

By Senator Gaetz

4-01053-11

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1 A bill to be entitled  
2 An act relating to the Division of Emergency  
3 Management; transferring the division to the Executive  
4 Office of the Governor and renaming it the "Office of  
5 Emergency Management"; creating s. 14.2016, F.S.;  
6 establishing the Office of Emergency Management in the  
7 Executive Office of the Governor; amending ss. 20.18  
8 and 125.01045, F.S.; conforming provisions to changes  
9 made by the act; amending s. 215.559, F.S.; revising  
10 the membership of the Hurricane Loss Mitigation  
11 Program's advisory group; conforming provisions to  
12 changes made by the act; amending ss. 163.3178,  
13 166.0446, 215.5586, 252.32, 252.34, 252.35, 252.355,  
14 252.61, 252.82, 252.936, 252.937, 252.943, 252.946,  
15 282.34, 282.709, 311.115, 526.143, 526.144, 627.0628,  
16 768.13, 943.03, 943.03101, 943.0312, and 943.0313,  
17 F.S.; conforming provisions to changes made by the  
18 act; amending ss. 112.3135, 119.071, 163.03, 163.360,  
19 175.021, 186.505, 216.231, 250.06, 339.135, and  
20 429.907, F.S.; conforming cross-references; providing  
21 a directive to the Division of Statutory Revision;  
22 providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Effective July 1, 2011, the Division of  
27 Emergency Management of the Department of Community Affairs is  
28 transferred by a type two transfer, as defined in s. 20.06(2),  
29 Florida Statutes, to the Executive Office of the Governor and

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30 renamed the Office of Emergency Management.

31 Section 2. Section 14.2016, Florida Statutes, is created to  
32 read:

33 14.2016 Office of Emergency Management.—The Office of  
34 Emergency Management is established within the Executive Office  
35 of the Governor. The office shall be a separate budget entity,  
36 as provided in the General Appropriations Act. The office shall  
37 be responsible for all professional, technical, and  
38 administrative support functions necessary to carry out its  
39 responsibilities under part I of chapter 252. The director of  
40 the office shall be appointed by and serve at the pleasure of  
41 the Governor, and shall be the head of the office for all  
42 purposes.

43 Section 3. Subsection (2) of section 20.18, Florida  
44 Statutes, is amended to read:

45 20.18 Department of Community Affairs.—There is created a  
46 Department of Community Affairs.

47 (2) The following units of the Department of Community  
48 Affairs are established:

49 ~~(a) Division of Emergency Management. The division is a~~  
50 ~~separate budget entity and is not subject to control,~~  
51 ~~supervision, or direction by the Department of Community Affairs~~  
52 ~~in any manner including, but not limited to, personnel,~~  
53 ~~purchasing, transactions involving personal property, and~~  
54 ~~budgetary matters. The division director shall be appointed by~~  
55 ~~the Governor, shall serve at the pleasure of the Governor, and~~  
56 ~~shall be the agency head of the division for all purposes. The~~  
57 ~~division shall enter into a service agreement with the~~  
58 ~~department for professional, technological, and administrative~~

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59 ~~support services. The division shall collaborate and coordinate~~  
60 ~~with the department on nonemergency response matters, including,~~  
61 ~~but not limited to, disaster recovery programs, grant programs,~~  
62 ~~mitigation programs, and emergency matters related to~~  
63 ~~comprehensive plans.~~

64 (a) ~~(b)~~ Division of Housing and Community Development.

65 (b) ~~(e)~~ Division of Community Planning.

66 Section 4. Subsection (1) of section 125.01045, Florida  
67 Statutes, is amended to read:

68 125.01045 Prohibition of fees for first responder  
69 services.—

70 (1) A county may not impose a fee or seek reimbursement for  
71 any costs or expenses that may be incurred for services provided  
72 by a first responder, including costs or expenses related to  
73 personnel, supplies, motor vehicles, or equipment in response to  
74 a motor vehicle accident, except for costs to contain or clean  
75 up hazardous materials in quantities reportable to the Florida  
76 State Warning Point at the Office ~~Division~~ of Emergency  
77 Management, and costs for transportation and treatment provided  
78 by ambulance services licensed pursuant to s. 401.23(4) and (5).

79 Section 5. Section 215.559, Florida Statutes, is amended to  
80 read:

81 215.559 Hurricane Loss Mitigation Program.—

82 ~~(1) There is created A Hurricane Loss Mitigation Program is~~  
83 established in the Office of Emergency Management.

84 (1) The Legislature shall annually appropriate \$10 million  
85 of the moneys authorized for appropriation under s.  
86 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the  
87 office ~~Department of Community Affairs~~ for the purposes set

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88 forth in this section. Of that amount:

89 ~~(2)~~(a) Seven million dollars in funds ~~provided in~~  
90 ~~subsection (1)~~ shall be used for programs to improve the wind  
91 resistance of residences and mobile homes, including loans,  
92 subsidies, grants, demonstration projects, and direct  
93 assistance; educating persons concerning the Florida Building  
94 Code cooperative programs with local governments and the Federal  
95 Government; and other efforts to prevent or reduce losses or  
96 reduce the cost of rebuilding after a disaster.

97 (b) Three million dollars in funds ~~provided in subsection~~  
98 ~~(1)~~ shall be used to retrofit existing facilities used as public  
99 hurricane shelters. Each year the office shall ~~department must~~  
100 prioritize the use of these funds for projects included in the  
101 annual report of the September 1, 2000, version of the Shelter  
102 Retrofit Report prepared in accordance with s. 252.385(3), ~~and~~  
103 ~~each annual report thereafter.~~ The office ~~department~~ must give  
104 funding priority to projects in regional planning council  
105 regions that have shelter deficits and to projects that maximize  
106 the use of state funds.

107 ~~(2)(3)~~(a) Forty percent of the total appropriation in  
108 paragraph (1)(a) ~~(2)(a)~~ shall be used to inspect and improve  
109 tie-downs for mobile homes.

110 (b)1. ~~There is created~~ The Manufactured Housing and Mobile  
111 Home Mitigation and Enhancement Program is established. The  
112 program shall require the mitigation of damage to or the  
113 enhancement of homes for the areas of concern raised by the  
114 Department of Highway Safety and Motor Vehicles in the 2004-2005  
115 Hurricane Reports on the effects of the 2004 and 2005 hurricanes  
116 on manufactured and mobile homes in this state. The mitigation

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117 or enhancement must include, but need not be limited to,  
118 problems associated with weakened trusses, studs, and other  
119 structural components caused by wood rot or termite damage;  
120 site-built additions; or tie-down systems and may also address  
121 any other issues deemed appropriate by Tallahassee Community  
122 College, the Federation of Manufactured Home Owners of Florida,  
123 Inc., the Florida Manufactured Housing Association, and the  
124 Department of Highway Safety and Motor Vehicles. The program  
125 shall include an education and outreach component to ensure that  
126 owners of manufactured and mobile homes are aware of the  
127 benefits of participation.

128       2. The program shall be a grant program that ensures that  
129 entire manufactured home communities and mobile home parks may  
130 be improved wherever practicable. The moneys appropriated for  
131 this program shall be distributed directly to Tallahassee  
132 Community College for the uses set forth under this subsection.

133       3. Upon evidence of completion of the program, the Citizens  
134 Property Insurance Corporation shall grant, on a pro rata basis,  
135 actuarially reasonable discounts, credits, or other rate  
136 differentials or appropriate reductions in deductibles for the  
137 properties of owners of manufactured homes or mobile homes on  
138 which fixtures or construction techniques that have been  
139 demonstrated to reduce the amount of loss in a windstorm have  
140 been installed or implemented. The discount on the premium must  
141 be applied to subsequent renewal premium amounts. Premiums of  
142 the Citizens Property Insurance Corporation must reflect the  
143 location of the home and the fact that the home has been  
144 installed in compliance with building codes adopted after  
145 Hurricane Andrew. Rates resulting from the completion of the

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146 Manufactured Housing and Mobile Home Mitigation and Enhancement  
147 Program are not considered competitive rates for the purposes of  
148 s. 627.351(6)(d)1. and 2.

149 4. On or before January 1 of each year, Tallahassee  
150 Community College shall provide a report of activities under  
151 this subsection to the Governor, the President of the Senate,  
152 and the Speaker of the House of Representatives. The report must  
153 set forth the number of homes that have taken advantage of the  
154 program, the types of enhancements and improvements made to the  
155 manufactured or mobile homes and attachments to such homes, and  
156 whether there has been an increase in availability of insurance  
157 products to owners of manufactured or mobile homes.

158  
159 Tallahassee Community College shall develop the programs set  
160 forth in this subsection in consultation with the Federation of  
161 Manufactured Home Owners of Florida, Inc., the Florida  
162 Manufactured Housing Association, and the Department of Highway  
163 Safety and Motor Vehicles. The moneys appropriated for the  
164 programs set forth in this subsection shall be distributed  
165 directly to Tallahassee Community College to be used as set  
166 forth in this subsection.

167 (3)~~(4)~~ Of moneys provided to the Department of Community  
168 Affairs in paragraph (1)(a) ~~(2)(a)~~, 10 percent shall be  
169 allocated to the Florida International University center  
170 dedicated to hurricane research. The center shall develop a  
171 preliminary work plan approved by the advisory council set forth  
172 in subsection (4) ~~(5)~~ to eliminate the state and local barriers  
173 to upgrading existing mobile homes and communities, research and  
174 develop a program for the recycling of existing older mobile

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175 homes, and support programs of research and development relating  
176 to hurricane loss reduction devices and techniques for site-  
177 built residences. The State University System also shall consult  
178 with the Department of Community Affairs and assist the  
179 department with the report required under subsection (6) ~~(7)~~.

