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1 A bill to be entitled
2 An act relating to governmental reorganization;
3 amending s. 14.2019, F.S.; relocating the Statewide
4 Office for Suicide Prevention from the Executive
5 Office of the Governor to the Department of Children
6 and Family Services; requiring the director of the
7 Statewide Office for Suicide Prevention to employ a
8 coordinator for the office; requiring revenues from
9 grants accepted by the Statewide Office for Suicide
10 Prevention to be deposited into the Grants and
11 Donations Trust Fund within the Department of Children
12 and Family Services rather than the Executive Office
13 of the Governor; amending s. 14.20195, F.S.; requiring
14 the director of the Statewide Office for Suicide
15 Prevention, rather than the director of the Office of
16 Drug Control, to appoint members to the Suicide
17 Prevention Coordinating Council; providing that the
18 director of the Statewide Office for Suicide
19 Prevention is a nonvoting member of the coordinating
20 council; repealing s. 311.115, F.S., relating to
21 Seaport Security Standards Advisory Council within the
22 Office of Drug Control; amending s. 311.12, F.S.;
23 deleting the provision requiring the Office of Drug
24 Control within the Executive Office of the Governor to
25 maintain a sufficient number of copies of the
26 standards for seaport security at its offices for
27 distribution to the public and provide copies to each
28 affected seaport upon request; conforming provisions
29 to changes made by the act; amending s. 311.123, F.S.;

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30 deleting the provision that requires the Office of
31 Drug Control within the Executive Office of the
32 Governor to create a maritime domain security
33 awareness training program; amending s. 397.333, F.S.;
34 relocating the Statewide Drug Policy Advisory Council
35 from the Executive Office of the Governor to the
36 Department of Health; requiring the Surgeon General or
37 his or her designee, rather than the director of the
38 Office of Drug Control, to be a nonvoting, ex officio
39 member of the advisory council; requiring the
40 department to provide staff support for the advisory
41 council; revising the state officials that are
42 appointed to serve on the advisory council; amending
43 s. 893.055, F.S.; conforming provisions to changes
44 made by the act; requiring the State Surgeon General
45 to appoint a board of directors for the direct-support
46 organization to provide assistance, funding, and
47 promotional support for the activities authorized for
48 the prescription drug monitoring program; requiring
49 the State Surgeon General or his or her designee,
50 rather than the director of the Office of Drug
51 Control, to provide guidance to members of the board
52 of directors; requiring the direct-support
53 organization to operate under written contract with
54 the Department of Health rather than the Office of
55 Drug Control; requiring the activities of the direct-
56 support organization to be consistent with the goals
57 and mission of the department rather than the Office
58 of Drug Control; requiring the direct-support

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59 organization to obtain a written approval from the
60 State Surgeon General or his or her designee rather
61 than the director of the Office of Drug Control for
62 any activities in support of the prescription drug
63 monitoring program before undertaking the activities;
64 prohibiting the state from permitting use of any of
65 its administrative services, property, or facilities
66 by a direct-support organization under certain
67 circumstances; amending s. 943.031, F.S.; revising the
68 membership of the Florida Violent Crime and Drug
69 Control Council; conforming provisions to changes made
70 by the act; repealing s. 1006.07(7), F.S., relating to
71 suicide prevention education; requesting the Division
72 of Statutory Revision of the Office of Legislative
73 Services to prepare a reviser's bill to conform the
74 Florida Statutes to the changes made by the act;
75 providing an effective date.

76
77 Be It Enacted by the Legislature of the State of Florida:

78
79 Section 1. Subsections (1), (3), and (4) of section
80 14.2019, Florida Statutes, are amended to read:

81 14.2019 Statewide Office for Suicide Prevention.—

82 (1) The Statewide Office for Suicide Prevention shall be
83 located in the Department of Children and Family Services ~~is~~
84 ~~created as a unit of the Office of Drug Control within the~~
85 ~~Executive Office of the Governor.~~

86 (3) Contingent upon a specific appropriation, the director
87 of the Statewide Office for Suicide Prevention ~~of Drug Control~~

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88 shall employ a coordinator for the ~~Statewide~~ office ~~for Suicide~~
89 ~~Prevention~~ who shall work under the direction of the director to
90 achieve the goals and objectives set forth in this section.

