

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Hudson offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 980 and 981, insert:

5 Section 16. Paragraph (a) of subsection (2) of section
6 408.040, Florida Statutes, is amended to read:

7 408.040 Conditions and monitoring.--

8 (2) (a) Unless the applicant has commenced construction, if
9 the project provides for construction, unless the applicant has
10 incurred an enforceable capital expenditure commitment for a
11 project, if the project does not provide for construction, or
12 unless subject to paragraph (b), a certificate of need shall
13 terminate 18 months after the date of issuance, except an entity
14 holding a certificate of need issued on or before January 1,
15 2009, which shall terminate 36 months after the date of
16 issuance. The agency shall monitor the progress of the holder of
214943

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17 the certificate of need in meeting the timetable for project
18 development specified in the application, and may revoke the
19 certificate of need, if the holder of the certificate is not
20 meeting such timetable and is not making a good-faith effort, as
21 defined by rule, to meet it.

22 Section 17. The amendment to s. 408.040(2)(a), Florida
23 Statutes, by this act shall control over any conflicting
24 amendment to s. 408.040(2)(a), Florida Statutes, that is adopted
25 during the 2009 Regular Session or an extension thereof and
26 becomes law.

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T I T L E A M E N D M E N T

Remove line 53 and insert:
proceedings; amending s. 408.040, F.S.; extending the period for
which a certificate of need is valid for certain entities;
providing that the amendment to s. 408.040(2)(a), F.S., shall
control over conflicting provisions; amending s. 408.803, F.S.;
revising