180 (4) ~~(5)~~ Except for the programs set forth in subsection (3)  
181 ~~(4)~~, The office ~~Department of Community Affairs~~ shall develop  
182 the programs set forth in this section in consultation with an  
183 advisory council consisting of a representative designated by  
184 the Chief Financial Officer, a representative designated by the  
185 Florida Home Builders Association, a representative designated  
186 by the Florida Insurance Council, a representative designated by  
187 the Federation of Manufactured Home Owners, a representative  
188 designated by the Florida Association of Counties, ~~and~~ a  
189 representative designated by the Florida Manufactured Housing  
190 Association, and a representative designated by the Florida  
191 Building Commission.

192 (5) ~~(6)~~ Moneys provided to the office ~~Department of~~  
193 ~~Community Affairs~~ under this section are intended to supplement,  
194 not supplant, the office's other funding sources of the  
195 ~~Department of Community Affairs and may not supplant other~~  
196 ~~funding sources of the Department of Community Affairs.~~

197 (6) ~~(7)~~ On January 1st of each year, the office ~~Department~~  
198 ~~of Community Affairs~~ shall provide a full report and accounting  
199 of activities under this section and an evaluation of such  
200 activities to the Speaker of the House of Representatives, the  
201 President of the Senate, and the Majority and Minority Leaders  
202 of the House of Representatives and the Senate. Upon completion  
203 of the report, the office ~~Department of Community Affairs~~ shall

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204 deliver the report to the Office of Insurance Regulation. The  
205 Office of Insurance Regulation shall review the report and ~~shall~~  
206 make such recommendations available to the insurance industry as  
207 the Office of Insurance Regulation deems appropriate. These  
208 recommendations may be used by insurers for potential discounts  
209 or rebates pursuant to s. 627.0629. The Office of Insurance  
210 Regulation shall make such ~~the~~ recommendations within 1 year  
211 after receiving the report.

212 ~~(7)-(8)~~ (a) Notwithstanding any other provision of this  
213 section and for the 2010-2011 fiscal year only, the \$3 million  
214 appropriation provided ~~for~~ in paragraph (1) (b) ~~(2) (b)~~ may be  
215 used for hurricane shelters as identified in the General  
216 Appropriations Act.

217 (b) This subsection expires June 30, 2011.

218 ~~(8)-(9)~~ This section is repealed June 30, 2011.

219 Section 6. Paragraph (d) of subsection (2) of section  
220 163.3178, Florida Statutes, is amended to read:

221 163.3178 Coastal management.—

222 (2) Each coastal management element required by s.  
223 163.3177(6)(g) shall be based on studies, surveys, and data; be  
224 consistent with coastal resource plans prepared and adopted  
225 pursuant to general or special law; and contain:

226 (d) A component which outlines principles for hazard  
227 mitigation and protection of human life against the effects of  
228 natural disaster, including population evacuation, which take  
229 into consideration the capability to safely evacuate the density  
230 of coastal population proposed in the future land use plan  
231 element in the event of an impending natural disaster. The  
232 Office ~~Division~~ of Emergency Management shall manage the update



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233 of the regional hurricane evacuation studies, ensure such  
234 studies are done in a consistent manner, and ensure that the  
235 methodology used for modeling storm surge is that used by the  
236 National Hurricane Center.

237 Section 7. Subsection (1) of section 166.0446, Florida  
238 Statutes, is amended to read:

239 166.0446 Prohibition of fees for first responder services.—

240 (1) A municipality may not impose a fee or seek  
241 reimbursement for any costs or expenses that may be incurred for  
242 services provided by a first responder, including costs or  
243 expenses related to personnel, supplies, motor vehicles, or  
244 equipment in response to a motor vehicle accident, except for  
245 costs to contain or clean up hazardous materials in quantities  
246 reportable to the Florida State Warning Point at the Office  
247 ~~Division~~ of Emergency Management, and costs for transportation  
248 and treatment provided by ambulance services licensed pursuant  
249 to s. 401.23(4) and (5).

250 Section 8. Paragraph (j) of subsection (4) of section  
251 215.5586, Florida Statutes, is amended to read:

252 215.5586 My Safe Florida Home Program.—There is established  
253 within the Department of Financial Services the My Safe Florida  
254 Home Program. The department shall provide fiscal  
255 accountability, contract management, and strategic leadership  
256 for the program, consistent with this section. This section does  
257 not create an entitlement for property owners or obligate the  
258 state in any way to fund the inspection or retrofitting of  
259 residential property in this state. Implementation of this  
260 program is subject to annual legislative appropriations. It is  
261 the intent of the Legislature that the My Safe Florida Home

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262 Program provide trained and certified inspectors to perform  
263 inspections for owners of site-built, single-family, residential  
264 properties and grants to eligible applicants as funding allows.  
265 The program shall develop and implement a comprehensive and  
266 coordinated approach for hurricane damage mitigation that may  
267 include the following:

268 (4) ADVISORY COUNCIL.—There is created an advisory council  
269 to provide advice and assistance to the department regarding  
270 administration of the program. The advisory council shall  
271 consist of:

272 (j) The director of the Office ~~Florida Division~~ of  
273 Emergency Management.

274  
275 Members appointed under paragraphs (a)-(d) shall serve at the  
276 pleasure of the Financial Services Commission. Members appointed  
277 under paragraphs (e) and (f) shall serve at the pleasure of the  
278 appointing officer. All other members shall serve as voting ex  
279 officio members. Members of the advisory council shall serve  
280 without compensation but may receive reimbursement as provided  
281 in s. 112.061 for per diem and travel expenses incurred in the  
282 performance of their official duties.

283 Section 9. Paragraphs (a) and (b) of subsection (1) of  
284 section 252.32, Florida Statutes, are amended to read:

285 252.32 Policy and purpose.—

286 (1) Because of the existing and continuing possibility of  
287 the occurrence of emergencies and disasters resulting from  
288 natural, technological, or manmade causes; in order to ensure  
289 that preparations of this state will be adequate to deal with,  
290 reduce vulnerability to, and recover from such emergencies and

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291 disasters; to provide for the common defense and to protect the  
292 public peace, health, and safety; and to preserve the lives and  
293 property of the people of the state, it is hereby found and  
294 declared to be necessary:

295 (a) To create a state emergency management agency to be  
296 known as the "Office ~~Division~~ of Emergency Management," to  
297 authorize the creation of local organizations for emergency  
298 management in the political subdivisions of the state, and to  
299 authorize cooperation with the Federal Government and the  
300 governments of other states.

301 (b) To confer upon the Governor, the Office ~~Division~~ of  
302 Emergency Management, and the governing body of each political  
303 subdivision of the state the emergency powers provided herein.

304 Section 10. Section 252.34, Florida Statutes, is amended to  
305 read:

306 252.34 Definitions.—As used in this part ~~ss. 252.31-252.60~~,  
307 the term:

308 (1) "Disaster" means any natural, technological, or civil  
309 emergency that causes damage of sufficient severity and  
310 magnitude to result in a declaration of a state of emergency by  
311 a county, the Governor, or the President of the United States.  
312 Disasters shall be identified by the severity of resulting  
313 damage, as follows:

314 (a) "Catastrophic disaster" means a disaster that will  
315 require massive state and federal assistance, including  
316 immediate military involvement.

317 (b) "Major disaster" means a disaster that will likely  
318 exceed local capabilities and require a broad range of state and  
319 federal assistance.

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320 (c) "Minor disaster" means a disaster that is likely to be  
321 within the response capabilities of local government and to  
322 result in only a minimal need for state or federal assistance.

323 ~~(2) "Division" means the Division of Emergency Management~~  
324 ~~of the Department of Community Affairs, or the successor to that~~  
325 ~~division.~~

326 (2)~~(3)~~ "Emergency" means any occurrence, or threat thereof,  
327 whether natural, technological, or manmade, in war or in peace,  
328 which results or may result in substantial injury or harm to the  
329 population or substantial damage to or loss of property.

330 (3)~~(4)~~ "Emergency management" means the preparation for,  
331 the mitigation of, the response to, and the recovery from  
332 emergencies and disasters. Specific emergency management  
333 responsibilities include, but are not limited to:

334 (a) Reduction of vulnerability of people and communities of  
335 this state to damage, injury, and loss of life and property  
336 resulting from natural, technological, or manmade emergencies or  
337 hostile military or paramilitary action.

338 (b) Preparation for prompt and efficient response and  
339 recovery to protect lives and property affected by emergencies.

340 (c) Response to emergencies using all systems, plans, and  
341 resources necessary to preserve adequately the health, safety,  
342 and welfare of persons or property affected by the emergency.

343 (d) Recovery from emergencies by providing for the rapid  
344 and orderly start of restoration and rehabilitation of persons  
345 and property affected by emergencies.

346 (e) Provision of an emergency management system embodying  
347 all aspects of preemergency preparedness and postemergency  
348 response, recovery, and mitigation.

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349 (f) Assistance in anticipation, recognition, appraisal,  
350 prevention, and mitigation of emergencies which may be caused or  
351 aggravated by inadequate planning for, and regulation of, public  
352 and private facilities and land use.

353 (4)~~(5)~~ "Local emergency management agency" means an  
354 organization created in accordance with ~~the provisions of~~ ss.  
355 252.31-252.90 to discharge the emergency management  
356 responsibilities and functions of a political subdivision.