91 (4) The Statewide Office for Suicide Prevention may seek
92 and accept grants or funds from any federal, state, or local
93 source to support the operation and defray the authorized
94 expenses of the office and the Suicide Prevention Coordinating
95 Council. Revenues from grants shall be deposited in the Grants
96 and Donations Trust Fund within the Department of Children and
97 Family Services ~~Executive Office of the Governor~~. In accordance
98 with s. 216.181(11), the Executive Office of the Governor may
99 request changes to the approved operating budget to allow the
100 expenditure of any additional grant funds collected pursuant to
101 this subsection.

102 Section 2. Subsection (2) of section 14.20195, Florida
103 Statutes, is amended to read:

104 14.20195 Suicide Prevention Coordinating Council; creation;
105 membership; duties.—There is created within the Statewide Office
106 for Suicide Prevention a Suicide Prevention Coordinating
107 Council. The council shall develop strategies for preventing
108 suicide.

109 (2) MEMBERSHIP.—The Suicide Prevention Coordinating Council
110 shall consist of 27 ~~28~~ voting members and one nonvoting member.

111 (a) Thirteen members shall be appointed by the director of
112 the Statewide Office for Suicide Prevention ~~of Drug Control~~ and
113 shall represent the following organizations:

- 114 1. The Florida Association of School Psychologists.
- 115 2. The Florida Sheriffs Association.
- 116 3. The Suicide Prevention Action Network USA.

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- 117 4. The Florida Initiative of Suicide Prevention.
- 118 5. The Florida Suicide Prevention Coalition.
- 119 6. The American Foundation of Suicide Prevention.
- 120 7. The Florida School Board Association.
- 121 8. The National Council for Suicide Prevention.
- 122 9. The state chapter of AARP.
- 123 10. The Florida Alcohol and Drug Abuse Association.
- 124 11. The Florida Council for Community Mental Health.
- 125 12. The Florida Counseling Association.
- 126 13. NAMI Florida.

127 (b) The following state officials or their designees shall
128 serve on the coordinating council:

- 129 1. The Secretary of Elderly Affairs.
- 130 2. The State Surgeon General.
- 131 3. The Commissioner of Education.
- 132 4. The Secretary of Health Care Administration.
- 133 5. The Secretary of Juvenile Justice.
- 134 6. The Secretary of Corrections.
- 135 7. The executive director of the Department of Law
136 Enforcement.
- 137 8. The executive director of the Department of Veterans'
138 Affairs.
- 139 9. The Secretary of Children and Family Services.
- 140 10. The director of the Agency for Workforce Innovation.

141 (c) The Governor shall appoint four additional members to
142 the coordinating council. The appointees must have expertise
143 that is critical to the prevention of suicide or represent an
144 organization that is not already represented on the coordinating
145 council.

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146 (d) For the members appointed by the director of the
147 Statewide Office for Suicide Prevention ~~of Drug Control~~, seven
148 members shall be appointed to initial terms of 3 years, and
149 seven members shall be appointed to initial terms of 4 years.
150 For the members appointed by the Governor, two members shall be
151 appointed to initial terms of 4 years, and two members shall be
152 appointed to initial terms of 3 years. Thereafter, such members
153 shall be appointed to terms of 4 years. Any vacancy on the
154 coordinating council shall be filled in the same manner as the
155 original appointment, and any member who is appointed to fill a
156 vacancy occurring because of death, resignation, or
157 ineligibility for membership shall serve only for the unexpired
158 term of the member's predecessor. A member is eligible for
159 reappointment.

160 (e) The director of the Statewide Office for Suicide
161 Prevention ~~of Drug Control~~ shall be a nonvoting member of the
162 coordinating council and shall act as chair.

163 (f) Members of the coordinating council shall serve without
164 compensation. Any member of the coordinating council who is a
165 public employee is entitled to reimbursement for per diem and
166 travel expenses as provided in s. 112.061.

