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1 A bill to be entitled
2 An act relating to the corporate income tax; repealing
3 chapter 220, F.S., relating to the corporate income tax;
4 repealing s. 1002.395, F.S., relating to the Florida Tax
5 Credit Scholarship Program; repealing s. 211.0251, F.S.,
6 relating to an oil and gas production tax credit for
7 contributions to nonprofit scholarship-funding
8 organizations under the Florida Tax Credit Scholarship
9 Program; repealing s. 212.1831, F.S., relating to a sales
10 and use tax credit for contributions to nonprofit
11 scholarship-funding organizations under the Florida Tax
12 Credit Scholarship Program; repealing s. 561.1211, F.S.,
13 relating to an alcoholic beverage tax credit for
14 contributions to nonprofit scholarship-funding
15 organizations under the Florida Tax Credit Scholarship
16 Program; repealing s. 624.51055, F.S., relating to an
17 insurance premium tax credit for contributions to
18 nonprofit scholarship-funding organizations under the
19 Florida Tax Credit Scholarship Program; repealing s. 7 of
20 ch. 2010-24, Laws of Florida, relating to legislative
21 intent and application to certain tax credits; amending
22 ss. 213.053, 202.37, 1001.10, 1002.20, 1002.23, 1002.39,
23 1002.421, 1006.061, 1012.315, and 1012.796, F.S.;
24 correcting cross-references to conform; providing for
25 conforming legislation; providing for assistance to
26 certain legislative substantive committees by the Division
27 of Statutory Revision of the Office of Legislative

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28 Services for certain purposes; providing an effective
29 date.

30

31 WHEREAS, the national unemployment rate was 9.7 percent in
32 May of 2010, and

33 WHEREAS, the unemployment rate in Florida was 11.7 percent
34 during the same period, and

35 WHEREAS, the unemployment rate in Florida has consistently
36 been higher than the national average in recent years, due in
37 part to Florida's reliance on construction and tourism to fuel
38 its economy, and

39 WHEREAS, the Deepwater Horizon oil spill has had, and will
40 continue to have, a significant negative impact on Florida's
41 economy, especially the tourism industry, and

42 WHEREAS, a study by an economist at the University of
43 Central Florida Center for Economic Competitiveness estimated
44 that the oil spill will result in a loss of up to 195,000 jobs,
45 and

46 WHEREAS, the corporate income tax was designed to tax
47 owners of capital, and

48 WHEREAS, numerous economic studies have shown that the cost
49 of the corporate income tax is primarily borne by workers
50 through lower wages and fewer jobs, and

51 WHEREAS, a study by the nonpartisan Tax Foundation found
52 that every \$1 of state corporate income tax collected led to a
53 decrease in wages paid of approximately \$2.50, and

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54 WHEREAS, elimination of the corporate income tax will lead
 55 to the creation of thousands of jobs at a time when they are
 56 needed the most, NOW, THEREFORE,

57

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

59

60 Section 1. (1) Sections 220.11, 220.12, 220.131, 220.14,
 61 220.15, 220.1501, 220.151, 220.152, 220.16, 220.181, 220.182,
 62 220.184, 220.185, 220.1895, 220.19, 220.193, 220.21, 220.211,
 63 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.242,
 64 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44,
 65 220.51, 220.52, 220.54, 220.62, 220.63, 220.64, 220.65, 220.701,
 66 220.703, 220.705, 220.707, 220.709, 220.711, 220.713, 220.715,
 67 220.717, 220.719, 220.721, 220.723, 220.725, 220.727, 220.731,
 68 220.733, 220.735, 220.737, 220.739, 220.801, 220.803, 220.805,
 69 220.807, 220.809, 220.813, 220.815, 220.819, 220.821, 220.823,
 70 220.825, 220.827, 220.829, 220.901, 220.903, and 220.905,
 71 Florida Statutes, are repealed.