357 (5)~~(6)~~ "Manmade emergency" means an emergency caused by an  
358 action against persons or society, including, but not limited  
359 to, enemy attack, sabotage, terrorism, civil unrest, or other  
360 action impairing the orderly administration of government.

361 (6)~~(7)~~ "Natural emergency" means an emergency caused by a  
362 natural event, including, but not limited to, a hurricane, a  
363 storm, a flood, severe wave action, a drought, or an earthquake.

364 (7) "Office" means the Office of Emergency Management  
365 within the Executive Office of the Governor, or the successor to  
366 that office.

367 (8) "Political subdivision" means any county or  
368 municipality created pursuant to law.

369 (9) "Technological emergency" means an emergency caused by  
370 a technological failure or accident, including, but not limited  
371 to, an explosion, transportation accident, radiological  
372 accident, or chemical or other hazardous material incident.

373 Section 11. Section 252.35, Florida Statutes, is amended to  
374 read:

375 252.35 Emergency management powers; ~~Division of Emergency~~  
376 ~~Management.~~—

377 (1) The office ~~division~~ is responsible for maintaining a

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378 comprehensive statewide program of emergency management and for  
379 coordinating the. ~~The division is responsible for coordination~~  
380 ~~with~~ efforts of the Federal Government with other departments  
381 and agencies of state government, with county and municipal  
382 governments and school boards, and with private agencies that  
383 have a role in emergency management.

384 (2) The office ~~division~~ is responsible for carrying out the  
385 provisions of ss. 252.31-252.90. In performing its duties ~~under~~  
386 ~~ss. 252.31-252.90~~, the office ~~division~~ shall:

387 (a) Prepare a state comprehensive emergency management  
388 plan, which shall be integrated into and coordinated with the  
389 emergency management plans and programs of the Federal  
390 Government. The office ~~division~~ must adopt the plan as a rule in  
391 accordance with chapter 120. The plan shall be implemented by a  
392 continuous, integrated comprehensive emergency management  
393 program. The plan must contain provisions to ensure that the  
394 state is prepared for emergencies and minor, major, and  
395 catastrophic disasters, and the office ~~division~~ shall work  
396 closely with local governments and agencies and organizations  
397 with emergency management responsibilities in preparing and  
398 maintaining the plan. The state comprehensive emergency  
399 management plan must ~~shall~~ be operations oriented and:

400 1. Include an evacuation component that includes specific  
401 regional and interregional planning provisions and promotes  
402 intergovernmental coordination of evacuation activities. This  
403 component must, at a minimum: contain guidelines for lifting  
404 tolls on state highways; ensure coordination pertaining to  
405 evacuees crossing county lines; set forth procedures for  
406 directing people caught on evacuation routes to safe shelter;

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407 establish strategies for ensuring sufficient, reasonably priced  
408 fueling locations along evacuation routes; and establish  
409 policies and strategies for emergency medical evacuations.

410 2. Include a shelter component that includes specific  
411 regional and interregional planning provisions and promotes  
412 coordination of shelter activities between the public, private,  
413 and nonprofit sectors. This component must, at a minimum:  
414 contain strategies to ensure the availability of adequate public  
415 shelter space in each region of the state; establish strategies  
416 for refuge-of-last-resort programs; provide strategies to assist  
417 local emergency management efforts to ensure that adequate  
418 staffing plans exist for all shelters, including medical and  
419 security personnel; provide for a postdisaster communications  
420 system for public shelters; establish model shelter guidelines  
421 for operations, registration, inventory, power generation  
422 capability, information management, and staffing; and set forth  
423 policy guidance for sheltering people with special needs.

424 3. Include a postdisaster response and recovery component  
425 that includes specific regional and interregional planning  
426 provisions and promotes intergovernmental coordination of  
427 postdisaster response and recovery activities. This component  
428 must provide for postdisaster response and recovery strategies  
429 according to whether a disaster is minor, major, or  
430 catastrophic. The postdisaster response and recovery component  
431 must, at a minimum: establish the structure of the state's  
432 postdisaster response and recovery organization; establish  
433 procedures for activating the state's plan; set forth policies  
434 used to guide postdisaster response and recovery activities;  
435 describe the chain of command during the postdisaster response

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436 and recovery period; describe initial and continuous  
437 postdisaster response and recovery actions; identify the roles  
438 and responsibilities of each involved agency and organization;  
439 provide for a comprehensive communications plan; establish  
440 procedures for monitoring mutual aid agreements; provide for  
441 rapid impact assessment teams; ensure the availability of an  
442 effective statewide urban search and rescue program coordinated  
443 with the fire services; ensure the existence of a comprehensive  
444 statewide medical care and relief plan administered by the  
445 Department of Health; and establish systems for coordinating  
446 volunteers and accepting and distributing donated funds and  
447 goods.

448 4. Include additional provisions addressing aspects of  
449 preparedness, response, recovery, and mitigation as determined  
450 necessary by the office ~~division~~.

451 5. Address the need for coordinated and expeditious  
452 deployment of state resources, including the Florida National  
453 Guard. In the case of an imminent major disaster, procedures  
454 should address predeployment of the Florida National Guard, and,  
455 in the case of an imminent catastrophic disaster, procedures  
456 should address predeployment of the Florida National Guard and  
457 the United States Armed Forces.

458 6. Establish a system of communications and warning to  
459 ensure that the state's population and emergency management  
460 agencies are warned of developing emergency situations and can  
461 communicate emergency response decisions.

462 7. Establish guidelines and schedules for annual exercises  
463 that evaluate the ability of the state and its political  
464 subdivisions to respond to minor, major, and catastrophic



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465 disasters and support local emergency management agencies. Such  
466 exercises must ~~shall~~ be coordinated with local governments and,  
467 to the extent possible, the Federal Government.

468 8. Assign lead and support responsibilities to state  
469 agencies and personnel for emergency support functions and other  
470 support activities.

471  
472 The complete state comprehensive emergency management plan must  
473 ~~shall~~ be submitted to the President of the Senate, the Speaker  
474 of the House of Representatives, and the Governor on February 1  
475 of every even-numbered year.

476 (b) Adopt standards and requirements for county emergency  
477 management plans. The standards and requirements must ensure  
478 that county plans are coordinated and consistent with the state  
479 comprehensive emergency management plan. If a municipality  
480 elects to establish an emergency management program, it must  
481 adopt a city emergency management plan that complies with all  
482 standards and requirements applicable to county emergency  
483 management plans.

484 (c) Assist political subdivisions in preparing and  
485 maintaining emergency management plans.

486 (d) Review periodically political subdivision emergency  
487 management plans for consistency with the state comprehensive  
488 emergency management plan and standards and requirements adopted  
489 under this section.

490 (e) Cooperate with the President, the heads of the Armed  
491 Forces, the various federal emergency management agencies, and  
492 the officers and agencies of other states in matters pertaining  
493 to emergency management in the state and the nation and

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494 incidents thereof and, in connection therewith, take any  
495 measures that it deems proper to carry into effect any request  
496 of the President and the appropriate federal officers and  
497 agencies for any emergency management action, including the  
498 direction or control of:

499 1. Emergency management drills, tests, or exercises of  
500 whatever nature.

501 2. Warnings and signals for tests and drills, attacks, or  
502 other imminent emergencies or threats thereof and the mechanical  
503 devices to be used in connection with such warnings and signals.

504 (f) Make recommendations to the Legislature, building code  
505 organizations, and political subdivisions for zoning, building,  
506 and other land use controls; safety measures for securing mobile  
507 homes or other nonpermanent or semipermanent structures; and  
508 other preparedness, prevention, and mitigation measures designed  
509 to eliminate emergencies or reduce their impact.

510 (g) In accordance with the state comprehensive emergency  
511 management plan and program for emergency management, ascertain  
512 the requirements of the state and its political subdivisions for  
513 equipment and supplies of all kinds in the event of an  
514 emergency; plan for and ~~either~~ procure supplies, medicines,  
515 materials, and equipment or enter into memoranda of agreement or  
516 open purchase orders that will ensure their availability; and  
517 use and employ from time to time any of the property, services,  
518 and resources within the state in accordance with ss. 252.31-  
519 252.90.

520 (h) Anticipate trends and promote innovations that will  
521 enhance the emergency management system.

522 (i) Institute statewide public awareness programs. This

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523 shall include an intensive public educational campaign on  
524 emergency preparedness issues, including, but not limited to,  
525 the personal responsibility of individual citizens to be self-  
526 sufficient for up to 72 hours following a natural or manmade  
527 disaster. The public educational campaign must ~~shall~~ include  
528 relevant information on statewide disaster plans, evacuation  
529 routes, fuel suppliers, and shelters. All educational materials  
530 must be available in alternative formats and mediums to ensure  
531 that they are available to persons with disabilities.

532 (j) In cooperation with ~~The Division of Emergency~~  
533 ~~Management and~~ the Department of Education, ~~shall~~ coordinate  
534 with the Agency for Persons with Disabilities to provide an  
535 educational outreach program on disaster preparedness and  
536 readiness to individuals who have limited English skills and  
537 identify persons who are in need of assistance but are not  
538 defined under special-needs criteria.

539 (k) Prepare and distribute to appropriate state and local  
540 officials catalogs of federal, state, and private assistance  
541 programs.