167 Section 3. Section 311.115, Florida Statutes, is repealed.

168 Section 4. Subsections (1), (3), (8), (10), and (11) of
169 section 311.12, Florida Statutes, are amended to read:

170 311.12 Seaport security.—

171 (1) SECURITY STANDARDS.—

172 (a) The statewide minimum standards for seaport security
173 applicable to seaports listed in s. 311.09 shall be those based
174 on the Florida Seaport Security Assessment 2000 and set forth in

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175 the Port Security Standards Compliance Plan delivered to the
176 Speaker of the House of Representatives and the President of the
177 Senate on December 11, 2000. ~~The Office of Drug Control within~~
178 ~~the Executive Office of the Governor shall maintain a sufficient~~
179 ~~number of copies of the standards at its offices for~~
180 ~~distribution to the public and provide copies to each affected~~
181 ~~seaport upon request.~~

182 (b) A seaport may implement security measures that are more
183 stringent, more extensive, or supplemental to the minimum
184 security standards established by this subsection.

185 (c) The provisions of s. 790.251 are not superseded,
186 preempted, or otherwise modified in any way by the provisions of
187 this section.

188 (3) SECURITY PLAN.—Each seaport listed in s. 311.09 shall
189 adopt and maintain a security plan specific to that seaport
190 which provides for a secure seaport infrastructure that promotes
191 the safety and security of state residents and visitors and the
192 flow of legitimate trade and travel.

193 (a) Every 5 years after January 1, 2007, each seaport
194 director, with the assistance of the Regional Domestic Security
195 Task Force and in conjunction with the United States Coast
196 Guard, shall revise the seaport's security plan based on the
197 director's ongoing assessment of security risks, the risks of
198 terrorist activities, and the specific and identifiable needs of
199 the seaport for ensuring that the seaport is in substantial
200 compliance with the minimum security standards established under
201 subsection (1).

202 (b) Each adopted or revised security plan must be reviewed
203 and approved by the ~~Office of Drug Control and the~~ Department of

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204 Law Enforcement for compliance with federal facility security
205 assessment requirements under 33 C.F.R. s. 105.305 and the
206 minimum security standards established under subsection (1).
207 Within 30 days after completion, a copy of the written review
208 shall be delivered to the United States Coast Guard, the
209 Regional Domestic Security Task Force, and the Domestic Security
210 Oversight Council.

211 (8) WAIVER FROM SECURITY REQUIREMENTS.—~~The Office of Drug~~
212 ~~Control and the~~ Department of Law Enforcement may modify or
213 waive any physical facility requirement or other requirement
214 contained in the minimum security standards upon a determination
215 that the purposes of the standards have been reasonably met or
216 exceeded by the seaport requesting the modification or waiver.
217 An alternate means of compliance must not diminish the safety or
218 security of the seaport and must be verified through an
219 extensive risk analysis conducted by the seaport director.

220 (a) Waiver requests shall be submitted in writing, along
221 with supporting documentation, to the ~~Office of Drug Control and~~
222 ~~the~~ Department of Law Enforcement. The ~~office and the~~ department
223 has ~~have~~ 90 days to jointly grant or reject the waiver, in whole
224 or in part.

225 (b) The seaport may submit any waivers that are not granted
226 or are jointly rejected to the Domestic Security Oversight
227 Council for review within 90 days. The council shall recommend
228 that ~~the Office of Drug Control and the~~ Department of Law
229 Enforcement grant the waiver or reject the waiver, in whole or
230 in part. The ~~office and the~~ department shall give great weight
231 to the council's recommendations.

232 (c) A request seeking a waiver from the seaport law

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233 enforcement personnel standards established under s. 311.122(3)
234 may not be granted for percentages below 10 percent.

235 (d) Any modifications or waivers granted under this
236 subsection shall be noted in the annual report submitted by the
237 Department of Law Enforcement pursuant to subsection (10).

