

By Senator Crist

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1 A bill to be entitled
2 An act relating to homelessness; amending s. 420.507,
3 F.S.; conforming a cross-reference; amending s. 420.621,
4 F.S.; conforming a cross-reference; revising, providing,
5 and deleting definitions; amending s. 420.622, F.S.;
6 increasing and revising membership on the Council on
7 Homelessness; removing a member from an obsolete
8 organization; correcting the name of a member organization
9 on the council; revising the date of an annual report;
10 creating s. 420.6275, F.S.; creating the Housing First
11 program; providing legislative findings and intent;
12 providing methodology; providing components of the
13 program; creating s. 420.628, F.S.; providing legislative
14 findings and intent; creating a 3-year Youth Housing
15 Continuum Pilot Program; providing eligibility
16 requirements for the pilot program; providing for the
17 design of the pilot program; requiring Connected by 25 in
18 Hillsborough County to provide administrative support;
19 providing Connected by 25 with specified duties; providing
20 reporting requirements; amending s. 1003.01, F.S.;
21 revising a definition; amending ss. 1003.21 and 1003.22,
22 F.S.; conforming terminology; providing an appropriation;
23 providing an effective date.

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

26
27 Section 1. Paragraph (a) of subsection (22) of section
28 420.507, Florida Statutes, is amended to read:

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29 420.507 Powers of the corporation.--The corporation shall
30 have all the powers necessary or convenient to carry out and
31 effectuate the purposes and provisions of this part, including
32 the following powers which are in addition to all other powers
33 granted by other provisions of this part:

34 (22) To develop and administer the State Apartment
35 Incentive Loan Program. In developing and administering that
36 program, the corporation may:

37 (a) Make first, second, and other subordinated mortgage
38 loans including variable or fixed rate loans subject to
39 contingent interest for all State Apartment Incentive Loans
40 provided for in this chapter based upon available cash flow of
41 the projects. The corporation shall make loans exceeding 25
42 percent of project cost available only to nonprofit organizations
43 and public bodies which are able to secure grants, donations of
44 land, or contributions from other sources and to projects meeting
45 the criteria of subparagraph 1. Mortgage loans shall be made
46 available at the following rates of interest:

47 1. Zero to 3 percent interest for sponsors of projects that
48 set aside at least 80 percent of their total units for residents
49 qualifying as farmworkers as defined in this part, or commercial
50 fishing workers as defined in this part, or the homeless as
51 defined in s. 420.621 (6) ~~(4)~~ over the life of the loan.

52 2. Zero to 3 percent interest based on the pro rata share
53 of units set aside for homeless residents if the total of such
54 units is less than 80 percent of the units in the borrower's
55 project.

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56 3. One to 9 percent interest for sponsors of projects
57 targeted at populations other than farmworkers, commercial
58 fishing workers, and the homeless.

59 Section 2. Section 420.621, Florida Statutes, is amended to
60 read:

61 420.621 Definitions; ss. 420.621-420.628 ~~420.621-~~
62 ~~420.627.~~--As used in ss. 420.621-420.628 ~~420.621-420.627~~, the
63 term following terms shall have the following meanings, unless
64 the context otherwise requires:

65 (1) "Children and youths experiencing homelessness," for
66 programs authorized under the McKinney-Vento Education Assistance
67 for Homeless Children and Youths, 42 U.S.C. ss. 11431 et seq.,
68 means children and youths who lack a fixed, regular, and adequate
69 nighttime residence, and includes:

70 (a) Children and youths who are sharing the housing of
71 other persons due to loss of housing, economic hardship, or a
72 similar reason; are living in motels, hotels, travel trailer
73 parks, or camping grounds due to the lack of alternative adequate
74 accommodations; are living in emergency or transitional shelters;
75 are abandoned in hospitals; or are awaiting foster care
76 placement.

77 (b) Children and youths who have a primary nighttime
78 residence that is a public or private place not designed for or
79 ordinarily used as a regular sleeping accommodation for human
80 beings.

81 (c) Children and youths who are living in cars, parks,
82 public spaces, abandoned buildings, bus or train stations, or
83 similar settings.

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84 (d) Migratory children who are living in circumstances
85 described in paragraphs (a)-(c).