542 (l) Coordinate federal, state, and local emergency  
543 management activities and take all other steps, including the  
544 partial or full mobilization of emergency management forces and  
545 organizations in advance of an actual emergency, to ensure the  
546 availability of adequately trained and equipped forces of  
547 emergency management personnel before, during, and after  
548 emergencies and disasters.

549 (m) Establish a schedule of fees that may be charged by  
550 local emergency management agencies for review of emergency  
551 management plans on behalf of external agencies and

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552 institutions. In establishing such schedule, the office ~~division~~  
553 shall consider facility size, review complexity, and other  
554 factors.

555 (n) Implement training programs to improve the ability of  
556 state and local emergency management personnel to prepare and  
557 implement emergency management plans and programs. This includes  
558 ~~shall include~~ a continuous training program for agencies and  
559 individuals that will be called on to perform key roles in state  
560 and local postdisaster response and recovery efforts and for  
561 local government personnel on federal and state postdisaster  
562 response and recovery strategies and procedures.

563 (o) ~~Review~~ Periodically review emergency operating  
564 procedures of state agencies and recommend revisions as needed  
565 to ensure consistency with the state comprehensive emergency  
566 management plan and program.

567 (p) Make such surveys of industries, resources, and  
568 facilities within the state, both public and private, as are  
569 necessary to carry out the purposes of ss. 252.31-252.90.

570 (q) Prepare, in advance if ~~whenever~~ possible, such  
571 executive orders, proclamations, and rules for issuance by the  
572 Governor as are necessary or appropriate for coping with  
573 emergencies and disasters.

574 (r) Cooperate with the Federal Government and any public or  
575 private agency or entity in achieving any purpose of ss. 252.31-  
576 252.90 and in implementing programs for mitigation, preparation,  
577 response, and recovery.

578 (s) ~~By January 1, 2007, the Division of Emergency~~  
579 ~~Management shall~~ Complete an inventory of portable generators  
580 owned by the state and local governments which are capable of

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581 operating during a major disaster. The inventory must identify,  
582 at a minimum, the location of each generator, the number of  
583 generators stored at each specific location, the agency to which  
584 each generator belongs, the primary use of the generator by the  
585 owner agency, and the names, addresses, and telephone numbers of  
586 persons having the authority to loan the stored generators as  
587 authorized by the office ~~Division of Emergency Management~~ during  
588 a declared emergency.

589 (t) ~~The division shall~~ Maintain an inventory list of  
590 generators owned by the state and local governments. In  
591 addition, the office ~~division~~ may keep a list of private  
592 entities, along with appropriate contact information, which  
593 offer generators for sale or lease. The list of private entities  
594 shall be available to the public for inspection in written and  
595 electronic formats.

596 (u) Assist political subdivisions with the creation and  
597 training of urban search and rescue teams and promote the  
598 development and maintenance of a state urban search and rescue  
599 program.

600 (v) Delegate, as necessary and appropriate, authority  
601 vested in it under ss. 252.31-252.90 and provide for the  
602 subdelegation of such authority.

603 (w) Report biennially to the President of the Senate, the  
604 Speaker of the House of Representatives, and the Governor, no  
605 later than February 1 of every odd-numbered year, the status of  
606 the emergency management capabilities of the state and its  
607 political subdivisions.

608 (x) In accordance with chapter 120, create, implement,  
609 administer, adopt, amend, and rescind rules, programs, and plans

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610 needed to carry out the provisions of ss. 252.31-252.90 with due  
611 consideration for, and in cooperating with, the plans and  
612 programs of the Federal Government. In addition, the office  
613 ~~division~~ may adopt rules in accordance with chapter 120 to  
614 administer and distribute federal financial predisaster and  
615 postdisaster assistance for prevention, mitigation,  
616 preparedness, response, and recovery.

617 (y) Do other things necessary, incidental, or appropriate  
618 for the implementation of ss. 252.31-252.90.

619 Section 12. Subsection (2) of section 252.355, Florida  
620 Statutes, is amended to read:

621 252.355 Registry of persons with special needs; notice.—

622 (2) The office ~~Department of Community Affairs~~ shall be the  
623 designated lead agency responsible for community education and  
624 outreach to the public, including special needs clients,  
625 regarding registration and special needs shelters and general  
626 information regarding shelter stays.

627 Section 13. Section 252.61, Florida Statutes, is amended to  
628 read:

629 252.61 List of persons for contact relating to release of  
630 toxic substances into atmosphere.—The Office of Emergency  
631 Management ~~Department of Community Affairs~~ shall maintain a list  
632 of contact persons after the survey pursuant to s. 403.771 is  
633 completed.

634 Section 14. Section 252.82, Florida Statutes, is amended to  
635 read:

636 252.82 Definitions.—As used in this part:

637 (1) "Commission" means the State Hazardous Materials  
638 Emergency Response Commission created pursuant to s. 301 of

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639 EPCRA.

640 (2) "Committee" means any local emergency planning  
641 committee established in the state pursuant to s. 301 of EPCRA.

642 ~~(3) "Department" means the Department of Community Affairs.~~

643 (3)~~(4)~~ "Facility" means facility as defined in s. 329 of  
644 EPCRA. Vehicles placarded according to title 49 Code of Federal  
645 Regulations are ~~shall~~ not ~~be~~ considered a facility except for  
646 purposes of s. 304 of EPCRA.

647 (4)~~(5)~~ "Hazardous material" means any hazardous chemical,  
648 toxic chemical, or extremely hazardous substance, as defined in  
649 s. 329 of EPCRA.

650 (5)~~(6)~~ "EPCRA" means the Emergency Planning and Community  
651 Right-to-Know Act of 1986, title III of the Superfund Amendments  
652 and Reauthorization Act of 1986, ~~Pub. L. No. 99-499~~, ss. 300-  
653 329, 42 U.S.C. ss. 11001 et seq.; and federal regulations  
654 adopted thereunder.

655 (6) "Office" means the Office of Emergency Management  
656 within the Executive Office of the Governor.

657 (7) "Trust fund" means the Operating Trust Fund of the  
658 office ~~Department of Community Affairs.~~

659 Section 15. Subsections (3), (8), (9), and (19) of section  
660 252.936, Florida Statutes, are amended to read:

661 252.936 Definitions.—As used in this part, the term:

662 (3) "Audit" means a review of information at, a ~~stationary~~  
663 ~~source subject to s. 112(r)(7),~~ or submitted by, a stationary  
664 source subject to s. 112(r)(7), to determine whether that  
665 stationary source is in compliance with ~~the requirements of this~~  
666 part and rules adopted to administer ~~implement~~ this part. Audits  
667 must include a review of the adequacy of the stationary source's

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668 Risk Management Plan, may consist of reviews of information  
 669 submitted to the office ~~department~~ or the United States  
 670 Environmental Protection Agency to determine whether the plan is  
 671 complete or whether revisions to the plan are needed, and the  
 672 reviews may be conducted at the stationary source to confirm  
 673 that information onsite is consistent with reported information.

674 ~~(8) "Department" means the Department of Community Affairs.~~

675 (8)-(9) "Inspection" means a review of information at a  
 676 stationary source subject to s. 112(r) (7), including  
 677 documentation and operating practices and access to the source  
 678 and to any area where an accidental release could occur, to  
 679 determine whether the stationary source is in compliance with  
 680 ~~the requirements of~~ this part or rules adopted to administer  
 681 ~~implement~~ this part.

682 (9) "Office" means the Office of Emergency Management in  
 683 the Executive Office of the Governor.

684 (19) "Trust fund" means the Operating Trust Fund of the  
 685 office established in the department's Division of Emergency  
 686 Management.

687 Section 16. Section 252.937, Florida Statutes, is amended  
 688 to read:

689 252.937 Department powers and duties.—

690 (1) The office ~~department~~ has the power and duty to:

691 (a)1. Seek delegation from the United States Environmental  
 692 Protection Agency to implement the Accidental Release Prevention  
 693 Program under s. 112(r) (7) of the Clean Air Act and the federal  
 694 implementing regulations for specified sources subject to s.  
 695 112(r) (7) of the Clean Air Act. Implementation for all other  
 696 sources subject to s. 112(r) (7) of the Clean Air Act shall ~~will~~



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697 be performed by the United States Environmental Protection  
698 Agency; and

699 2. Ensure the timely submission of Risk Management Plans  
700 and any subsequent revisions of Risk Management Plans.

701 (b) Adopt, modify, and repeal rules, with the advice and  
702 consent of the commission, necessary to obtain delegation from  
703 the United States Environmental Protection Agency and to  
704 administer the s. 112(r) (7) Accidental Release Prevention  
705 Program in this state for the specified stationary sources with  
706 no expansion or addition of the regulatory program.

707 (c) Make and execute contracts and other agreements  
708 necessary or convenient to the administration ~~implementation~~ of  
709 this part.

710 (d) Coordinate its activities under this part with its  
711 other emergency management responsibilities, including its  
712 responsibilities and activities under parts I, II, and III of  
713 this chapter and with the related activities of other state and  
714 local agencies, keeping separate accounts for all activities  
715 conducted under this part which are supported or partially  
716 supported from the trust fund.

717 (e) Establish, with the advice and consent of the  
718 commission, a technical assistance and outreach program ~~on or~~  
719 ~~before January 31, 1999,~~ to assist owners and operators of  
720 specified stationary sources subject to s. 112(r) (7) in  
721 complying with the reporting and fee requirements of this part.  
722 This program is designed to facilitate and ensure timely  
723 submission of proper certifications or compliance schedules and  
724 timely submission and registration of Risk Management Plans and  
725 revised registrations and Risk Management Plans if ~~when~~ required

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726 for these sources.