238 (10) REPORTS.—The Department of Law Enforcement, ~~in~~
239 ~~consultation with the Office of Drug Control,~~ shall annually
240 complete a report indicating the observations and findings of
241 all reviews, inspections, or other operations relating to the
242 seaports conducted during the year and any recommendations
243 resulting from such reviews, inspections, and operations. A copy
244 of the report shall be provided to the Governor, the President
245 of the Senate, the Speaker of the House of Representatives, the
246 governing body of each seaport or seaport authority, and each
247 seaport director. The report must include each director's
248 response indicating what actions, if any, have been taken or are
249 planned to be taken pursuant to the observations, findings, and
250 recommendations reported by the department.

251 (11) FUNDING.—

252 (a) In making decisions regarding security projects or
253 other funding applicable to each seaport listed in s. 311.09,
254 the Legislature may consider the Department of Law Enforcement's
255 annual report under subsection (10) as authoritative, especially
256 regarding each seaport's degree of substantial compliance with
257 the minimum security standards established in subsection (1).

258 (b) The Legislature shall regularly review the ongoing
259 costs of operational security on seaports, the impacts of this
260 section on those costs, mitigating factors that may reduce costs
261 without reducing security, and the methods by which seaports may

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262 implement operational security using a combination of sworn law
263 enforcement officers and private security services.

264 (c) Subject to the provisions of this chapter and
265 appropriations made for seaport security, state funds may not be
266 expended for security costs without certification of need for
267 such expenditures by the Office of Ports Administrator within
268 the Department of Law Enforcement.

269 (d) If funds are appropriated for seaport security, ~~the~~
270 ~~Office of Drug Control,~~ the Department of Law Enforcement, and
271 the Florida Seaport Transportation and Economic Development
272 Council shall mutually determine the allocation of such funds
273 for security project needs identified in the approved seaport
274 security plans. Any seaport that receives state funds for
275 security projects must enter into a joint participation
276 agreement with the appropriate state entity and use the seaport
277 security plan as the basis for the agreement.

278 1. If funds are made available over more than 1 fiscal
279 year, the agreement must reflect the entire scope of the project
280 approved in the security plan and, as practicable, allow for
281 reimbursement for authorized projects over more than 1 year.

282 2. The agreement may include specific timeframes for
283 completion of a security project and the applicable funding
284 reimbursement dates. The agreement may also require a
285 contractual penalty of up to \$1,000 per day to be imposed for
286 failure to meet project completion dates if state funding is
287 available. Any such penalty shall be deposited into the State
288 Transportation Trust Fund and used for seaport security
289 operations and capital improvements.

290 Section 5. Subsection (1) of section 311.123, Florida

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291 Statutes, is amended to read:

292 311.123 Maritime domain security awareness training
293 program.—

294 (1) The Florida Seaport Transportation and Economic
295 Development Council, in conjunction with the Department of Law
296 Enforcement ~~and the Office of Drug Control within the Executive~~
297 ~~Office of the Governor~~, shall create a maritime domain security
298 awareness training program to instruct all personnel employed
299 within a seaport's boundaries about the security procedures
300 required of them for implementation of the seaport security plan
301 required under s. 311.12(3).

302 Section 6. Paragraphs (a), (b), and (c) of subsection (1)
303 of section 397.333, Florida Statutes, are amended to read:

304 397.333 Statewide Drug Policy Advisory Council.—

305 (1) (a) The Statewide Drug Policy Advisory Council shall be
306 located in the Department of Health ~~is created within the~~
307 ~~Executive Office of the Governor~~. The Surgeon General or his or
308 her designee ~~director of the Office of Drug Control~~ shall be a
309 nonvoting, ex officio member of the advisory council and shall
310 act as chairperson. The director of the Office of Planning and
311 Budgeting or his or her designee shall be a nonvoting, ex
312 officio member of the advisory council. The Department of Health
313 or its successor agency ~~Office of Drug Control and the Office of~~
314 ~~Planning and Budgeting~~ shall provide staff support for the
315 advisory council.

316 (b) The following state officials shall be appointed to
317 serve on the advisory council:

- 318 1. The Attorney General, or his or her designee.
319 2. The executive director of the Department of Law

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320 Enforcement, or his or her designee.