72 (2) Sections 220.02 and 220.13, Florida Statutes, as
 73 amended by chapters 2010-24 and 2010-147, Laws of Florida;
 74 section 220.03, Florida Statutes, as amended by chapter 2010-
 75 142, Laws of Florida; section 220.183, Florida Statutes, as
 76 amended by chapter 2010-4, Laws of Florida; section 220.1845,
 77 Florida Statutes, as amended by chapter 2010-205, Laws of
 78 Florida; section 220.186, Florida Statutes, as amended by
 79 chapter 2010-24, Laws of Florida; section 220.187, Florida
 80 Statutes, as transferred, renumbered as section 1002.395,
 81 Florida Statutes, and amended by chapters 2010-24 and 2010-209,

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82 Laws of Florida; section 220.1875, Florida Statutes, as created
 83 by chapter 2010-24, Laws of Florida; sections 220.1896 and
 84 220.1899, Florida Statutes, as created by chapter 2010-147, Laws
 85 of Florida; section 220.191, Florida Statutes, as amended by
 86 chapter 2010-136, Laws of Florida; and section 220.192, Florida
 87 Statutes, as amended by chapter 2010-138, Laws of Florida, are
 88 repealed.

89 (3) Sections 211.0251, 212.1831, and 561.1211, Florida
 90 Statutes, as created by chapter 2010-24, Laws of Florida;
 91 section 624.51055, Florida Statutes, as amended by chapter 2010-
 92 24, Laws of Florida; and section 7 of chapter 2010-24, Laws of
 93 Florida, are repealed.

94 Section 2. Paragraphs (u) through (bb) of subsection (8)
 95 of section 213.053, Florida Statutes, as amended by chapters
 96 2010-24, 2010-138, and 2010-147, Laws of Florida, are amended to
 97 read:

98 213.053 Confidentiality and information sharing.—

99 (8) Notwithstanding any other provision of this section,
 100 the department may provide:

101 ~~(u) Information relative to ss. 211.0251, 212.1831,~~
 102 ~~220.1875, 561.1211, 624.51055, and 1002.395 to the Department of~~
 103 ~~Education and the Division of Alcoholic Beverages and Tobacco in~~
 104 ~~the conduct of official business.~~

105 (u) ~~(v)~~ Information relative to chapter 202 to each local
 106 government that imposes a tax pursuant to s. 202.19 in the
 107 conduct of its official duties as specified in chapter 202.
 108 Information provided under this paragraph may include, but is
 109 not limited to, any reports required pursuant to s. 202.231,

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110 audit files, notices of intent to audit, tax returns, and other
 111 confidential tax information in the department's possession
 112 relating to chapter 202. A person or an entity designated by the
 113 local government in writing to the department as requiring
 114 access to confidential taxpayer information shall have
 115 reasonable access to information provided pursuant to this
 116 paragraph. Such person or entity may disclose such information
 117 to other persons or entities with direct responsibility for
 118 budget preparation, auditing, revenue or financial
 119 administration, or legal counsel. Such information shall only be
 120 used for purposes related to budget preparation, auditing, and
 121 revenue and financial administration. Any confidential and
 122 exempt information furnished to a local government, or to any
 123 person or entity designated by the local government as
 124 authorized by this paragraph may not be further disclosed by the
 125 recipient except as provided by this paragraph.

126 (v)~~(w)~~ Tax registration information to the Agency for
 127 Workforce Innovation for use in the conduct of its official
 128 duties, which information may not be redisclosed by the Agency
 129 for Workforce Innovation.

130 (w)~~(x)~~ Rental car surcharge revenues authorized by s.
 131 212.0606, reported according to the county to which the
 132 surcharge was attributed to the Department of Transportation.

133 (x)~~(y)~~ Information relative to ss. 212.08(7)(ccc) and
 134 220.192 to the Florida Energy and Climate Commission for use in
 135 the conduct of its official business.

136 (y)~~(z)~~ Taxpayer names and identification numbers for the
 137 purposes of information-sharing agreements with financial

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138 institutions pursuant to s. 213.0532.

139 (z)~~(aa)~~ Information relative to chapter 212 to the
 140 Department of Environmental Protection in the conduct of its
 141 official duties in the administration of s. 253.03(7)(b) and
 142 (11).