727 (f) Make a quarterly report to the State Emergency Response  
728 Commission on income and expenses for the state's Accidental  
729 Release Prevention Program under this part.

730 (2) To ensure that this program is self-supporting, the  
731 office ~~department~~ shall provide administrative support,  
732 including staff, facilities, materials, and services to  
733 implement this part for specified stationary sources subject to  
734 s. 252.939 and ~~shall~~ provide necessary funding to local  
735 emergency planning committees and county emergency management  
736 agencies for work performed to implement this part. Each state  
737 agency with regulatory, inspection, or technical assistance  
738 programs for specified stationary sources subject to this part  
739 shall enter into a memorandum of understanding with the office  
740 ~~department~~ which specifically outlines how each agency's staff,  
741 facilities, materials, and services will be used ~~utilized~~ to  
742 support implementation. ~~At a minimum, these agencies and~~  
743 ~~programs include: the Department of Environmental Protection's~~  
744 ~~Division of Air Resources Management and Division of Water~~  
745 ~~Resource Management, and the Department of Labor and Employment~~  
746 ~~Security's Division of Safety.~~ It is the Legislature's intent to  
747 implement this part as efficiently and economically as possible,  
748 using existing expertise and resources, if available and  
749 appropriate.

750 (3) To prevent the duplication of investigative efforts and  
751 resources, the office ~~department~~, on behalf of the commission,  
752 shall coordinate with any federal agencies or agents thereof,  
753 including the federal Chemical Safety and Hazard Investigation  
754 Board, or its successor, which are performing accidental release

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755 investigations for specified stationary sources, and may  
756 coordinate with any agencies of the state which are performing  
757 accidental release investigations. This accidental release  
758 investigation coordination is not intended to limit or take the  
759 place of any individual agency accidental release investigation  
760 under separate authority.

761 (4) To promote efficient administration of this program and  
762 specified stationary sources, ~~the only the office agency which~~  
763 may seek delegation from the United States Environmental  
764 Protection Agency for this program ~~is the Florida Department of~~  
765 ~~Community Affairs~~. Further, the office may ~~Florida Department of~~  
766 ~~Community Affairs shall~~ not delegate this program to any local  
767 environmental agency.

768 Section 17. Section 252.943, Florida Statutes, is amended  
769 to read:

770 252.943 Public records.—

771 (1) The office ~~Department of Community Affairs~~ shall  
772 protect records, reports, or information or particular parts  
773 thereof, other than release or emissions data, contained in a  
774 risk management plan from public disclosure pursuant to ss.  
775 112(r) and 114(c) of the federal Clean Air Act and authorities  
776 cited therein, based upon a showing satisfactory to the  
777 Administrator of the United States Environmental Protection  
778 Agency, by any owner or operator of a stationary source subject  
779 to the Accidental Release Prevention Program, that public  
780 release of such records, reports, or information would divulge  
781 methods or processes entitled to protection as trade secrets as  
782 provided for in 40 C.F.R. part 2, subpart B. Such records,  
783 reports, or information held by the office ~~department~~ are

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784 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
785 s. 24(a), Art. I of the State Constitution, unless a final  
786 determination has been made by the Administrator of the  
787 Environmental Protection Agency that such records, reports, or  
788 information are not entitled to trade secret protection, or  
789 pursuant to an order of court.

790 (2) The office ~~department~~ shall protect records, reports,  
791 or information or particular parts thereof, other than release  
792 or emissions data, obtained from an investigation, inspection,  
793 or audit from public disclosure pursuant to ss. 112(r) and  
794 114(c) of the federal Clean Air Act and authorities cited  
795 therein, based upon a showing satisfactory to the Administrator  
796 of the United States Environmental Protection Agency, by any  
797 owner or operator of a stationary source subject to the  
798 Accidental Release Prevention Program, that public release of  
799 such records, reports, or information would divulge methods or  
800 processes entitled to protection as trade secrets as provided  
801 for in 40 C.F.R. part 2, subpart B. Such records, reports, or  
802 information held by the office ~~department~~ are confidential and  
803 exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I  
804 of the State Constitution, unless a final determination has been  
805 made by the Administrator of the Environmental Protection Agency  
806 that such records, reports, or information are not entitled to  
807 trade secret protection, or pursuant to a court ~~an order of~~  
808 ~~court~~.

809 Section 18. Section 252.946, Florida Statutes, is amended  
810 to read:

811 252.946 Public records.—With regard to information  
812 submitted to the United States Environmental Protection Agency

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813 under this part or s. 112(r)(7), the office ~~department of~~  
814 ~~Community Affairs~~, the State Hazardous Materials Emergency  
815 Response Commission, and any local emergency planning committee  
816 may assist persons in electronically accessing such information  
817 held by the United States Environmental Protection Agency in its  
818 centralized database. If requested, the office ~~department~~, the  
819 commission, or a committee may furnish copies of such United  
820 States Environmental Protection Agency records.

821 Section 19. Paragraph (a) of subsection (4) of section  
822 282.34, Florida Statutes, is amended to read:

823 282.34 Statewide e-mail service.—A state e-mail system that  
824 includes the delivery and support of e-mail, messaging, and  
825 calendaring capabilities is established as an enterprise  
826 information technology service as defined in s. 282.0041. The  
827 service shall be designed to meet the needs of all executive  
828 branch agencies. The primary goals of the service are to  
829 minimize the state investment required to establish, operate,  
830 and support the statewide service; reduce the cost of current e-  
831 mail operations and the number of duplicative e-mail systems;  
832 and eliminate the need for each state agency to maintain its own  
833 e-mail staff.

834 (4) All agencies must be completely migrated to the  
835 statewide e-mail service as soon as financially and  
836 operationally feasible, but no later than June 30, 2015.

837 (a) The following statewide e-mail service implementation  
838 schedule is established for state agencies:

839 1. Phase 1.—The following agencies must be completely  
840 migrated to the statewide e-mail system by June 30, 2012: the  
841 Agency for Enterprise Information Technology; the Department of

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842 Community Affairs, ~~including the Division of Emergency~~  
843 ~~Management~~; the Department of Corrections; the Department of  
844 Health; the Department of Highway Safety and Motor Vehicles; the  
845 Department of Management Services, including the Division of  
846 Administrative Hearings, the Division of Retirement, the  
847 Commission on Human Relations, and the Public Employees  
848 Relations Commission; the Southwood Shared Resource Center; and  
849 the Department of Revenue.

850 2. Phase 2.—The following agencies must be completely  
851 migrated to the statewide e-mail system by June 30, 2013: the  
852 Department of Business and Professional Regulation; the  
853 Department of Education, including the Board of Governors; the  
854 Department of Environmental Protection; the Department of  
855 Juvenile Justice; the Department of the Lottery; the Department  
856 of State; the Department of Law Enforcement; the Department of  
857 Veterans' Affairs; the Judicial Administration Commission; the  
858 Public Service Commission; and the Statewide Guardian Ad Litem  
859 Office.

860 3. Phase 3.—The following agencies must be completely  
861 migrated to the statewide e-mail system by June 30, 2014: the  
862 Agency for Health Care Administration; the Agency for Workforce  
863 Innovation; the Department of Financial Services, including the  
864 Office of Financial Regulation and the Office of Insurance  
865 Regulation; the Department of Agriculture and Consumer Services;  
866 the Executive Office of the Governor, including the Office of  
867 Emergency Management; the Department of Transportation; the Fish  
868 and Wildlife Conservation Commission; the Agency for Persons  
869 With Disabilities; the Northwood Shared Resource Center; and the  
870 State Board of Administration.

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871 4. Phase 4.—The following agencies must be completely  
872 migrated to the statewide e-mail system by June 30, 2015: the  
873 Department of Children and Family Services; the Department of  
874 Citrus; the Department of Elderly Affairs; and the Department of  
875 Legal Affairs.

876 Section 20. Paragraphs (a) and (d) of subsection (1) and  
877 subsection (4) of section 282.709, Florida Statutes, are amended  
878 to read:

879 282.709 State agency law enforcement radio system and  
880 interoperability network.—

881 (1) The department may acquire and administer a statewide  
882 radio communications system to serve law enforcement units of  
883 state agencies, and to serve local law enforcement agencies  
884 through mutual aid channels.

885 (a) The department shall, in conjunction with the  
886 Department of Law Enforcement and the Office Division of  
887 Emergency Management ~~of the Department of Community Affairs~~,  
888 establish policies, procedures, and standards to be incorporated  
889 into a comprehensive management plan for the use and operation  
890 of the statewide radio communications system.

891 (d) The department shall exercise its powers and duties  
892 under this part to plan, manage, and administer the mutual aid  
893 channels in the statewide radio communication system.

894 1. In implementing such powers and duties, the department  
895 shall consult and act in conjunction with the Department of Law  
896 Enforcement and the Office Division of Emergency Management ~~of~~  
897 ~~the Department of Community Affairs~~, and shall manage and  
898 administer the mutual aid channels in a manner that reasonably  
899 addresses the needs and concerns of the involved law enforcement

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900 agencies and emergency response agencies and entities.

901 2. The department may make the mutual aid channels  
902 available to federal agencies, state agencies, and agencies of  
903 the political subdivisions of the state for the purpose of  
904 public safety and domestic security.

905 (4) The department may create and administer an  
906 interoperability network to enable interoperability between  
907 various radio communications technologies and to serve federal  
908 agencies, state agencies, and agencies of political subdivisions  
909 of the state for the purpose of public safety and domestic  
910 security.

