s. 12, ch.
26 2004-248, Laws of Florida; the repeal of s.
27 957.03 is confirmed by this act.

28
29 Section 23. Subsection (8) of section 957.04, Florida
30 Statutes, is repealed.

1 Reviser's note.--The cited subsection, which
2 provides that the Department of Management
3 Services is the successor agency for the
4 Correctional Privatization Commission for
5 contracts entered into pursuant to chapter 957
6 that are in effect on July 1, 2004, has served
7 its purpose. Section 957.03, which created the
8 Correctional Privatization Commission, was
9 repealed effective July 1, 2005, by s. 12, ch.
10 2004-248, Laws of Florida; that repeal is
11 confirmed by this act. The remaining material
12 in s. 957.04 provides for the Department of
13 Management Services to be responsible for
14 duties formerly carried out by the Correctional
15 Privatization Commission.