86 (2) "Continuum of care" means a community plan to organize
87 and deliver housing and services to meet the specific needs of
88 people who are homeless as they move to stable housing and
89 maximum self-sufficiency. It includes action steps to end
90 homelessness and prevent a return to homelessness.

91 (3) "Council on Homelessness" means the council created in
92 s. 420.622.

93 ~~(1) "AFDC" means Aid to Families with Dependent Children as~~
94 ~~administered under chapter 409.~~

95 (4)~~(2)~~ "Department" means the Department of Children and
96 Family Services.

97 (5)~~(3)~~ "District" means a service district of the
98 department ~~of Children and Family Services~~, as set forth in s.
99 20.19.

100 (6)~~(4)~~ "Homeless," applied to an individual, or "individual
101 experiencing homelessness" means "Homeless" refers to an
102 individual who lacks a fixed, regular, and adequate nighttime
103 residence and includes ~~or an individual who has a primary~~
104 ~~nighttime residence that is:~~

105 (a) Is sharing the housing of other persons due to loss of
106 housing, economic hardship, or a similar reason;

107 (b) Is living in a motel, hotel, travel trailer park, or
108 camping ground due to a lack of alternative adequate
109 accommodations;

110 (c) Is living in an emergency or transitional shelter; A
111 ~~supervised publicly or privately operated shelter designed to~~
112 ~~provide temporary living accommodations, including welfare~~

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113 ~~hotels, congregate shelters, and transitional housing for the~~
114 ~~mentally ill;~~

115 ~~(b) An institution that provides a temporary residence for~~
116 ~~individuals intended to be institutionalized; or~~

117 (d)(e) Has a primary nighttime residence that is a public
118 or private place not designed for, or ordinarily used as, a
119 regular sleeping accommodation for human beings;

120 (e) Is living in a car, park, public space, abandoned
121 building, bus or train station, or similar setting; or

122 (f) Is a migratory individual who qualifies as homeless
123 because he or she is living in circumstances described in
124 paragraphs (a)-(e).

125
126 The terms defined in this subsection do ~~term does~~ not refer to
127 any individual imprisoned or otherwise detained pursuant to state
128 or federal law. The terms also do not include individuals or
129 families who are sharing housing due to cultural preferences,
130 voluntary arrangements, and traditional networks of support. The
131 terms include an individual who has been released from jail,
132 prison, the juvenile justice system, the child welfare system, a
133 mental health and developmental disability facility, a
134 residential addiction treatment program, or a hospital, for whom
135 no subsequent residence has been identified, and who lacks the
136 resources and support network to obtain housing.

137 (7)(5) "Local coalition for the homeless" means a coalition
138 established pursuant to s. 420.623.

139 (8)(6) "New and temporary homeless" means those individuals
140 or families who are homeless due to societal external factors,

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141 ~~such as unemployment or other loss of income, personal or family-~~
142 ~~life crises, or the shortage of low-income housing.~~

143 (9) "Societal causes of homelessness" means factors such as
144 lack of housing for individuals and families with low incomes,
145 lack of employment opportunities for those having a high school
146 education or less, and lack of day care, transportation, and
147 other institutional supports.

148 ~~(10)-(7) "State Office on Homelessness" means the state~~
149 ~~office created in s. 420.622 "Secretary" means the secretary of~~
150 ~~the Department of Children and Family Services.~~

151 Section 3. Subsections (2) and (9) of section 420.622,
152 Florida Statutes, are amended to read:

153 420.622 State Office on Homelessness; Council on
154 Homelessness.--

155 (2) The Council on Homelessness is created to consist of a
156 17-member ~~15-member~~ council of public and private agency
157 representatives who shall develop policy and advise the State
158 Office on Homelessness. The council members shall be: the
159 Secretary of Children and Family Services, or his or her
160 designee; the Secretary of Community Affairs, or his or her
161 designee; the State Surgeon General, or his or her designee; the
162 Executive Director of Veterans' Affairs, or his or her designee;
163 the Secretary of Corrections, or his or her designee; the
164 Secretary of Health Care Administration, or his or her designee;
165 the Commissioner of Education, or his or her designee; the
166 Director of Workforce Florida, Inc., or his or her designee; one
167 representative of the Florida Association of Counties; one
168 representative from the Florida League of Cities; one
169 representative of the Florida ~~Coalition for~~ Supportive Housing