911 (a) The department shall, in conjunction with the  
912 Department of Law Enforcement and the Office Division of  
913 Emergency Management ~~of the Department of Community Affairs~~,  
914 exercise its powers and duties pursuant to this chapter to plan,  
915 manage, and administer the interoperability network. The office  
916 may:

917 1. Enter into mutual aid agreements among federal agencies,  
918 state agencies, and political subdivisions of the state for the  
919 use of the interoperability network.

920 2. Establish the cost of maintenance and operation of the  
921 interoperability network and charge subscribing federal and  
922 local law enforcement agencies for access and use of the  
923 network. The department may not charge state law enforcement  
924 agencies identified in paragraph (2)(a) to use the network.

925 3. In consultation with the Department of Law Enforcement  
926 and the Office Division of Emergency Management ~~of the~~  
927 ~~Department of Community Affairs~~, amend and enhance the statewide  
928 radio communications system as necessary to implement the



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929 interoperability network.

930 (b) The department, in consultation with the Joint Task  
931 Force on State Agency Law Enforcement Communications, and in  
932 conjunction with the Department of Law Enforcement and the  
933 Office Division of Emergency Management ~~of the Department of~~  
934 ~~Community Affairs~~, shall establish policies, procedures, and  
935 standards to incorporate into a comprehensive management plan  
936 for the use and operation of the interoperability network.

937 Section 21. Paragraph (1) of subsection (1) of section  
938 311.115, Florida Statutes, is amended to read:

939 311.115 Seaport Security Standards Advisory Council.—The  
940 Seaport Security Standards Advisory Council is created under the  
941 Office of Drug Control. The council shall serve as an advisory  
942 council as provided in s. 20.03(7).

943 (1) The members of the council shall be appointed by the  
944 Governor and consist of the following:

945 (1) The Director of the Office Division of Emergency  
946 Management, or his or her designee.

947 Section 22. Subsections (1) and (2), paragraph (b) of  
948 subsection (3), and paragraph (b) of subsection (4) of section  
949 526.143, Florida Statutes, are amended to read:

950 526.143 Alternate generated power capacity for motor fuel  
951 dispensing facilities.—

952 (1) ~~By June 1, 2007,~~ Each motor fuel terminal facility, as  
953 defined in s. 526.303(16), and each wholesaler, as defined in s.  
954 526.303(17), which sells motor fuel in this state must be  
955 capable of operating its distribution loading racks using an  
956 alternate generated power source for a minimum of 72 hours.  
957 Pending a postdisaster examination of the equipment by the

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958 operator to determine any extenuating damage that would render  
959 it unsafe to use, the facility must have such alternate  
960 generated power source available for operation within ~~no later~~  
961 ~~than~~ 36 hours after a major disaster as defined in s. 252.34.  
962 Installation of appropriate wiring, including a transfer switch,  
963 shall be performed by a certified electrical contractor. Each  
964 business that is subject to this subsection must keep a copy of  
965 the documentation of such installation on site or at its  
966 corporate headquarters. In addition, each business must keep a  
967 written statement attesting to the periodic testing and ensured  
968 operational capacity of the equipment. The required documents  
969 must be made available, upon request, to the Office ~~Division~~ of  
970 Emergency Management and the director of the county emergency  
971 management agency.

972 (2) Each newly constructed or substantially renovated motor  
973 fuel retail outlet, as defined in s. 526.303(14), for which a  
974 certificate of occupancy is issued on or after July 1, 2006,  
975 shall be prewired with an appropriate transfer switch, and  
976 capable of operating all fuel pumps, dispensing equipment,  
977 lifesafety systems, and payment-acceptance equipment using an  
978 alternate generated power source. As used in this subsection,  
979 the term "substantially renovated" means a renovation that  
980 results in an increase of greater than 50 percent in the  
981 assessed value of the motor fuel retail outlet. Local building  
982 inspectors shall include this equipment and operations check in  
983 the normal inspection process before issuing a certificate of  
984 occupancy. Each retail outlet that is subject to this subsection  
985 must keep a copy of the certificate of occupancy on site or at  
986 its corporate headquarters. In addition, each retail outlet must

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987 keep a written statement attesting to the periodic testing of  
988 and ensured operational capability of the equipment. The  
989 required documents must be made available, upon request, to the  
990 Office ~~Division~~ of Emergency Management and the director of the  
991 county emergency management agency.

992 (3)

993 (b) Installation of appropriate wiring and transfer  
994 switches must be performed by a certified electrical contractor.  
995 Each retail outlet that is subject to this subsection must keep  
996 a copy of the documentation of such installation on site or at  
997 its corporate headquarters. In addition, each retail outlet must  
998 keep a written statement attesting to the periodic testing of  
999 and ensured operational capacity of the equipment. The required  
1000 documents must be made available, upon request, to the Office  
1001 ~~Division~~ of Emergency Management and the director of the county  
1002 emergency management agency.

1003 (4)

1004 (b) Subsections (2) and (3) do not apply to:

1005 1. An automobile dealer;

1006 2. A person who operates a fleet of motor vehicles;

1007 3. A person who sells motor fuel exclusively to a fleet of  
1008 motor vehicles; or

1009 4. A motor fuel retail outlet that has a written agreement  
1010 with a public hospital, in a form approved by the Office  
1011 ~~Division~~ of Emergency Management, wherein the public hospital  
1012 agrees to provide the motor fuel retail outlet with an  
1013 alternative means of power generation onsite so that the  
1014 outlet's fuel pumps may be operated in the event of a power  
1015 outage.

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1016 Section 23. Paragraph (a) of subsection (1) and paragraph  
1017 (b) of subsection (4) of section 526.144, Florida Statutes, are  
1018 amended to read:

1019 526.144 Florida Disaster Motor Fuel Supplier Program.—

1020 (1) (a) There is created the Florida Disaster Motor Fuel  
1021 Supplier Program within the Office of Emergency Management  
1022 ~~Department of Community Affairs.~~

1023 (4)

1024 (b) Notwithstanding any other law or other ordinance and  
1025 for the purpose of ensuring an appropriate emergency management  
1026 response following major disasters in this state, the regulation  
1027 of all other retail establishments participating in such  
1028 response is ~~shall be~~ as follows:

1029 1. Regulation of retail establishments that meet the  
1030 standards created by the Office ~~Division~~ of Emergency Management  
1031 in the report required in s. 8, chapter 2006-71, Laws of  
1032 Florida, by July 1, 2007, is preempted to the state and until  
1033 such standards are adopted, the regulation of these retail  
1034 establishments is preempted to the state;

1035 2. The division shall provide written certification of such  
1036 preemption to retail establishments that qualify and ~~shall~~  
1037 provide such information to local governments upon request; and

1038 3. Regulation of retail establishments that do not meet the  
1039 operational standards is subject to local government laws or  
1040 ordinances.

1041 Section 24. Paragraph (b) of subsection (2) of section  
1042 627.0628, Florida Statutes, is amended to read:

1043 627.0628 Florida Commission on Hurricane Loss Projection  
1044 Methodology; public records exemption; public meetings

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1045 exemption.—

1046 (2) COMMISSION CREATED.—

1047 (b) The commission shall consist of the following 11  
1048 members:

1049 1. The insurance consumer advocate.

1050 2. The senior employee of the State Board of Administration  
1051 responsible for operations of the Florida Hurricane Catastrophe  
1052 Fund.

1053 3. The Executive Director of the Citizens Property  
1054 Insurance Corporation.

1055 4. The Director of the Office ~~Division~~ of Emergency  
1056 Management ~~of the Department of Community Affairs~~.

1057 5. The actuary member of the Florida Hurricane Catastrophe  
1058 Fund Advisory Council.

1059 6. An employee of the office who is an actuary responsible  
1060 for property insurance rate filings and who is appointed by the  
1061 director of the office.

1062 7. Five members appointed by the Chief Financial Officer,  
1063 as follows:

1064 a. An actuary who is employed full time by a property and  
1065 casualty insurer which was responsible for at least 1 percent of  
1066 the aggregate statewide direct written premium for homeowner's  
1067 insurance in the calendar year preceding the member's  
1068 appointment to the commission.

1069 b. An expert in insurance finance who is a full-time member  
1070 of the faculty of the State University System and who has a  
1071 background in actuarial science.

1072 c. An expert in statistics who is a full-time member of the  
1073 faculty of the State University System and who has a background

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1074 in insurance.

1075 d. An expert in computer system design who is a full-time  
1076 member of the faculty of the State University System.

1077 e. An expert in meteorology who is a full-time member of  
1078 the faculty of the State University System and who specializes  
1079 in hurricanes.

1080 Section 25. Paragraph (d) of subsection (2) of section  
1081 768.13, Florida Statutes, is amended to read:

1082 768.13 Good Samaritan Act; immunity from civil liability.-

1083 (2)

1084 (d) Any person whose acts or omissions are not otherwise  
1085 covered by this section and who participates in emergency  
1086 response activities under the direction of or in connection with  
1087 a community emergency response team, local emergency management  
1088 agencies, the Office Division of Emergency Management ~~of the~~  
1089 ~~Department of Community Affairs~~, or the Federal Emergency  
1090 Management Agency is not liable for any civil damages as a  
1091 result of care, treatment, or services provided gratuitously in  
1092 such capacity and resulting from any act or failure to act in  
1093 such capacity in providing or arranging further care, treatment,  
1094 or services, if such person acts as a reasonably prudent person  
1095 would have acted under the same or similar circumstances.