321 3. The Secretary of Children and Family Services, or his or
322 her designee.

323 4. The director of the Office of Planning and Budgeting in
324 the Executive Office of the Governor ~~State Surgeon General~~, or
325 his or her designee.

326 5. The Secretary of Corrections, or his or her designee.

327 6. The Secretary of Juvenile Justice, or his or her
328 designee.

329 7. The Commissioner of Education, or his or her designee.

330 8. The executive director of the Department of Highway
331 Safety and Motor Vehicles, or his or her designee.

332 9. The Adjutant General of the state as the Chief of the
333 Department of Military Affairs, or his or her designee.

334 (c) In addition, the Governor shall appoint 7 ~~11~~ members of
335 the public to serve on the advisory council. Of the 7 ~~11~~
336 appointed members, one member must have professional or
337 occupational expertise in drug enforcement, one member must have
338 professional or occupational expertise in substance abuse
339 prevention, one member must have professional or occupational
340 expertise in substance abuse treatment, and two members must
341 have professional or occupational expertise in faith-based
342 substance abuse treatment services. The remainder of the members
343 appointed should have professional or occupational expertise in,
344 or be generally knowledgeable about, issues that relate to drug
345 enforcement and substance abuse programs and services. The
346 members appointed by the Governor must, to the extent possible,
347 equitably represent all geographic areas of the state.

348 Section 7. Paragraph (b) of subsection (2) and subsections

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349 (11) and (13) of section 893.055, Florida Statutes, are amended
350 to read:

351 893.055 Prescription drug monitoring program.—

352 (2)

353 (b) The department, ~~when the direct support organization~~
354 ~~receives at least \$20,000 in nonstate moneys or the state~~
355 ~~receives at least \$20,000 in federal grants for the prescription~~
356 ~~drug monitoring program, and in consultation with the Office of~~
357 ~~Drug Control,~~ shall adopt rules as necessary concerning the
358 reporting, accessing the database, evaluation, management,
359 development, implementation, operation, security, and storage of
360 information within the system, including rules for when patient
361 advisory reports are provided to pharmacies and prescribers. The
362 patient advisory report shall be provided in accordance with s.
363 893.13(7)(a)8. The department shall work with the professional
364 health care licensure boards, such as the Board of Medicine, the
365 Board of Osteopathic Medicine, and the Board of Pharmacy; other
366 appropriate organizations, such as the Florida Pharmacy
367 Association, the Office of Drug Control, the Florida Medical
368 Association, the Florida Retail Federation, and the Florida
369 Osteopathic Medical Association, including those relating to
370 pain management; and the Attorney General, the Department of Law
371 Enforcement, and the Agency for Health Care Administration to
372 develop rules appropriate for the prescription drug monitoring
373 program.

374 (11) ~~The Office of Drug Control, in coordination with the~~
375 ~~department,~~ may establish a direct-support organization that has
376 a board consisting of at least five members to provide
377 assistance, funding, and promotional support for the activities

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378 authorized for the prescription drug monitoring program.

379 (a) As used in this subsection, the term "direct-support
380 organization" means an organization that is:

381 1. A Florida corporation not for profit incorporated under
382 chapter 617, exempted from filing fees, and approved by the
383 Department of State.

384 2. Organized and operated to conduct programs and
385 activities; raise funds; request and receive grants, gifts, and
386 bequests of money; acquire, receive, hold, and invest, in its
387 own name, securities, funds, objects of value, or other
388 property, either real or personal; and make expenditures or
389 provide funding to or for the direct or indirect benefit of the
390 department in the furtherance of the prescription drug
391 monitoring program.

392 (b) The direct-support organization is not considered a
393 lobbying firm within the meaning of s. 11.045.