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170 Coalition; the Executive Director of the Florida Housing Finance
171 Corporation, or his or her designee; one representative of the
172 Florida Coalition for the Homeless; ~~one representative of the~~
173 ~~Florida State Rural Development Council~~; and four members
174 appointed by the Governor. The council members shall be
175 volunteer, nonpaid persons and shall be reimbursed for travel
176 expenses only. The appointed members of the council shall serve
177 staggered 2-year terms, and the council shall meet at least four
178 times per year. The importance of minority, gender, and
179 geographic representation must be considered when appointing
180 members to the council.

181 (9) The council shall, by June 30 ~~December 31~~ of each year,
182 beginning in 2008, issue to the Governor, the President of the
183 Senate, the Speaker of the House of Representatives, and the
184 Secretary of Children and Family Services an evaluation of the
185 executive director's performance in fulfilling the statutory
186 duties of the office, a report summarizing the council's
187 recommendations to the office and the corresponding actions taken
188 by the office, and any recommendations to the Legislature for
189 proposals to reduce homelessness in this state.

190 Section 4. Section 420.6275, Florida Statutes, is created
191 to read:

192 420.6275 Housing First.--

193 (1) LEGISLATIVE FINDINGS AND INTENT.--

194 (a) The Legislature finds that many communities plan to
195 manage homelessness rather than plan to end it.

196 (b) The Legislature also finds that for most of the past
197 two decades, public and private solutions to homelessness have
198 focused on providing individuals and families who are

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199 experiencing homelessness with emergency shelter, transitional
200 housing, or a combination of both. While emergency shelter
201 programs may provide critical access to services for individuals
202 and families in crisis, they often fail to address the long-term
203 needs of those who are homeless.

204 (c) The Legislature further finds that Housing First is an
205 alternative approach to the current system of emergency shelter
206 or transitional housing which tends to reduce the length of time
207 of homelessness and has proven to be cost-effective to homeless
208 programs.

209 (d) It is therefore the intent of the Legislature to
210 encourage local coalitions for the homeless, established pursuant
211 to s. 420.623, to adopt the Housing First approach to ending
212 homelessness for individuals and families.

213 (2) HOUSING FIRST METHODOLOGY.--

214 (a) The Housing First approach to homelessness differs from
215 traditional approaches by providing housing assistance, case
216 management, and support services responsive to individual or
217 family needs after housing is obtained. By using the Housing
218 First approach when appropriate, communities can significantly
219 reduce the amount of time that individuals and families are
220 homeless and prevent further episodes of homelessness. Housing
221 First emphasizes that social services provided to enhance
222 individual and family well-being can be more effective when
223 people are in their own home, and:

224 1. The housing is not time-limited.

225 2. The housing is not contingent on compliance with
226 services. Instead, participants must comply with a standard lease

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227 agreement and are provided with the services and support that are
228 necessary to help them do so successfully.

229 (b) The Housing First approach addresses the societal
230 causes of homelessness and advocates for the immediate return of
231 individuals and families back into housing and communities.
232 Housing First provides a critical link between the emergency and
233 transitional housing system and community-based social service,
234 educational, and health care organizations and consists of four
235 components:

- 236 1. Crisis intervention and short-term stabilization.
- 237 2. Screening, intake, and needs assessment.
- 238 3. Provision of housing resources.
- 239 4. Provision of case management.

240 Section 5. Section 420.628, Florida Statutes, is created to
241 read:

242 420.628 Children and young adults leaving foster care.--

243 (1) LEGISLATIVE FINDINGS AND INTENT.--

244 (a) The Legislature finds that the transition from
245 childhood to adulthood is filled with opportunity and risk. Most
246 young people who receive adequate support make this transition
247 successfully and will become healthy adults who will be prepared
248 for work and be able to become responsible, fulfilled members of
249 their families and communities.

250 (b) The Legislature finds that there are also many young
251 people who will enter adulthood without the knowledge, skills,
252 attitudes, habits, and relationships that will enable them to be
253 productive members of society. Those young people, who through no
254 fault of their own, live in foster families, group homes, and
255 institutions are among those at greatest risk.