1096 Section 26. Subsection (14) of section 943.03, Florida  
1097 Statutes, is amended to read:

1098 943.03 Department of Law Enforcement.-

1099 (14) The department, with respect to counter-terrorism  
1100 efforts, responses to acts of terrorism within or affecting this  
1101 state, and other matters related to the domestic security of  
1102 Florida as it relates to terrorism, shall coordinate and direct

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1103 the law enforcement, initial emergency, and other initial  
1104 responses. The department shall work closely with the Office  
1105 ~~Division~~ of Emergency Management, other federal, state, and  
1106 local law enforcement agencies, fire and rescue agencies, first-  
1107 responder agencies, and others involved in preparation against  
1108 acts of terrorism in or affecting this state and in the response  
1109 to such acts. The executive director of the department, or  
1110 another member of the department designated by the director,  
1111 shall serve as Chief of Domestic Security for the purpose of  
1112 directing and coordinating such efforts. The department and  
1113 Chief of Domestic Security shall use the regional domestic  
1114 security task forces as established in this chapter to assist in  
1115 such efforts.

1116 Section 27. Section 943.03101, Florida Statutes, is amended  
1117 to read:

1118 943.03101 Counter-terrorism coordination.—The Legislature  
1119 finds that with respect to counter-terrorism efforts and initial  
1120 responses to acts of terrorism within or affecting this state,  
1121 specialized efforts of emergency management which ~~that~~ are  
1122 unique to such situations are required and that these efforts  
1123 intrinsically involve very close coordination of federal, state,  
1124 and local law enforcement agencies with the efforts of all  
1125 others involved in emergency-response efforts. In order to best  
1126 provide this specialized effort ~~with respect to counter-~~  
1127 ~~terrorism efforts and responses~~, the Legislature has determined  
1128 that such efforts should be coordinated by and through the  
1129 Department of Law Enforcement, working closely with the Office  
1130 ~~Division~~ of Emergency Management and others involved in  
1131 preparation against acts of terrorism in or affecting this

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1132 state, and in the initial response to such acts, in accordance  
1133 with the state comprehensive emergency management plan prepared  
1134 pursuant to s. 252.35(2) (a).

1135 Section 28. Paragraph (d) of subsection (1) and subsection  
1136 (3) of section 943.0312, Florida Statutes, are amended to read:

1137 943.0312 Regional domestic security task forces.—The  
1138 Legislature finds that there is a need to develop and implement  
1139 a statewide strategy to address prevention, preparation,  
1140 protection, response, and recovery efforts by federal, state,  
1141 and local law enforcement agencies, emergency management  
1142 agencies, fire and rescue departments, first-responder personnel  
1143 and others in dealing with potential or actual terrorist acts  
1144 within or affecting this state.

1145 (1) To assist the department and the Chief of Domestic  
1146 Security in performing their roles and duties in this regard,  
1147 the department shall establish a regional domestic security task  
1148 force in each of the department's operational regions. The task  
1149 forces shall serve in an advisory capacity to the department and  
1150 the Chief of Domestic Security and shall provide support to the  
1151 department in its performance of functions pertaining to  
1152 domestic security.

1153 (d) The co-chairs of each task force may appoint  
1154 subcommittees and subcommittee chairs as necessary in order to  
1155 address issues related to the various disciplines represented on  
1156 the task force, except that subcommittee chairs for emergency  
1157 management shall be appointed with the approval of the director  
1158 of the Office ~~Division~~ of Emergency Management. A subcommittee  
1159 chair shall serve at the pleasure of the co-chairs.

1160 (3) The Chief of Domestic Security, in conjunction with the



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1161 Office ~~Division~~ of Emergency Management, the regional domestic  
1162 security task forces, and the various state entities responsible  
1163 for establishing training standards applicable to state law  
1164 enforcement officers and fire, emergency, and first-responder  
1165 personnel shall identify appropriate equipment and training  
1166 needs, curricula, and materials related to the effective  
1167 response to suspected or actual acts of terrorism or incidents  
1168 involving real or hoax weapons of mass destruction as defined in  
1169 s. 790.166. Recommendations for funding for purchases of  
1170 equipment, delivery of training, implementation of, or revision  
1171 to basic or continued training required for state licensure or  
1172 certification, or other related responses shall be made by the  
1173 Chief of Domestic Security to the Domestic Security Oversight  
1174 Council, the Executive Office of the Governor, the President of  
1175 the Senate, and the Speaker of the House of Representatives as  
1176 necessary to ensure that the needs of this state with regard to  
1177 the preparing, equipping, training, and exercising of response  
1178 personnel are identified and addressed. In making such  
1179 recommendations, the Chief of Domestic Security and the Office  
1180 ~~Division~~ of Emergency Management shall identify all funding  
1181 sources that may be available to fund such efforts.

1182 Section 29. Paragraph (a) of subsection (1), paragraph (b)  
1183 of subsection (2), and paragraph (b) of subsection (4) of  
1184 section 943.0313, Florida Statutes, are amended to read:

1185 943.0313 Domestic Security Oversight Council.—The  
1186 Legislature finds that there exists a need to provide executive  
1187 direction and leadership with respect to terrorism prevention,  
1188 preparation, protection, response, and recovery efforts by state  
1189 and local agencies in this state. In recognition of this need,

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1190 the Domestic Security Oversight Council is hereby created. The  
1191 council shall serve as an advisory council pursuant to s.  
1192 20.03(7) to provide guidance to the state's regional domestic  
1193 security task forces and other domestic security working groups  
1194 and to make recommendations to the Governor and the Legislature  
1195 regarding the expenditure of funds and allocation of resources  
1196 related to counter-terrorism and domestic security efforts.

1197 (1) MEMBERSHIP.—

1198 (a) The Domestic Security Oversight Council shall consist  
1199 of the following voting members:

1200 1. The executive director of the Department of Law  
1201 Enforcement.

1202 2. The director of the Office ~~Division~~ of Emergency  
1203 Management ~~within the Department of Community Affairs~~.

1204 3. The Attorney General.

1205 4. The Commissioner of Agriculture.

1206 5. The State Surgeon General.

1207 6. The Commissioner of Education.

1208 7. The State Fire Marshal.

1209 8. The adjutant general of the Florida National Guard.

1210 9. The state chief information officer.

1211 10. Each sheriff or chief of police who serves as a co-  
1212 chair of a regional domestic security task force pursuant to s.  
1213 943.0312(1)(b).

1214 11. Each of the department's special agents in charge who  
1215 serve as a co-chair of a regional domestic security task force.

1216 12. Two representatives of the Florida Fire Chiefs  
1217 Association.

1218 13. One representative of the Florida Police Chiefs

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1219 Association.

1220 14. One representative of the Florida Prosecuting Attorneys  
1221 Association.

1222 15. The chair of the Statewide Domestic Security  
1223 Intelligence Committee.

1224 16. One representative of the Florida Hospital Association.

1225 17. One representative of the Emergency Medical Services  
1226 Advisory Council.

1227 18. One representative of the Florida Emergency  
1228 Preparedness Association.

1229 19. One representative of the Florida Seaport  
1230 Transportation and Economic Development Council.

1231 (2) ORGANIZATION.—

1232 (b) The executive director of the Department of Law  
1233 Enforcement shall serve as chair of the council, and the  
1234 director of the Office ~~Division~~ of Emergency Management ~~within~~  
1235 ~~the Department of Community Affairs~~ shall serve as vice chair of  
1236 the council. In the absence of the chair, the vice chair shall  
1237 serve as chair. In the absence of the vice chair, the chair may  
1238 name any member of the council to perform the duties of the  
1239 chair if such substitution does not extend beyond a defined  
1240 meeting, duty, or period of time.

1241 (4) EXECUTIVE COMMITTEE.—

1242 (b) The executive director of the Department of Law  
1243 Enforcement shall serve as the chair of the executive committee,  
1244 and the director of the Office ~~Division~~ of Emergency Management  
1245 ~~within the Department of Community Affairs~~ shall serve as the  
1246 vice chair of the executive committee.

1247 Section 30. Subsection (3) of section 112.3135, Florida

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1248 Statutes, is amended to read:

1249 112.3135 Restriction on employment of relatives.—

1250 (3) An agency may prescribe regulations authorizing the  
1251 temporary employment, in the event of an emergency as defined in  
1252 s. 252.34~~(3)~~, of individuals whose employment would be otherwise  
1253 prohibited by this section.

1254 Section 31. Paragraph (d) of subsection (2) of section  
1255 119.071, Florida Statutes, is amended to read:

1256 119.071 General exemptions from inspection or copying of  
1257 public records.—

1258 (2) AGENCY INVESTIGATIONS.—

1259 (d) Any information revealing surveillance techniques or  
1260 procedures or personnel is exempt from s. 119.07(1) and s.  
1261 24(a), Art. I of the State Constitution. Any comprehensive  
1262 inventory of state and local law enforcement resources compiled  
1263 pursuant to part I, chapter 23, and any comprehensive policies  
1264 or plans compiled by a criminal justice agency pertaining to the  
1265 mobilization, deployment, or tactical operations involved in  
1266 responding to an emergency ~~emergencies~~, as defined in s.  
1267 252.34~~(3)~~, are exempt from s. 119.07(1) and s. 24(a), Art. I of  
1268 the State Constitution and unavailable for inspection, except by  
1269 personnel authorized by a state or local law enforcement agency,  
1270 the office of the Governor, the Department of Legal Affairs, the  
1271 Department of Law Enforcement, or the Department of Community  
1272 Affairs as having an official need for access to the inventory  
1273 or comprehensive policies or plans.

