

ENROLLED
 HB 7069

2006 Legislature

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

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

25
 26 Section 1. Paragraph (b) of subsection (3) of section
 27 16.555, Florida Statutes, is repealed.

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

34
 35 Section 2. Paragraph (p) of subsection (5) of section
 36 212.08, Florida Statutes, is repealed.

37
 38 Reviser's note.--The cited paragraph, which relates to
 39 a sales tax exemption for certain equipment used to
 40 deploy broadband technologies, was repealed pursuant
 41 to its own terms, effective June 30, 2005.

42
 43 Section 3. Subsection (17) of section 216.181, Florida
 44 Statutes, is repealed.

45
 46 Reviser's note.--The cited subsection, which
 47 authorizes the Agency for Health Care Administration
 48 to submit a specified budget amendment in order to
 49 implement Specific Appropriation 216 of the 2004-2005
 50 General Appropriations Act upon the happening of a
 51 certain event, expired pursuant to its own terms,
 52 effective July 1, 2005.

53
 54 Section 4. Paragraph (x) of subsection (1) of section
 55 220.03, Florida Statutes, is repealed.

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57 Reviser's note.--The cited paragraph, which defines
58 "Secretary" as the secretary of the Department of
59 Commerce, which department no longer exists, expired
60 pursuant to its own terms, effective June 30, 2005.

61
62 Section 5. Paragraph (b) of subsection (7) of section
63 265.702, Florida Statutes, is repealed.

64
65 Reviser's note.--The cited paragraph, which relates to
66 a limit on the amount of a grant for regional cultural
67 facilities for the 2004-2005 fiscal year only, expired
68 pursuant to its own terms, effective July 1, 2005.

69
70 Section 6. Subparagraph 14. of paragraph (f) of subsection
71 (5) of section 287.057, Florida Statutes, is repealed.

72
73 Reviser's note.--The cited subparagraph, which
74 provides that specified voter education activities of
75 the Department of State are not subject to
76 competitive-solicitation requirements under s.
77 287.057, expired pursuant to its own terms, effective
78 July 1, 2005.

79
80 Section 7. Subparagraph 11. of paragraph (b) of subsection
81 (3) of section 311.07, Florida Statutes, is repealed.

82
83 Reviser's note.--The cited subparagraph, which lists
84 seaport security measures among projects eligible for

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85 funding under the Florida Seaport Transportation and
86 Economic Development Program, expired pursuant to its
87 own terms, effective June 30, 2005.

88
89 Section 8. Subsection (5) of section 375.045, Florida
90 Statutes, is repealed.

91
92 Reviser's note.--The cited subsection, which
93 authorizes the use of certain unobligated moneys from
94 the Florida Preservation 2000 Trust Fund for
95 appropriation to the Florida Forever Trust Fund for
96 use pursuant to s. 259.1051 for the 2004-2005 fiscal
97 year only, expired pursuant to its own terms,
98 effective July 1, 2005.

99
100 Section 9. Paragraph (b) of subsection (3) of section
101 381.79, Florida Statutes, is repealed.

102
103 Reviser's note.--The cited paragraph, which authorizes
104 appropriation of certain revenues from the Brain and
105 Spinal Cord Injury Program Trust Fund for spinal cord
106 injury and brain injury research at the University of
107 Miami for the 2004-2005 fiscal year only, expired
108 pursuant to its own terms, effective July 1, 2005.

109
110 Section 10. Subsections (1) and (5) of section 386.206,
111 Florida Statutes, are repealed.

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113 Reviser's note.--Subsection (1), which relates to
114 signage requirements relating to the smoking ban in
115 enclosed indoor workplaces, expired pursuant to
116 subsection (5) of s. 386.206, effective July 1, 2005.

117
118 Section 11. Subsection (8) of section 394.908, Florida
119 Statutes, is repealed.

120
121 Reviser's note.--The cited subsection, which relates
122 to allocation of specified funds relating to substance
123 abuse and mental health services for the 2004-2005
124 fiscal year only, expired pursuant to its own terms,
125 effective July 1, 2005.

126
127 Section 12. Paragraph (b) of subsection (9) of section
128 403.08725, Florida Statutes, is repealed.