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256 (c) The Legislature finds that these young people face
257 numerous barriers to a successful transition to adulthood. Those
258 barriers include changes in foster care placements and schools,
259 limited opportunities for participation in age-appropriate normal
260 activities, and the inability to achieve economic stability, make
261 connections with permanent supportive adults or family, and
262 access housing. The main barriers to safe and affordable housing
263 for youth who leave foster care due to age are cost, lack of
264 availability, the unwillingness of many landlords to rent to
265 them, and their own lack of knowledge about how to be good
266 tenants.

267 (d) The Legislature also finds that young adults who
268 emancipate from the child welfare system are at risk of becoming
269 homeless and those who were formerly in foster care are
270 disproportionately represented in the homeless population. Only
271 about two-fifths of eligible young people receive independent
272 living services and, of those who do, few receive adequate
273 housing assistance. Without the stability of safe housing all
274 other services, training, and opportunities may not be effective.

275 (e) The Legislature further finds that research on young
276 people who emancipate from foster care suggests a nexus between
277 foster care involvement and later episodes of homelessness and
278 that interventions in the foster care system might help to
279 prevent homelessness. Responding to the needs of young people
280 leaving the foster care system with developmentally appropriate
281 supportive housing models organized in a continuum of decreasing
282 supervision may increase their ability to live independently in
283 the future.

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284 (f) It is therefore the intent of the Legislature to
285 encourage the Department of Children and Family Services, its
286 agents, and community-based care providers operating pursuant to
287 s. 409.1671, to develop and implement procedures designed to
288 reduce the number of young adults who become homeless after
289 leaving the child welfare system.

290 (2) YOUTH HOUSING CONTINUUM PILOT PROGRAM.--Housing for
291 young people is by nature transitional. Most young people in
292 their late teens through mid-twenties are housed in college
293 dormitories or shared or studio apartments or continue to live at
294 home. Commonly, young people move through a number of such
295 interim housing situations as they grow into adulthood. Many
296 older teens and young adults who leave foster care at the age of
297 18 do not have the opportunity for those usual transitions and as
298 a result are at risk for becoming homeless.

299 (a) Creation of pilot program; eligibility.--There is
300 created a 3-year Youth Housing Continuum Pilot Program in
301 Hillsborough County. The purpose of the program is to support the
302 development and implementation of a transitional living or
303 subsidized independent living housing experience for those young
304 people who leave foster care due to age and who will not have the
305 option of remaining in a foster care family home or in a group
306 home, to facilitate a smooth transition from foster home or group
307 home living to independent living. The pilot program shall serve
308 at least 100 young adults, and eligibility requirements shall
309 include:

310 1. Young adults who turn 18 years of age while in licensed
311 foster care and have been in foster care for at least 12 months
312 prior to turning 18 years of age. The 12-month requirement shall

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313 be waived in circumstances where the requirements of s.
314 39.701(6)(a)8. have not been met, no subsequent residence has
315 been identified, and the young person lacks the resources and
316 support network to obtain housing.

317 2. Priority shall be given to those young persons who are
318 attending high school and can demonstrate either through
319 documentation of school attendance or engagement in
320 extracurricular activities that a displacement from school would
321 have an adverse effect on their ability to achieve their
322 educational goals.

323 3. Other participants shall be chosen based on their
324 eligibility pursuant to s. 409.1451(2) and documented enrollment
325 in a full-time adult educational or postsecondary educational or
326 vocational program or a combination of employment and part-time
327 enrollment in an educational program.

328 (b) Pilot program design.--There shall be a youth housing
329 continuum that incorporates various types of housing without
330 predetermined time limits to allow young adults to transition
331 from one housing program to another according to their individual
332 developmental capacities. Based upon the needs and preferences of
333 a given young adult, such housing could take any number of forms
334 from shared homes to scattered-site, independent apartments with
335 or without roommates. Young adults should have the flexibility to
336 move among housing programs as they gain independent living
337 skills and economic stability, including the ability to reenter
338 housing programs and move back along the continuum if their
339 current needs or abilities change. The continuum in the pilot
340 program will consist of the following three levels of decreasing
341 supervision:

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342 1. Supervised living for young adults who have reached 18
343 years of age, but are not yet 24 years of age, who cannot
344 adequately manage their affairs and need constant, consistent
345 adult supervision, training, and support. Each participant shall
346 have his or her own bedroom and bathroom and share a common
347 living area.