143 (aa)~~(bb)~~ Information relative to tax credits taken under
 144 s. 288.1254 to the Office of Film and Entertainment and the
 145 Office of Tourism, Trade, and Economic Development.

146
 147 Disclosure of information under this subsection shall be
 148 pursuant to a written agreement between the executive director
 149 and the agency. Such agencies, governmental or nongovernmental,
 150 shall be bound by the same requirements of confidentiality as
 151 the Department of Revenue. Breach of confidentiality is a
 152 misdemeanor of the first degree, punishable as provided by s.
 153 775.082 or s. 775.083.

154 Section 3. Paragraph (a) of subsection (1) of section
 155 202.37, Florida Statutes, is amended to read:

156 202.37 Special rules for administration of local
 157 communications services tax.—

158 (1)(a) Except as otherwise provided in this section, all
 159 statutory provisions and administrative rules applicable to the
 160 communications services tax imposed by s. 202.12 apply to any
 161 local communications services tax imposed under s. 202.19, and
 162 the department shall administer, collect, and enforce all taxes
 163 imposed under s. 202.19, including interest and penalties
 164 attributable thereto, in accordance with the same procedures
 165 used in the administration, collection, and enforcement of the

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166 | communications services tax imposed by s. 202.12. Audits
 167 | performed by the department shall include a determination of the
 168 | dealer's compliance with the jurisdictional situsing of its
 169 | customers' service addresses and a determination of whether the
 170 | rate collected for the local tax pursuant to ss. 202.19 and
 171 | 202.20 is correct. The person or entity designated by a local
 172 | government pursuant to s. 213.053(8) (u) ~~(v)~~ may provide evidence
 173 | to the department demonstrating a specific person's failure to
 174 | fully or correctly report taxable communications services sales
 175 | within the jurisdiction. The department may request additional
 176 | information from the designee to assist in any review. The
 177 | department shall inform the designee of what action, if any, the
 178 | department intends to take regarding the person.

179 | Section 4. Subsections (4) and (5) of section 1001.10,
 180 | Florida Statutes, as amended by chapter 2010-24, Laws of
 181 | Florida, are amended to read:

182 | 1001.10 Commissioner of Education; general powers and
 183 | duties.—

184 | (4) The Department of Education shall provide technical
 185 | assistance to school districts, charter schools, the Florida
 186 | School for the Deaf and the Blind, and private schools that
 187 | accept scholarship students under s. 1002.39 ~~or s. 1002.395~~ in
 188 | the development of policies, procedures, and training related to
 189 | employment practices and standards of ethical conduct for
 190 | instructional personnel and school administrators, as defined in
 191 | s. 1012.01.

192 | (5) The Department of Education shall provide authorized
 193 | staff of school districts, charter schools, the Florida School

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194 for the Deaf and the Blind, and private schools that accept
 195 scholarship students under s. 1002.39 ~~or s. 1002.395~~ with access
 196 to electronic verification of information from the following
 197 employment screening tools:

198 (a) The Professional Practices' Database of Disciplinary
 199 Actions Against Educators; and

200 (b) The Department of Education's Teacher Certification
 201 Database.

202
 203 This subsection does not require the department to provide these
 204 staff with unlimited access to the databases. However, the
 205 department shall provide the staff with access to the data
 206 necessary for performing employment history checks of the
 207 instructional personnel and school administrators included in
 208 the databases.

209 Section 5. Paragraph (b) of subsection (6) of section
 210 1002.20, Florida Statutes, as amended by chapter 2010-24, Laws
 211 of Florida, is amended to read:

212 1002.20 K-12 student and parent rights.—Parents of public
 213 school students must receive accurate and timely information
 214 regarding their child's academic progress and must be informed
 215 of ways they can help their child to succeed in school. K-12
 216 students and their parents are afforded numerous statutory
 217 rights including, but not limited to, the following:

218 (6) EDUCATIONAL CHOICE.—

219 (b) Private school choices.—Parents of public school
 220 students may seek private school choice options under certain
 221 programs.

