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576-02543-10

Proposed Committee Substitute by the Policy and Steering
Committee on Ways and Means

A bill to be entitled

An act relating to cost-benefit, return-on-investment,
and dynamic scoring techniques; creating s. 216.138,
F.S.; authorizing the President of the Senate or the
Speaker of the House of Representatives to request
special impact sessions of consensus estimating
conferences to evaluate proposed legislation based on
specified techniques; establishing timeframes;
providing for the information used in the evaluations
to be available to the public unless otherwise exempt
from disclosure; requiring the Office of Economic and
Demographic Research to develop protocols and
procedures to be used by the consensus estimating
conferences when evaluating proposed legislation;
establishing minimum requirements; requiring
submission of a report; requiring the use of the
protocols and procedures until the approval is
affirmatively revoked; amending s. 216.133, F.S.,
conforming a cross-reference to changes made by the
act; providing an effective date.

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

Section 1. Section 216.138, Florida Statutes, is created to
read:

216.138 Authority to request additional analysis of
legislation.—The President of the Senate or the Speaker of the



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28 House of Representatives may request special impact sessions of
29 consensus estimating conferences to evaluate proposed
30 legislation based on tools and models not generally employed by
31 the conferences, including cost-benefit, return-on-investment,
32 or dynamic scoring techniques, when suitable and appropriate for
33 the legislation being evaluated. The request must be made at
34 least 90 days before the beginning of the subsequent legislative
35 session, and the information developed by the consensus
36 estimating conference shall be completed no later than the start
37 of the legislative session for which it is requested. Unless
38 exempt from s. 119.07(1), information used to develop the
39 analyses shall be available to the public.

40 Section 2. The Office of Economic and Demographic Research,
41 acting in consultation with the principals of the consensus
42 estimating conferences and after receiving public input, shall
43 develop protocols and procedures necessary to implement the
44 provisions of s. 216.138, Florida Statutes. At a minimum, the
45 protocols and procedures to be used for evaluating specific
46 proposed legislation shall include cost-benefit, return-on-
47 investment, and dynamic scoring techniques, and may include
48 additional, appropriate economic techniques. Additionally, the
49 protocols and procedures must address the format for reporting
50 results and provide proposed linkages to the appropriations and
51 revenue forecasting processes, including any statutory changes
52 that may be needed. The linkages must be consistent with the
53 constitutional requirement for a balanced budget. The office
54 shall submit a report of its findings and recommendations to the
55 President of the Senate and the Speaker of the House of
56 Representatives by December 1, 2010. Subject to approval by the



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57 President of the Senate and the Speaker of the House of
58 Representatives following the submission of the report, the
59 protocols and procedures shall be used to the extent feasible
60 for the analysis of specific proposed legislation by consensus
61 estimating conferences as provided in s. 216.138, Florida
62 Statutes, unless and until such approval is subsequently
63 affirmatively revoked.

64 Section 3. Section 216.133, Florida Statutes, is amended to
65 read:

66 216.133 Definitions; ss. 216.133-216.138 ~~216.133-216.137.~~-
67 As used in ss. 216.133-216.138 ~~216.133-216.137~~:

68 (1) "Consensus estimating conference" includes the Economic
69 Estimating Conference, the Demographic Estimating Conference,
70 the Revenue Estimating Conference, the Education Estimating
71 Conference, the Criminal Justice Estimating Conference, the
72 Occupational Forecasting Conference, the Early Learning Programs
73 Estimating Conference, the Self-Insurance Estimating Conference,
74 the Florida Retirement System Actuarial Assumption Conference,
75 and the Social Services Estimating Conference.

76 (2) "Official information" means the data, forecasts,
77 estimates, analyses, studies, and other information which the
78 principals of a consensus estimating conference unanimously
79 adopt for purposes of the state planning and budgeting system.

80 (3) "Consensus" means the unanimous consent of all of the
81 principals of a consensus estimating conference.

82 Section 4. This act shall take effect upon becoming a law.