348 2. Monitored living for young adults who have reached 18
349 years of age, but are not yet 24 years of age, who can typically
350 manage their own affairs but need regular adult monitoring.
351 Housing will be provided in scattered sites throughout the
352 community with support staff working regularly with participants
353 to address their educational, employment, and financial stability
354 goals. Each participant shall have his or her own bedroom and
355 bathroom and share an apartment with one to three roommates.

356 3. Independent living for young adults who have the ability
357 to live on their own with access to support services as needed.

358 (c) Pilot program administration; duties;
359 report.--Connected by 25 in Hillsborough County shall provide
360 administrative support for and shall be responsible for the
361 operation for the Youth Housing Continuum Pilot Program.
362 Connected by 25 shall:

363 1. Create and implement a transitional housing continuum in
364 which young persons who meet the eligibility criteria of this
365 subsection will receive support while participating in an
366 educational or training program, or any activity consistent with
367 their independent living transitional services case plan.

368 2. Provide each program participant with a transition and
369 aftercare specialist to provide transitional support services.
370 Each participant, in partnership with the transition and

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371 aftercare specialist, shall develop a transition plan that is
372 specific to his or her efforts to achieve self-sufficiency.

373 3. Require that each participant complete a comprehensive
374 financial literacy and asset-development training program and be
375 enrolled in the Connected by 25 match savings program that uses
376 private dollars to match, on a one-to-one basis, the savings of
377 each participant up to \$1,000 each year. This requirement will
378 prepare program participants for economic success as they leave
379 the foster care system due to age.

380 (d) Annual reports.--Beginning January 1, 2008, and
381 continuing for the duration of the pilot program, Connected by 25
382 shall submit to the Governor, the Speaker of the House of
383 Representatives, the President of the Senate, and the Secretary
384 of Children and Family Services an annual report outlining the
385 progress made in the development and implementation of the pilot
386 program, including documentation of the outcomes for the
387 participants in the areas identified by the Independent Living
388 Services Advisory Council pursuant to s. 409.1451, and
389 recommendations for pilot program improvement and expansion.

390 Section 6. Subsection (12) of section 1003.01, Florida
391 Statutes, is amended to read:

392 1003.01 Definitions.--As used in this chapter, the term:

393 (12) "Children and youths who are experiencing
394 homelessness," for programs authorized under subtitle B,
395 Education for Homeless Children and Youths, of title VII of the
396 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et
397 seq., means children and youths who lack a fixed, regular, and
398 adequate nighttime residence; and includes:

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399 (a) Children and youths who are sharing the housing of
400 other persons due to loss of housing, economic hardship, or a
401 similar reason; are living in motels, hotels, travel trailer
402 parks, or camping grounds due to the lack of alternative adequate
403 accommodations; are living in emergency or transitional shelters;
404 are abandoned in hospitals; or are awaiting foster care
405 placement.

406 (b) Children and youths who have a primary nighttime
407 residence that is a public or private place not designed for or
408 ordinarily used as a regular sleeping accommodation for human
409 beings.

410 (c) Children and youths who are living in cars, parks,
411 public spaces, abandoned buildings, bus or train stations, or
412 similar settings.

413 (d) Migratory children who are living in circumstances
414 described in paragraphs (a)-(c).

415 ~~(12) "Homeless child" means:~~

416 ~~(a) One who lacks a fixed, regular nighttime residence;~~

417 ~~(b) One who has a primary nighttime residence that is:~~

418 ~~1. A supervised publicly or privately operated shelter~~
419 ~~designed to provide temporary living accommodations, including~~
420 ~~welfare hotels, congregate shelters, and transitional housing for~~
421 ~~the mentally ill;~~

422 ~~2. An institution that provides a temporary residence for~~
423 ~~individuals intended to be institutionalized; or~~

424 ~~3. A public or private place not designed for, or~~
425 ~~ordinarily used as, a regular sleeping accommodation for human~~
426 ~~beings; or~~