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222 1. Under the Opportunity Scholarship Program, the parent
 223 of a student in a failing public school may request and receive
 224 an opportunity scholarship for the student to attend a private
 225 school in accordance with the provisions of s. 1002.38.

226 2. Under the McKay Scholarships for Students with
 227 Disabilities Program, the parent of a public school student with
 228 a disability who is dissatisfied with the student's progress may
 229 request and receive a McKay Scholarship for the student to
 230 attend a private school in accordance with the provisions of s.
 231 1002.39.

232 ~~3. Under the Florida Tax Credit Scholarship Program, the~~
 233 ~~parent of a student who qualifies for free or reduced-price~~
 234 ~~school lunch may seek a scholarship from an eligible nonprofit~~
 235 ~~scholarship-funding organization in accordance with the~~
 236 ~~provisions of s. 2001.395.~~

237 Section 6. Paragraph (e) of subsection (2) of section
 238 1002.23, Florida Statutes, as amended by chapter 2010-24, Laws
 239 of Florida, is amended to read:

240 1002.23 Family and School Partnership for Student
 241 Achievement Act.—

242 (2) To facilitate meaningful parent and family
 243 involvement, the Department of Education shall develop
 244 guidelines for a parent guide to successful student achievement
 245 which describes what parents need to know about their child's
 246 educational progress and how they can help their child to
 247 succeed in school. The guidelines shall include, but need not be
 248 limited to:

249 (e) Educational choices, as provided for in s. 1002.20(6) ~~7~~

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250 ~~and Florida tax credit scholarships, as provided for in s.~~
251 ~~1002.395;~~

252 Section 7. Subsection (3) of section 1002.39, Florida
253 Statutes, as amended by chapter 2010-24, Laws of Florida, is
254 amended to read:

255 1002.39 The John M. McKay Scholarships for Students with
256 Disabilities Program.—There is established a program that is
257 separate and distinct from the Opportunity Scholarship Program
258 and is named the John M. McKay Scholarships for Students with
259 Disabilities Program.

260 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is
261 not eligible for a John M. McKay Scholarship while he or she is:

262 (a) Enrolled in a school operating for the purpose of
263 providing educational services to youth in Department of
264 Juvenile Justice commitment programs;

265 ~~(b) Receiving a Florida tax credit scholarship under s.~~
266 ~~1002.395;~~

267 (b) ~~(e)~~ Receiving an educational scholarship pursuant to
268 this chapter;

269 (c) ~~(d)~~ Participating in a home education program as
270 defined in s. 1002.01(1);

271 (d) ~~(e)~~ Participating in a private tutoring program
272 pursuant to s. 1002.43;

273 (e) ~~(f)~~ Participating in a virtual school, correspondence
274 school, or distance learning program that receives state funding
275 pursuant to the student's participation unless the participation
276 is limited to no more than two courses per school year;

277 (f) ~~(g)~~ Enrolled in the Florida School for the Deaf and the

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278 Blind; or

279 (g) ~~(h)~~ Not having regular and direct contact with his or
 280 her private school teachers at the school's physical location.

281 Section 8. Subsections (1) and (4) of section 1002.421,
 282 Florida Statutes, as amended by chapter 2010-24, Laws of
 283 Florida, are amended to read:

284 1002.421 Accountability of private schools participating
 285 in state school choice scholarship programs.—

286 (1) A Florida private school participating in ~~the Florida~~
 287 ~~Tax Credit Scholarship Program established pursuant to s.~~
 288 ~~1002.395~~ ~~or~~ an educational scholarship program established
 289 pursuant to this chapter must comply with all requirements of
 290 this section in addition to private school requirements outlined
 291 in s. 1002.42, specific requirements identified within
 292 respective scholarship program laws, and other provisions of
 293 Florida law that apply to private schools.

294 (4) A private school that accepts scholarship students
 295 under s. 1002.39 ~~or s. 1002.385~~ must:

296 (a) Disqualify instructional personnel and school
 297 administrators, as defined in s. 1012.01, from employment in any
 298 position that requires direct contact with students if the
 299 personnel or administrators are ineligible for such employment
 300 under s. 1012.315.