129
130 Reviser's note.--The cited paragraph, which provides,
131 for the 2004-2005 fiscal year only, for
132 inapplicability of certain construction requirements
133 if the United States Environmental Protection Agency
134 fails to approve certain revisions to the state
135 implementation plan within 4 years after submittal,
136 expired pursuant to its own terms, effective July 1,
137 2005.

138
139 Section 13. Paragraph (g) of subsection (8) of section
140 409.913, Florida Statutes, is repealed.

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141
 142 Reviser's note.--The cited paragraph, which provides
 143 an exemption from specified requirements for Medicaid
 144 reimbursement where notifying a pharmacy at the point
 145 of sale that a prescription will be approved is not
 146 practical, expired pursuant to its own terms,
 147 effective July 1, 2005.

148
 149 Section 14. Paragraph (b) of subsection (1) of section
 150 468.404, Florida Statutes, is repealed.

151
 152 Reviser's note.--The cited paragraph, which relates to
 153 the assessment level for talent agency license fees
 154 for the 2004-2005 fiscal year only, expired pursuant
 155 to its own terms, effective July 1, 2005.

156
 157 Section 15. Sections 470.001, 470.002, 470.003, 470.005,
 158 470.019, 470.023, 470.027, 470.028, 470.031, 470.033, 470.034,
 159 470.035, 470.036, 497.105, 497.109, 497.111, 497.113, 497.115,
 160 497.117, 497.119, 497.123, 497.125, 497.127, 497.129, 497.131,
 161 497.135, 497.137, 497.209, 497.217, 497.221, 497.225, 497.233,
 162 497.301, 497.341, 497.431, 497.435, 497.443, 497.445, 497.447,
 163 497.515, 497.517, 497.519, and 497.529, Florida Statutes, are
 164 repealed.

165
 166 Reviser's note.--The cited sections, which relate to
 167 the funeral and cemetery industry, were repealed by s.
 168 157, ch. 2004-301, Laws of Florida, effective October

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169 | 1, 2005. Since the sections were not repealed by a
170 | "current session" of the Legislature, they may be
171 | omitted from the 2006 Florida Statutes only through a
172 | reviser's bill duly enacted by the Legislature. See s.
173 | 11.242(5)(b) and (i).

174 |
175 | Section 16. Subsection (12) of section 559.904, Florida
176 | Statutes, is repealed.

177 |
178 | Reviser's note.--The cited subsection, which provides
179 | for rulemaking authority to stagger motor vehicle
180 | repair shop registrations over a 2-year period in
181 | order to implement biennial registration requirements,
182 | expired pursuant to its own terms, effective June 30,
183 | 2005.

184 |
185 | Section 17. Paragraph (b) of subsection (4) of section
186 | 561.121, Florida Statutes, is repealed.

187 |
188 | Reviser's note.--The cited paragraph, which authorizes
189 | use of moneys in the Children and Adolescents
190 | Substance Abuse Trust Fund to fund programs directed
191 | at reducing and eliminating substance abuse problems
192 | among adults for the 2004-2005 fiscal year only,
193 | expired pursuant to its own terms, effective July 1,
194 | 2005.

195 |
196 | Section 18. Paragraph (c) of subsection (3) of section

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197 624.91, Florida Statutes, is repealed.

198
199 Reviser's note.--The cited paragraph, which relates to
200 eligibility for Healthy Kids benefits of individuals
201 who attained the age of 19 as of March 31, 2004, was
202 repealed pursuant to its own terms, effective March
203 31, 2005.

204
205 Section 19. Section 957.03, Florida Statutes, is repealed.

206
207 Reviser's note.--The cited section, which relates to
208 the Correctional Privatization Commission, was
209 repealed by s. 12, ch. 2004-248, Laws of Florida,
210 effective July 1, 2005. Since the section was not
211 repealed by a "current session" of the Legislature, it
212 may be omitted from the 2006 Florida Statutes only
213 through a reviser's bill duly enacted by the
214 Legislature. See s. 11.242(5)(b) and (i).