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427 ~~(c) One who temporarily resides with an adult other than~~
428 ~~his or her parent because the parent is suffering financial~~
429 ~~hardship.~~

430

431 ~~A child who is imprisoned, detained, or in the custody of the~~
432 ~~state pursuant to a state or federal law is not a homeless child.~~

433 Section 7. Paragraph (f) of subsection (1) and paragraph
434 (g) of subsection (4) of section 1003.21, Florida Statutes, are
435 amended to read:

436 1003.21 School attendance.--

437 (1)

438 (f) Children and youths who are experiencing homelessness
439 ~~Homeless children~~, as defined in s. 1003.01, must have access to
440 a free public education and must be admitted to school in the
441 school district in which they or their families live. School
442 districts shall assist such ~~homeless~~ children to meet the
443 requirements of subsection (4) and s. 1003.22, as well as local
444 requirements for documentation.

445 (4) Before admitting a child to kindergarten, the principal
446 shall require evidence that the child has attained the age at
447 which he or she should be admitted in accordance with the
448 provisions of subparagraph (1)(a)2. The district school
449 superintendent may require evidence of the age of any child whom
450 he or she believes to be within the limits of compulsory
451 attendance as provided for by law. If the first prescribed
452 evidence is not available, the next evidence obtainable in the
453 order set forth below shall be accepted:

454 (g) If none of these evidences can be produced, an
455 affidavit of age sworn to by the parent, accompanied by a

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456 certificate of age signed by a public health officer or by a
457 public school physician, or, if neither of these is available in
458 the county, by a licensed practicing physician designated by the
459 district school board, which certificate states that the health
460 officer or physician has examined the child and believes that the
461 age as stated in the affidavit is substantially correct. Children
462 and youths who are experiencing homelessness ~~A homeless child~~, as
463 defined in s. 1003.01, shall be given temporary exemption from
464 this section for 30 school days.

465 Section 8. Subsection (1) and paragraph (e) of subsection
466 (5) of section 1003.22, Florida Statutes, are amended to read:

467 1003.22 School-entry health examinations; immunization
468 against communicable diseases; exemptions; duties of Department
469 of Health.--

470 (1) Each district school board and the governing authority
471 of each private school shall require that each child who is
472 entitled to admittance to kindergarten, or is entitled to any
473 other initial entrance into a public or private school in this
474 state, present a certification of a school-entry health
475 examination performed within 1 year prior to enrollment in
476 school. Each district school board, and the governing authority
477 of each private school, may establish a policy that permits a
478 student up to 30 school days to present a certification of a
479 school-entry health examination. Children and youths who are
480 experiencing homelessness ~~A homeless child~~, as defined in s.
481 1003.01, shall be given a temporary exemption for 30 school days.
482 Any district school board that establishes such a policy shall
483 include provisions in its local school health services plan to
484 assist students in obtaining the health examinations. However,

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485 any child shall be exempt from the requirement of a health
486 examination upon written request of the parent of the child
487 stating objections to the examination on religious grounds.

488 (5) The provisions of this section shall not apply if:

489 (e) An authorized school official issues a temporary
490 exemption, for a period not to exceed 30 school days, to permit a
491 student who transfers into a new county to attend class until his
492 or her records can be obtained. Children and youths who are
493 experiencing homelessness ~~A homeless child~~, as defined in s.
494 1003.01, shall be given a temporary exemption for 30 school days.
495 The public school health nurse or authorized private school
496 official is responsible for followup of each such student until
497 proper documentation or immunizations are obtained. An exemption
498 for 30 days may be issued for a student who enters a juvenile
499 justice program to permit the student to attend class until his
500 or her records can be obtained or until the immunizations can be
501 obtained. An authorized juvenile justice official is responsible
502 for followup of each student who enters a juvenile justice
503 program until proper documentation or immunizations are obtained.

504 Section 9. The sum of \$250,000 in nonrecurring funds is
505 appropriated from the General Revenue Fund to the Department of
506 Children and Family Services for the purposes of implementing
507 section 420.628, Florida Statutes, during the 2008-2009 fiscal
508 year.

509 Section 10. This act shall take effect July 1, 2008.