394 (c) The State Surgeon General ~~director of the Office of~~
395 ~~Drug Control~~ shall appoint a board of directors for the direct-
396 support organization. The State Surgeon General ~~director~~ may
397 designate ~~employees of the Office of Drug Control~~, state
398 employees other than state employees from the department, and
399 any other nonstate employees as appropriate, to serve on the
400 board. Members of the board shall serve at the pleasure of the
401 State Surgeon General ~~director of the Office of Drug Control~~.
402 The State Surgeon General or his or her designee ~~director~~ shall
403 provide guidance to members of the board to ensure that moneys
404 received by the direct-support organization are not received
405 from inappropriate sources. Inappropriate sources include, but
406 are not limited to, donors, grantors, persons, or organizations

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407 that may monetarily or substantively benefit from the purchase
408 of goods or services by the department in furtherance of the
409 prescription drug monitoring program.

410 (d) The direct-support organization shall operate under
411 written contract with the department ~~Office of Drug Control~~. The
412 contract must, at a minimum, provide for:

413 1. Approval of the articles of incorporation and bylaws of
414 the direct-support organization by the department ~~Office of Drug~~
415 ~~Control~~.

416 2. Submission of an annual budget for the approval of the
417 department ~~Office of Drug Control~~.

418 3. Certification by ~~the Office of Drug Control in~~
419 ~~consultation with~~ the department that the direct-support
420 organization is complying with the terms of the contract in a
421 manner consistent with and in furtherance of the goals and
422 purposes of the prescription drug monitoring program and in the
423 best interests of the state. Such certification must be made
424 annually and reported in the official minutes of a meeting of
425 the direct-support organization.

426 4. The reversion, without penalty, to ~~the Office of Drug~~
427 ~~Control, or to~~ the state ~~if the Office of Drug Control ceases to~~
428 ~~exist~~, of all moneys and property held in trust by the direct-
429 support organization for the benefit of the prescription drug
430 monitoring program if the direct-support organization ceases to
431 exist or if the contract is terminated.

432 5. The fiscal year of the direct-support organization,
433 which must begin July 1 of each year and end June 30 of the
434 following year.

435 6. The disclosure of the material provisions of the

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436 contract to donors of gifts, contributions, or bequests,
437 including such disclosure on all promotional and fundraising
438 publications, and an explanation to such donors of the
439 distinction between the department ~~Office of Drug Control~~ and
440 the direct-support organization.

441 7. The direct-support organization's collecting, expending,
442 and providing of funds to the department for the development,
443 implementation, and operation of the prescription drug
444 monitoring program as described in this section and s. 2,
445 chapter 2009-198, Laws of Florida, as long as the task force is
446 authorized. The direct-support organization may collect and
447 expend funds to be used for the functions of the direct-support
448 organization's board of directors, as necessary and approved by
449 the department ~~director of the Office of Drug Control~~. In
450 addition, the direct-support organization may collect and
451 provide funding to the department in furtherance of the
452 prescription drug monitoring program by:

453 a. Establishing and administering the prescription drug
454 monitoring program's electronic database, including hardware and
455 software.

456 b. Conducting studies on the efficiency and effectiveness
457 of the program to include feasibility studies as described in
458 subsection (13).

459 c. Providing funds for future enhancements of the program
460 within the intent of this section.

461 d. Providing user training of the prescription drug
462 monitoring program, including distribution of materials to
463 promote public awareness and education and conducting workshops
464 or other meetings, for health care practitioners, pharmacists,

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465 and others as appropriate.

466 e. Providing funds for travel expenses.

467 f. Providing funds for administrative costs, including
468 personnel, audits, facilities, and equipment.

469 g. Fulfilling all other requirements necessary to implement
470 and operate the program as outlined in this section.

471 (e) The activities of the direct-support organization must
472 be consistent with the goals and mission of ~~the Office of Drug~~
473 ~~Control, as determined by the office in consultation with the~~
474 ~~department, and in the best interests of the state. The direct-~~
475 ~~support organization must obtain a written approval from the~~
476 State Surgeon General or his or her designee ~~director of the~~
477 ~~Office of Drug Control~~ for any activities in support of the
478 prescription drug monitoring program before undertaking those
479 activities.

