

1                                   A bill to be entitled  
 2       An act relating to legislative sunset review; amending s.  
 3       11.903, F.S.; permitting the Joint Legislative Sunset  
 4       Committee to conduct its meetings through teleconferences  
 5       or other similar means; amending s. 11.905, F.S.; revising  
 6       the schedule for reviewing state agencies and advisory  
 7       committees; amending s. 11.9055, F.S.; requiring  
 8       submission of a transfer plan under certain circumstances;  
 9       amending s. 11.907, F.S.; requiring the joint committee  
 10      and permitting appropriate committees to conduct reviews  
 11      upon receipt of agency reports; amending s. 11.908, F.S.;  
 12      revising duties of the joint committee and other  
 13      committees to conduct reviews; amending s. 11.910, F.S.;  
 14      authorizing committees to consider certain information in  
 15      reaching determinations; amending s. 11.911, F.S.;  
 16      requiring the joint committee and permitting other  
 17      committees to make recommendations and propose  
 18      legislation; amending s. 11.919, F.S.; permitting  
 19      committee access to information, assistance from state  
 20      agencies, and inspection of records when carrying out its  
 21      functions; providing an effective date.

22  
 23   Be It Enacted by the Legislature of the State of Florida:

24  
 25           Section 1. Subsection (5) is added to section 11.903,  
 26   Florida Statutes, to read:

27           11.903 Legislative Sunset Review Committees and the Joint  
 28   Legislative Sunset Committee.--

29           (5) The joint committee may conduct its meetings through  
 30 teleconferences or other similar means.

31           Section 2. Section 11.905, Florida Statutes, is amended to  
 32 read:

33           11.905 Schedule for reviewing state agencies and advisory  
 34 committees.--The following state agencies, including their  
 35 advisory committees, or the following advisory committees of  
 36 agencies shall be reviewed according to the following schedule:

37           (1) Reviewed by July 1, 2008:

38           (a) Statutorily created responsibilities of the Fish and  
 39 Wildlife Conservation Commission.

40           (b) Department of Agriculture and Consumer Services.

41           (c) Department of Citrus, including the Citrus Commission.

42           (d) Department of Environmental Protection.

43           (e) Department of Highway Safety and Motor Vehicles.

44           (f) Water management districts.

45           (2) Reviewed by July 1, 2010:

46           (a) Department of Children and Family Services.

47           (b) Department of Community Affairs.

48           (c) Department of Management Services.

49           (d) Department of State.

50           (3)~~(4)~~ Reviewed by July 1, 2012 ~~2014~~:

51           (a) Agency for Health Care Administration.

52           (b) Agency for Persons with Disabilities.

53           (c) Department of Elderly Affairs.

54           (d) Department of Health.

55           (4)~~(3)~~ Reviewed by July 1, 2014 ~~2012~~:

- 56 (a) Advisory committees for the Florida Community College
- 57 System.
- 58 (b) Advisory committees for the State University System.
- 59 (c) Agency for Workforce Innovation.
- 60 (d) Department of Education.
- 61 (e) Department of the Lottery.
- 62 (5) Reviewed by July 1, 2016:
- 63 (a) Department of Business and Professional Regulation.
- 64 (b) Department of Transportation.
- 65 (c) Department of Veterans' Affairs.
- 66 (d) Department of Military Affairs.
- 67 (6) Reviewed by July 1, 2018:
- 68 (a) Advisory committees for the State Board of
- 69 Administration.
- 70 (b) Department of Financial Services, including the
- 71 Financial Services Commission.
- 72 (c) Department of Revenue.
- 73 (7) Reviewed by July 1, 2020:
- 74 (a) Department of Corrections.
- 75 (b) Department of Juvenile Justice.
- 76 (c) Department of Law Enforcement.
- 77 (d) Department of Legal Affairs.
- 78 (e) Justice Administrative Commission.
- 79 (f) Parole Commission.
- 80 (8) Reviewed by July 1, 2022:
- 81 (a) Executive Office of the Governor.
- 82 (b) Florida Public Service Commission.
- 83

84 Upon completion of this cycle, each agency shall again be  
 85 subject to sunset review ~~10 years~~ after its initial review.

86 Section 3. Subsection (2) of section 11.9055, Florida  
 87 Statutes, is amended to read:

88 11.9055 Abolition of state agencies and advisory  
 89 committees.--

90 (2) If the Legislature does not take action before the  
 91 date of review to continue the agency or advisory committee, the  
 92 agency shall submit its legislative budget request consistent  
 93 with the provisions of chapter 216. Such agency shall continue  
 94 to be subject to annual sunset review by the Legislature until  
 95 the Legislature enacts legislation relating to the agency's  
 96 continuation, modification, or termination. The agency shall  
 97 also provide to the joint committee by December 31 of the year  
 98 of each agency's review schedule, as provided in s. 11.905, a  
 99 plan for a type two transfer of the agency's responsibilities.

