

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 and additional information
9 under certain circumstances; amending s. 11.907, F.S.;
10 requiring the joint committee and permitting appropriate
11 committees to conduct reviews upon receipt of agency
12 reports; amending s. 11.908, F.S.; revising duties of the
13 joint committee and other committees to conduct reviews;
14 amending s. 11.910, F.S.; authorizing committees to
15 consider certain information in reaching determinations;
16 amending s. 11.911, F.S.; requiring the joint committee
17 and permitting other committees to make recommendations
18 and propose legislation; amending s. 11.919, F.S.;
19 permitting committee access to information, assistance
20 from state agencies, and inspection of records when
21 carrying out its 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 and a complete listing of collaborative programs and initiatives
 101 with other departments and agencies.

102 Section 4. Section 11.907, Florida Statutes, is amended to
 103 read:

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

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

125 Section 5. Section 11.908, Florida Statutes, is amended to
126 read:

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

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

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

140 of the agency and its advisory committees.

141 (3) Hold public hearings to consider this information as
 142 well as other information and testimony that the committee or
 143 joint committee deems necessary.

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

156 Section 6. Section 11.910, Florida Statutes, is amended to
 157 read:

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

165 Section 7. Section 11.911, Florida Statutes, is amended to
 166 read:

167 11.911 Committee recommendations.--

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

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

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

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

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

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

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

191 Section 8. Section 11.919, Florida Statutes, is amended to
 192 read:

193 11.919 Assistance of and access to state agencies.--

194 (1) The committees ~~committee~~ may access or request
 195 information and request the assistance of state agencies, and

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196 officers, and political subdivisions. When assistance is
197 requested, a state agency or officer shall assist the committees
198 ~~committee~~.

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

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