480 (f) ~~The Office of Drug Control, in consultation with the~~
481 ~~department,~~ may permit, without charge, appropriate use of
482 administrative services, property, and facilities of ~~the Office~~
483 ~~of Drug Control~~ and the department by the direct-support
484 organization, subject to this section. The use must be directly
485 in keeping with the approved purposes of the direct-support
486 organization and may not be made at times or places that would
487 unreasonably interfere with opportunities for the public to use
488 such facilities for established purposes. Any moneys received
489 from rentals of facilities and properties managed by the ~~Office~~
490 ~~of Drug Control~~ and the department may be held by the department
491 ~~Office of Drug Control~~ or in a separate depository account in
492 the name of the direct-support organization and subject to the
493 provisions of the letter of agreement with the department ~~Office~~

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494 ~~of Drug Control~~. The letter of agreement must provide that any
495 funds held in the separate depository account in the name of the
496 direct-support organization must revert to the department Office
497 ~~of Drug Control~~ if the direct-support organization is no longer
498 approved by the department Office of Drug Control to operate in
499 the best interests of the state.

500 (g) ~~The Office of Drug Control, in consultation with the~~
501 ~~department,~~ may adopt rules under s. 120.54 to govern the use of
502 administrative services, property, or facilities of the
503 department ~~or office~~ by the direct-support organization.

504 (h) The state Office of Drug Control may not permit the use
505 of any of its administrative services, property, or facilities
506 ~~of the state~~ by a direct-support organization if that
507 organization does not provide equal membership and employment
508 opportunities to all persons regardless of race, color,
509 religion, gender, age, or national origin.

510 (i) The direct-support organization shall provide for an
511 independent annual financial audit in accordance with s.
512 215.981. Copies of the audit shall be provided to the department
513 ~~Office of Drug Control and the Office of Policy and Budget in~~
514 ~~the Executive Office of the Governor~~.

515 (j) The direct-support organization may not exercise any
516 power under s. 617.0302(12) or (16).

517 (13) To the extent that funding is provided for such
518 purpose through federal or private grants or gifts and other
519 types of available moneys, the department, ~~in collaboration with~~
520 ~~the Office of Drug Control,~~ shall study the feasibility of
521 enhancing the prescription drug monitoring program for the
522 purposes of public health initiatives and statistical reporting

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523 that respects the privacy of the patient, the prescriber, and
524 the dispenser. Such a study shall be conducted in order to
525 further improve the quality of health care services and safety
526 by improving the prescribing and dispensing practices for
527 prescription drugs, taking advantage of advances in technology,
528 reducing duplicative prescriptions and the overprescribing of
529 prescription drugs, and reducing drug abuse. The requirements of
530 the National All Schedules Prescription Electronic Reporting
531 (NASPER) Act are authorized in order to apply for federal NASPER
532 funding. In addition, the direct-support organization shall
533 provide funding for the department, ~~in collaboration with the~~
534 ~~Office of Drug Control,~~ to conduct training for health care
535 practitioners and other appropriate persons in using the
536 monitoring program to support the program enhancements.

537 Section 8. Subsections (2) and (5) of section 943.031,
538 Florida Statutes, are amended to read:

539 943.031 Florida Violent Crime and Drug Control Council.—

540 (2) MEMBERSHIP.—The council shall consist of 14 members, as
541 follows:

542 (a) The Attorney General or a designate.

543 (b) A designate of the executive director of the Department
544 of Law Enforcement.

545 (c) The secretary of the Department of Corrections or a
546 designate.

547 (d) The Secretary of Juvenile Justice or a designate.

548 (e) The Commissioner of Education or a designate.

549 (f) The president of the Florida Network of Victim/Witness
550 Services, Inc., or a designate.

551 (g) The policy coordinator in the Public Safety Unit of the

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552 Governor's Office of Planning and Budgeting ~~director of the~~
553 ~~Office of Drug Control within the Executive Office of the~~
554 ~~Governor,~~ or a designate.

555 (h) The Chief Financial Officer, or a designate.

556 (i) Six members appointed by the Governor, consisting of
557 two sheriffs, two chiefs of police, one medical examiner, and
558 one state attorney or their designates.