301 (b) Adopt policies establishing standards of ethical
 302 conduct for instructional personnel and school administrators.
 303 The policies must require all instructional personnel and school
 304 administrators, as defined in s. 1012.01, to complete training
 305 on the standards; establish the duty of instructional personnel

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306 and school administrators to report, and procedures for
307 reporting, alleged misconduct by other instructional personnel
308 and school administrators which affects the health, safety, or
309 welfare of a student; and include an explanation of the
310 liability protections provided under ss. 39.203 and 768.095. A
311 private school, or any of its employees, may not enter into a
312 confidentiality agreement regarding terminated or dismissed
313 instructional personnel or school administrators, or personnel
314 or administrators who resign in lieu of termination, based in
315 whole or in part on misconduct that affects the health, safety,
316 or welfare of a student, and may not provide the instructional
317 personnel or school administrators with employment references or
318 discuss the personnel's or administrators' performance with
319 prospective employers in another educational setting, without
320 disclosing the personnel's or administrators' misconduct. Any
321 part of an agreement or contract that has the purpose or effect
322 of concealing misconduct by instructional personnel or school
323 administrators which affects the health, safety, or welfare of a
324 student is void, is contrary to public policy, and may not be
325 enforced.

326 (c) Before employing instructional personnel or school
327 administrators in any position that requires direct contact with
328 students, conduct employment history checks of each of the
329 personnel's or administrators' previous employers, screen the
330 personnel or administrators through use of the educator
331 screening tools described in s. 1001.10(5), and document the
332 findings. If unable to contact a previous employer, the private
333 school must document efforts to contact the employer.

334
 335 The department shall suspend the payment of funds under s. ss.
 336 1002.39 ~~and 1002.395~~ to a private school that knowingly fails to
 337 comply with this subsection, and shall prohibit the school from
 338 enrolling new scholarship students, for 1 fiscal year and until
 339 the school complies.

340 Section 9. Section 1006.061, Florida Statutes, as amended
 341 by chapter 2010-24, Laws of Florida, is amended to read:

342 1006.061 Child abuse, abandonment, and neglect policy.—
 343 Each district school board, charter school, and private school
 344 that accepts scholarship students under s. 1002.39 ~~or s.~~
 345 ~~1002.395~~ shall:

346 (1) Post in a prominent place in each school a notice
 347 that, pursuant to chapter 39, all employees and agents of the
 348 district school board, charter school, or private school have an
 349 affirmative duty to report all actual or suspected cases of
 350 child abuse, abandonment, or neglect; have immunity from
 351 liability if they report such cases in good faith; and have a
 352 duty to comply with child protective investigations and all
 353 other provisions of law relating to child abuse, abandonment,
 354 and neglect. The notice shall also include the statewide toll-
 355 free telephone number of the central abuse hotline.

356 (2) Post in a prominent place at each school site and on
 357 each school's Internet website, if available, the policies and
 358 procedures for reporting alleged misconduct by instructional
 359 personnel or school administrators which affects the health,
 360 safety, or welfare of a student; the contact person to whom the
 361 report is made; and the penalties imposed on instructional

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362 personnel or school administrators who fail to report suspected
 363 or actual child abuse or alleged misconduct by other
 364 instructional personnel or school administrators.

365 (3) Require the principal of the charter school or private
 366 school, or the district school superintendent, or the
 367 superintendent's designee, at the request of the Department of
 368 Children and Family Services, to act as a liaison to the
 369 Department of Children and Family Services and the child
 370 protection team, as defined in s. 39.01, when in a case of
 371 suspected child abuse, abandonment, or neglect or an unlawful
 372 sexual offense involving a child the case is referred to such a
 373 team; except that this does not relieve or restrict the
 374 Department of Children and Family Services from discharging its
 375 duty and responsibility under the law to investigate and report
 376 every suspected or actual case of child abuse, abandonment, or
 377 neglect or unlawful sexual offense involving a child.

378
 379 The Department of Education shall develop, and publish on the
 380 department's Internet website, sample notices suitable for
 381 posting in accordance with subsections (1) and (2).