100 Section 4. Section 11.907, Florida Statutes, is amended to  
 101 read:

102 11.907 Legislative review.--Upon receipt of an agency  
 103 report pursuant to s. 11.906, the appropriate ~~joint~~ committee  
 104 may and the joint ~~appropriate~~ committee shall conduct a review  
 105 of the agency and may direct the Office of Program Policy  
 106 Analysis and Government Accountability to review the agency and  
 107 its advisory committees, including an examination of the cost of  
 108 each agency program, an evaluation of best practices and  
 109 alternatives that would result in the administration of the  
 110 agency in a more efficient or effective manner, an examination  
 111 of the viability of privatization or a different state agency

112 performing the functions, and an evaluation of the cost and  
 113 consequences of discontinuing the agency. The reviews shall be  
 114 comprehensive in scope and shall consider the information  
 115 provided by the agency report in addition to information deemed  
 116 necessary by the office and the appropriate committee or the  
 117 joint committee. The Office of Program Policy Analysis and  
 118 Government Accountability shall submit its report to the  
 119 Legislature in a timeframe prescribed by the committee  
 120 requesting the review. The Office of Program Policy Analysis and  
 121 Government Accountability shall include in its reports  
 122 recommendations for consideration by the Legislature.

123 Section 5. Section 11.908, Florida Statutes, is amended to  
 124 read:

125 11.908 Committee duties.--No later than March 1 of the  
 126 year in which a state agency or its advisory committees are  
 127 scheduled to be reviewed, the joint committee shall and the  
 128 ~~joint~~ committee may:

129 (1) Review the information submitted by the agency and the  
 130 reports of any independent reviews directed by the committees  
 131 ~~committee~~, including those conducted by the Office of Program  
 132 Policy Analysis and Government Accountability.

133 (2) Consult with the Legislative Budget Commission,  
 134 relevant substantive and appropriations committees of the Senate  
 135 and the House of Representatives, the Governor's Office of  
 136 Policy and Budgeting, the Auditor General, and the Chief  
 137 Financial Officer, or their successors, relating to the review  
 138 of the agency and its advisory committees.

139 (3) Hold public hearings to consider this information as

140 well as other information and testimony that the committee or  
 141 joint committee deems necessary.

142 (4) Present to the President of the Senate and the Speaker  
 143 of the House of Representatives a report on the agencies and  
 144 advisory committees scheduled to be reviewed that year by the  
 145 Legislature. In the report, the joint committee shall include  
 146 its specific findings and recommendations regarding the  
 147 information considered pursuant to s. 11.910, make  
 148 recommendations as described in s. 11.911, and propose  
 149 legislation as it considers necessary. ~~In the joint committee~~  
 150 ~~report, the joint committee shall include its specific findings~~  
 151 ~~and recommendations regarding the information considered~~  
 152 ~~pursuant to s. 11.910 and make recommendations as described in~~  
 153 ~~s. 11.911.~~

154 Section 6. Section 11.910, Florida Statutes, is amended to  
 155 read:

156 11.910 Information for review.--The committees ~~committee~~  
 157 may consider information submitted pursuant to s. 11.906 as well  
 158 as any additional information it considers relevant in  
 159 determining whether a public need exists for the continuation of  
 160 a state agency or its advisory committees or for the performance  
 161 of any of the functions of the agency or its advisory  
 162 committees.

163 Section 7. Section 11.911, Florida Statutes, is amended to  
 164 read:

165 11.911 Committee recommendations.--

166 ~~(1)~~ In its report on a state agency, the joint committee  
 167 shall and the committee may:

168        (1) ~~(a)~~ Make recommendations on the abolition,  
 169 continuation, or reorganization of each state agency and its  
 170 advisory committees and on the need for the performance of the  
 171 functions of the agency and its advisory committees.

172        (2) ~~(b)~~ Make recommendations on the consolidation,  
 173 transfer, or reorganization of programs within state agencies  
 174 not under review when the programs duplicate functions performed  
 175 in agencies under review.

176        (3) ~~(e)~~ Propose legislation necessary to carry out the  
 177 committee's recommendations under subsection (1) paragraph (a)  
 178 or subsection (2) paragraph (b).

179        ~~(2) In its report on a state agency, the joint committee~~  
 180 ~~shall:~~

181        ~~(a) Make recommendations on the abolition, continuation,~~  
 182 ~~or reorganization of each state agency and its advisory~~  
 183 ~~committees and on the need for the performance of the functions~~  
 184 ~~of the agency and its advisory committees.~~

185        ~~(b) Make recommendations on the consolidation, transfer,~~  
 186 ~~or reorganization of programs within state agencies not under~~  
 187 ~~review when the programs duplicate functions performed in~~  
 188 ~~agencies under review.~~

189        Section 8. Section 11.919, Florida Statutes, is amended to  
 190 read:

191        11.919 Assistance of and access to state agencies.--

192        (1) The committees ~~committee~~ may access or request  
 193 information and request the assistance of state agencies, and  
 194 officers, and political subdivisions. When assistance is  
 195 requested, a state agency or officer shall assist the committees

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196 | ~~committee.~~

197 |       (2) In carrying out its functions under ss. 11.901-11.920,  
198 | the committees ~~committee~~ or its designated staff member may  
199 | inspect the records, documents, and files of any state agency.

200 |       Section 9. This act shall take effect July 1, 2008.