215
216 Section 20. Paragraph (a) of subsection (17) of section
217 287.042, Florida Statutes, is amended to read:

218 287.042 Powers, duties, and functions.--The department
219 shall have the following powers, duties, and functions:

220 (17)(a) To enter into contracts pursuant to chapter 957,
221 ~~and to acquire the contractual rights and assume the contractual~~
222 ~~obligations of the Correctional Privatization Commission in~~
223 ~~contracts previously entered into pursuant to chapter 957, for~~
224 the designing, financing, acquiring, leasing, constructing, or

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225 | operating of private correctional facilities. The department
226 | shall enter into a contract or contracts with one contractor per
227 | facility for the designing, acquiring, financing, leasing,
228 | constructing, and operating of that facility or may, if
229 | specifically authorized by the Legislature, separately contract
230 | for any such services.

231 |
232 | The department may not delegate the responsibilities conferred
233 | by this subsection.

234 |
235 | Reviser's note.--Amended to conform to the repeal of
236 | s. 957.03, which created the Correctional
237 | Privatization Commission, effective July 1, 2005, by
238 | s. 12, ch. 2004-248, Laws of Florida; that repeal is
239 | confirmed by this act. The Department of Management
240 | Services has assumed responsibility for contracts
241 | under chapter 957 pursuant to ss. 287.042(17) and
242 | 957.04, and the deleted material in the amendment to
243 | s. 287.042(17) (a) has served its purpose.

244 |
245 | Section 21. Subsection (8) of section 943.053, Florida
246 | Statutes, is amended to read:

247 | 943.053 Dissemination of criminal justice information;
248 | fees.--

249 | (8) Notwithstanding the provisions of s. 943.0525, and any
250 | user agreements adopted pursuant thereto, and notwithstanding
251 | the confidentiality of sealed records as provided for in s.
252 | 943.059, the Department of Corrections shall provide, in a

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253 | timely manner, copies of the Florida criminal history records
 254 | for inmates housed in a private state correctional facility to
 255 | the private entity under contract to operate the facility
 256 | pursuant to the provisions of s. 944.105 ~~or s. 957.03~~. The
 257 | department may assess a charge for the Florida criminal history
 258 | records pursuant to the provisions of chapter 119. Sealed
 259 | records received by the private entity under this section remain
 260 | confidential and exempt from the provisions of s. 119.07(1).

261 |
 262 | Reviser's note.--Amended to delete a reference to s.
 263 | 957.03, which was repealed by s. 12, ch. 2004-248,
 264 | Laws of Florida; the repeal of s. 957.03 is confirmed
 265 | by this act.

266 |
 267 | Section 22. Paragraph (c) of subsection (1) of section
 268 | 943.325, Florida Statutes, is amended to read:

269 | 943.325 Blood or other biological specimen testing for DNA
 270 | analysis.--

271 | (1)
 272 | (c) As used in this section, the term "any person"
 273 | includes both juveniles and adults committed to a county jail or
 274 | committed to or under the supervision of the Department of
 275 | Corrections or the Department of Juvenile Justice, including
 276 | persons incarcerated in a private correctional institution
 277 | operated under contract pursuant to s. 944.105 ~~or s. 957.03~~.

278 |
 279 | Reviser's note.--Amended to delete a reference to s.
 280 | 957.03, which was repealed by s. 12, ch. 2004-248,

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281 Laws of Florida; the repeal of s. 957.03 is confirmed
282 by this act.

283
284 Section 23. Subsection (8) of section 957.04, Florida
285 Statutes, is repealed.

286
287 Reviser's note.--The cited subsection, which provides
288 that the Department of Management Services is the
289 successor agency for the Correctional Privatization
290 Commission for contracts entered into pursuant to
291 chapter 957 that are in effect on July 1, 2004, has
292 served its purpose. Section 957.03, which created the
293 Correctional Privatization Commission, was repealed
294 effective July 1, 2005, by s. 12, ch. 2004-248, Laws
295 of Florida; that repeal is confirmed by this act. The
296 remaining material in s. 957.04 provides for the
297 Department of Management Services to be responsible
298 for duties formerly carried out by the Correctional
299 Privatization Commission.

300
301 Section 24. This act shall take effect on the 60th day
302 after adjournment sine die of the session of the Legislature in
303 which enacted.