382 Section 10. Section 1012.315, Florida Statutes, as amended
 383 by chapter 2010-24, Laws of Florida, is amended to read:

384 1012.315 Disqualification from employment.—A person is
 385 ineligible for educator certification, and instructional
 386 personnel and school administrators, as defined in s. 1012.01,
 387 are ineligible for employment in any position that requires
 388 direct contact with students in a district school system,
 389 charter school, or private school that accepts scholarship

390 students under s. 1002.39 ~~or s. 1002.395~~, if the person,
 391 instructional personnel, or school administrator has been
 392 convicted of:

393 (1) Any felony offense prohibited under any of the
 394 following statutes:

395 (a) Section 393.135, relating to sexual misconduct with
 396 certain developmentally disabled clients and reporting of such
 397 sexual misconduct.

398 (b) Section 394.4593, relating to sexual misconduct with
 399 certain mental health patients and reporting of such sexual
 400 misconduct.

401 (c) Section 415.111, relating to adult abuse, neglect, or
 402 exploitation of aged persons or disabled adults.

403 (d) Section 782.04, relating to murder.

404 (e) Section 782.07, relating to manslaughter, aggravated
 405 manslaughter of an elderly person or disabled adult, aggravated
 406 manslaughter of a child, or aggravated manslaughter of an
 407 officer, a firefighter, an emergency medical technician, or a
 408 paramedic.

409 (f) Section 784.021, relating to aggravated assault.

410 (g) Section 784.045, relating to aggravated battery.

411 (h) Section 784.075, relating to battery on a detention or
 412 commitment facility staff member or a juvenile probation
 413 officer.

414 (i) Section 787.01, relating to kidnapping.

415 (j) Section 787.02, relating to false imprisonment.

416 (k) Section 787.025, relating to luring or enticing a
 417 child.

418 (l) Section 787.04(2), relating to leading, taking,
 419 enticing, or removing a minor beyond the state limits, or
 420 concealing the location of a minor, with criminal intent pending
 421 custody proceedings.

422 (m) Section 787.04(3), relating to leading, taking,
 423 enticing, or removing a minor beyond the state limits, or
 424 concealing the location of a minor, with criminal intent pending
 425 dependency proceedings or proceedings concerning alleged abuse
 426 or neglect of a minor.

427 (n) Section 790.115(1), relating to exhibiting firearms or
 428 weapons at a school-sponsored event, on school property, or
 429 within 1,000 feet of a school.

430 (o) Section 790.115(2)(b), relating to possessing an
 431 electric weapon or device, destructive device, or other weapon
 432 at a school-sponsored event or on school property.

433 (p) Section 794.011, relating to sexual battery.

434 (q) Former s. 794.041, relating to sexual activity with or
 435 solicitation of a child by a person in familial or custodial
 436 authority.

437 (r) Section 794.05, relating to unlawful sexual activity
 438 with certain minors.

439 (s) Section 794.08, relating to female genital mutilation.

440 (t) Chapter 796, relating to prostitution.

441 (u) Chapter 800, relating to lewdness and indecent
 442 exposure.

443 (v) Section 806.01, relating to arson.

444 (w) Section 810.14, relating to voyeurism.

445 (x) Section 810.145, relating to video voyeurism.

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- 446 (y) Section 812.014(6), relating to coordinating the
- 447 commission of theft in excess of \$3,000.
- 448 (z) Section 812.0145, relating to theft from persons 65
- 449 years of age or older.
- 450 (aa) Section 812.019, relating to dealing in stolen
- 451 property.
- 452 (bb) Section 812.13, relating to robbery.
- 453 (cc) Section 812.131, relating to robbery by sudden
- 454 snatching.
- 455 (dd) Section 812.133, relating to carjacking.
- 456 (ee) Section 812.135, relating to home-invasion robbery.
- 457 (ff) Section 817.563, relating to fraudulent sale of
- 458 controlled substances.
- 459 (gg) Section 825.102, relating to abuse, aggravated abuse,
- 460 or neglect of an elderly person or disabled adult.
- 461 (hh) Section 825.103, relating to exploitation of an
- 462 elderly person or disabled adult.
- 463 (ii) Section 825.1025, relating to lewd or lascivious
- 464 offenses committed upon or in the presence of an elderly person
- 465 or disabled person.
- 466 (jj) Section 826.04, relating to incest.
- 467 (kk) Section 827.03, relating to child abuse, aggravated
- 468 child abuse, or neglect of a child.
- 469 (ll) Section 827.04, relating to contributing to the
- 470 delinquency or dependency of a child.
- 471 (mm) Section 827.071, relating to sexual performance by a
- 472 child.
- 473 (nn) Section 843.01, relating to resisting arrest with