1274 Section 32. Paragraph (c) of subsection (1) of section  
1275 163.03, Florida Statutes, is amended to read:

1276 163.03 Secretary of Community Affairs; powers and duties;

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1277 function of Department of Community Affairs with respect to  
1278 federal grant-in-aid programs.-

1279 (1) The Secretary of Community Affairs shall:

1280 (c) Under the direction of the Governor, administer  
1281 programs to apply rapidly all available aid to communities  
1282 stricken by an emergency as defined in s. 252.34~~(3)~~ and, for  
1283 this purpose, provide liaison with federal agencies and other  
1284 public and private agencies.

1285 Section 33. Subsection (10) of section 163.360, Florida  
1286 Statutes, is amended to read:

1287 163.360 Community redevelopment plans.-

1288 (10) Notwithstanding any other provisions of this part, if  
1289 ~~when~~ the governing body certifies that an area is in need of  
1290 redevelopment or rehabilitation as a result of an emergency as  
1291 defined in ~~under~~ s. 252.34~~(3)~~, with respect to which the  
1292 Governor has certified the need for emergency assistance under  
1293 federal law, that area may be certified as a "blighted area,"  
1294 and the governing body may approve a community redevelopment  
1295 plan and community redevelopment with respect to such area  
1296 without regard to the provisions of this section requiring a  
1297 general plan for the county or municipality and a public hearing  
1298 on the community redevelopment.

1299 Section 34. Subsection (1) of section 175.021, Florida  
1300 Statutes, is amended to read:

1301 175.021 Legislative declaration.-

1302 (1) It is hereby declared by the Legislature that  
1303 firefighters, ~~as hereinafter defined,~~ perform state and  
1304 municipal functions; that it is their duty to extinguish fires,  
1305 to protect life, and to protect property at their own risk and

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1306 peril; that it is their duty to prevent conflagration and to  
1307 continuously instruct school personnel, public officials, and  
1308 private citizens in the prevention of fires and firesafety; that  
1309 they protect both life and property from local emergencies as  
1310 defined in s. 252.34~~(3)~~; and that their activities are vital to  
1311 the public safety. It is further declared that firefighters  
1312 employed by special fire control districts serve under the same  
1313 circumstances and perform the same duties as firefighters  
1314 employed by municipalities and should therefore be entitled to  
1315 the benefits available under this chapter. Therefore, the  
1316 Legislature declares that it is a proper and legitimate state  
1317 purpose to provide a uniform retirement system for the benefit  
1318 of firefighters ~~as hereinafter defined~~ and intends, in  
1319 implementing the provisions of s. 14, Art. X of the State  
1320 Constitution as they relate to municipal and special district  
1321 firefighters' pension trust fund systems and plans, that such  
1322 retirement systems or plans be managed, administered, operated,  
1323 and funded in such manner as to maximize the protection of the  
1324 firefighters' pension trust funds. Pursuant to s. 18, Art. VII  
1325 of the State Constitution, the Legislature hereby determines and  
1326 declares that ~~the provisions of~~ this act fulfill an important  
1327 state interest.

1328 Section 35. Subsection (11) of section 186.505, Florida  
1329 Statutes, is amended to read:

1330 186.505 Regional planning councils; powers and duties.—Any  
1331 regional planning council created hereunder shall have the  
1332 following powers:

1333 (11) To cooperate, in the exercise of its planning  
1334 functions, with federal and state agencies in planning for

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1335 emergency management as defined in ~~under~~ s. 252.34(4).

1336 Section 36. Subsection (1) of section 216.231, Florida  
1337 Statutes, is amended to read:

1338 216.231 Release of certain classified appropriations.—

1339 (1) (a) Any appropriation to the Executive Office of the  
1340 Governor which is classified as an “emergency,” as defined in s.  
1341 252.34(3), may be released only with the approval of the  
1342 Governor. The state agency, or the judicial branch, desiring the  
1343 use of the emergency appropriation shall submit to the Executive  
1344 Office of the Governor application ~~therefor~~ in writing setting  
1345 forth the facts from which the alleged need arises. The  
1346 Executive Office of the Governor shall, at a public hearing,  
1347 review such application promptly and approve or disapprove the  
1348 applications as the circumstances may warrant. All actions of  
1349 the Executive Office of the Governor shall be reported to the  
1350 legislative appropriations committees, and the committees may  
1351 advise the Executive Office of the Governor relative to the  
1352 release of such funds.

1353 (b) The release of appropriated funds classified as  
1354 “emergency” shall be approved only if ~~when~~ an act or  
1355 circumstance caused by an act of God, civil disturbance, natural  
1356 disaster, or other circumstance of an emergency nature  
1357 threatens, endangers, or damages the property, safety, health,  
1358 or welfare of the state or its residents ~~citizens~~, which  
1359 condition has not been provided for in appropriation acts of the  
1360 Legislature. Funds allocated for this purpose may be used to pay  
1361 overtime pay to personnel of agencies called upon to perform  
1362 extra duty because of any civil disturbance or other emergency  
1363 as defined in s. 252.34(3) and to provide the required state

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1364 match for federal grants under the federal Disaster Relief Act.

1365 Section 37. Subsections (3) and (4) of section 250.06,  
1366 Florida Statutes, are amended to read:

1367 250.06 Commander in chief.—

1368 (3) The Governor may, in order to preserve the public  
1369 peace, execute the laws of the state, suppress insurrection,  
1370 repel invasion, respond to an emergency as defined in s.  
1371 252.34~~(3)~~ or imminent danger thereof, or, in case of the calling  
1372 of all or any portion of the militia of this state ~~Florida~~ into  
1373 the services of the United States, may increase the Florida  
1374 National Guard and organize it in accordance with rules and  
1375 regulations governing the Armed Forces of the United States.  
1376 Such organization and increase may be pursuant to or in advance  
1377 of any call made by the President of the United States. If the  
1378 Florida National Guard is activated into service of the United  
1379 States, another organization may not be designated as the  
1380 Florida National Guard.

1381 (4) The Governor may, in order to preserve the public  
1382 peace, execute the laws of the state, enhance domestic security,  
1383 respond to terrorist threats or attacks, respond to an emergency  
1384 as defined in s. 252.34~~(3)~~ or imminent danger thereof, or  
1385 respond to any need for emergency aid to civil authorities as  
1386 specified in s. 250.28, order into state active duty all or any  
1387 part of the militia which he or she deems proper.

1388 Section 38. Paragraph (g) of subsection (7) of section  
1389 339.135, Florida Statutes, is amended to read:

1390 339.135 Work program; legislative budget request;  
1391 definitions; preparation, adoption, execution, and amendment.—

1392 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—



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1393 (g) Notwithstanding ~~the requirements in~~ paragraphs (d) and  
1394 (g) and ss. 216.177(2) and 216.351, the secretary may request  
1395 the Executive Office of the Governor to amend the adopted work  
1396 program when an emergency exists, as defined in s. 252.34~~(3)~~,  
1397 and the emergency relates to the repair or rehabilitation of any  
1398 state transportation facility. The Executive Office of the  
1399 Governor may approve the amendment to the adopted work program  
1400 and amend that portion of the department's approved budget if a  
1401 ~~in the event that the~~ delay incident to the notification  
1402 requirements in paragraph (d) would be detrimental to the  
1403 interests of the state. However, the department shall  
1404 immediately notify the parties specified in paragraph (d) and  
1405 ~~shall~~ provide such parties written justification for the  
1406 emergency action within 7 days after ~~of the~~ approval by the  
1407 Executive Office of the Governor of the amendment to the adopted  
1408 work program and the department's budget. ~~In no event may~~ The  
1409 adopted work program may not be amended under ~~the provisions of~~  
1410 this subsection without ~~the~~ certification by the comptroller of  
1411 the department that there are sufficient funds available  
1412 pursuant to the 36-month cash forecast and applicable statutes.

1413 Section 39. Paragraph (b) of subsection (2) of section  
1414 429.907, Florida Statutes, is amended to read:

1415 429.907 License requirement; fee; exemption; display.—

1416 (2)

1417 (b) If ~~In the event~~ a licensed center becomes wholly or  
1418 substantially unusable due to a disaster ~~as defined in s.~~  
1419 ~~252.34(1)~~ or due to an emergency as those terms are defined in  
1420 s. 252.34~~(3)~~:

1421 1. The licensee may continue to operate under its current

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1422 license in a ~~premise~~ or premises separate from that authorized  
1423 under the license if the licensee has:

1424 a. Specified the location of the ~~premise~~ or premises in its  
1425 comprehensive emergency management plan submitted to and  
1426 approved by the applicable county emergency management  
1427 authority; and

1428 b. Notified the agency and the county emergency management  
1429 authority within 24 hours of operating in the separate ~~premise~~  
1430 ~~or~~ premises.

1431 2. The licensee shall operate the separate ~~premise~~ or  
1432 premises only while the licensed center's original location is  
1433 substantially unusable and for up to ~~no longer than~~ 180 days.  
1434 The agency may extend use of the alternate ~~premise~~ or premises  
1435 beyond the initial 180 days. The agency may also review the  
1436 operation of the disaster ~~premise~~ or premises quarterly.

1437 Section 40. The Division of Statutory Revision is requested  
1438 to prepare a reviser's bill for introduction at the next regular  
1439 session of the Legislature to conform the Florida Statutes to  
1440 changes made by this act.

1441 Section 41. This act shall take effect October 1, 2011.