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474 | violence.

475 | (oo) Chapter 847, relating to obscenity.

476 | (pp) Section 874.05, relating to causing, encouraging,

477 | soliciting, or recruiting another to join a criminal street

478 | gang.

479 | (qq) Chapter 893, relating to drug abuse prevention and

480 | control, if the offense was a felony of the second degree or

481 | greater severity.

482 | (rr) Section 916.1075, relating to sexual misconduct with

483 | certain forensic clients and reporting of such sexual

484 | misconduct.

485 | (ss) Section 944.47, relating to introduction, removal, or

486 | possession of contraband at a correctional facility.

487 | (tt) Section 985.701, relating to sexual misconduct in

488 | juvenile justice programs.

489 | (uu) Section 985.711, relating to introduction, removal,

490 | or possession of contraband at a juvenile detention facility or

491 | commitment program.

492 | (2) Any misdemeanor offense prohibited under any of the

493 | following statutes:

494 | (a) Section 784.03, relating to battery, if the victim of

495 | the offense was a minor.

496 | (b) Section 787.025, relating to luring or enticing a

497 | child.

498 | (3) Any criminal act committed in another state or under

499 | federal law which, if committed in this state, constitutes an

500 | offense prohibited under any statute listed in subsection (1) or

501 | subsection (2).

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502 (4) Any delinquent act committed in this state or any
 503 delinquent or criminal act committed in another state or under
 504 federal law which, if committed in this state, qualifies an
 505 individual for inclusion on the Registered Juvenile Sex Offender
 506 List under s. 943.0435(1)(a)1.d.

507 Section 11. Paragraph (e) of subsection (1) of section
 508 1012.796, Florida Statutes, as amended by chapter 2010-24, Laws
 509 of Florida, is amended to read:

510 1012.796 Complaints against teachers and administrators;
 511 procedure; penalties.—

512 (1)

513 (e) If allegations arise against an employee who is
 514 certified under s. 1012.56 and employed in an educator-
 515 certificated position in any public school, charter school or
 516 governing board thereof, or private school that accepts
 517 scholarship students under s. 1002.39 ~~or s. 1002.395~~, the school
 518 shall file in writing with the department a legally sufficient
 519 complaint within 30 days after the date on which the subject
 520 matter of the complaint came to the attention of the school. A
 521 complaint is legally sufficient if it contains ultimate facts
 522 that show a violation has occurred as provided in s. 1012.795
 523 and defined by rule of the State Board of Education. The school
 524 shall include all known information relating to the complaint
 525 with the filing of the complaint. This paragraph does not limit
 526 or restrict the power and duty of the department to investigate
 527 complaints, regardless of the school's untimely filing, or
 528 failure to file, complaints and followup reports.

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529 Section 12. The Legislature recognizes that there is a
530 need to conform the Florida Statutes to the organizational
531 changes in this act and that there may be a need to resolve
532 apparent conflicts with any other legislation that has been or
533 may be enacted during the 2010 Regular Session and the 2010C
534 Special Session. Therefore, in the interim between this act
535 becoming a law and the 2011 Regular Session of the Legislature
536 or an earlier special session addressing this issue, the
537 Division of Statutory Revision shall provide the relevant
538 substantive committees of the Senate and the House of
539 Representatives with assistance, upon request, to enable such
540 committees to prepare draft legislation to conform the Florida
541 Statutes and any legislation enacted during 2010 to the
542 provisions of this act.

543 Section 13. This act shall take effect upon becoming a
544 law.