559

560 The Governor, when making appointments under this subsection,
561 must take into consideration representation by geography,
562 population, ethnicity, and other relevant factors to ensure that
563 the membership of the council is representative of the state at
564 large. Designates appearing on behalf of a council member who is
565 unable to attend a meeting of the council are empowered to vote
566 on issues before the council to the same extent the designating
567 council member is so empowered.

568 (5) DUTIES OF COUNCIL.—The council shall provide advice and
569 make recommendations, as necessary, to the executive director of
570 the department.

571 (a) The council may advise the executive director on the
572 feasibility of undertaking initiatives which include, but are
573 not limited to, the following:

574 1. Establishing a program that ~~which~~ provides grants to
575 criminal justice agencies that develop and implement effective
576 violent crime prevention and investigative programs and which
577 provides grants to law enforcement agencies for the purpose of
578 drug control, criminal gang, and illicit money laundering
579 investigative efforts or task force efforts that are determined
580 by the council to significantly contribute to achieving the

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581 state's goal of reducing drug-related crime ~~as articulated by~~
582 ~~the Office of Drug Control~~, that represent significant criminal
583 gang investigative efforts, that represent a significant illicit
584 money laundering investigative effort, or that otherwise
585 significantly support statewide strategies developed by the
586 Statewide Drug Policy Advisory Council established under s.
587 397.333, subject to the limitations provided in this section.
588 The grant program may include an innovations grant program to
589 provide startup funding for new initiatives by local and state
590 law enforcement agencies to combat violent crime or to implement
591 drug control, criminal gang, or illicit money laundering
592 investigative efforts or task force efforts by law enforcement
593 agencies, including, but not limited to, initiatives such as:

- 594 a. Providing enhanced community-oriented policing.
- 595 b. Providing additional undercover officers and other
596 investigative officers to assist with violent crime
597 investigations in emergency situations.
- 598 c. Providing funding for multiagency or statewide drug
599 control, criminal gang, or illicit money laundering
600 investigative efforts or task force efforts that cannot be
601 reasonably funded completely by alternative sources and that
602 significantly contribute to achieving the state's goal of
603 reducing drug-related crime as articulated by the Office of Drug
604 Control, that represent significant criminal gang investigative
605 efforts, that represent a significant illicit money laundering
606 investigative effort, or that otherwise significantly support
607 statewide strategies developed by the Statewide Drug Policy
608 Advisory Council established under s. 397.333.

609 2. Expanding the use of automated fingerprint

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610 identification systems at the state and local level.

611 3. Identifying methods to prevent violent crime.

612 4. Identifying methods to enhance multiagency or statewide
613 drug control, criminal gang, or illicit money laundering
614 investigative efforts or task force efforts that significantly
615 contribute to achieving the state's goal of reducing drug-
616 related crime as articulated by the Office of Drug Control, that
617 represent significant criminal gang investigative efforts, that
618 represent a significant illicit money laundering investigative
619 effort, or that otherwise significantly support statewide
620 strategies developed by the Statewide Drug Policy Advisory
621 Council established under s. 397.333.

622 5. Enhancing criminal justice training programs that ~~which~~
623 address violent crime, drug control, illicit money laundering
624 investigative techniques, or efforts to control and eliminate
625 criminal gangs.

626 6. Developing and promoting crime prevention services and
627 educational programs that serve the public, including, but not
628 limited to:

629 a. Enhanced victim and witness counseling services that
630 also provide crisis intervention, information referral,
631 transportation, and emergency financial assistance.

632 b. A well-publicized rewards program for the apprehension
633 and conviction of criminals who perpetrate violent crimes.

634 7. Enhancing information sharing and assistance in the
635 criminal justice community by expanding the use of community
636 partnerships and community policing programs. Such expansion may
637 include the use of civilian employees or volunteers to relieve
638 law enforcement officers of clerical work in order to enable the

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639 officers to concentrate on street visibility within the
640 community.

641 (b) The full council shall:

642 1. Receive periodic reports from regional violent crime
643 investigation and statewide drug control strategy implementation
644 coordinating teams which relate to violent crime trends or the
645 investigative needs or successes in the regions, including
646 discussions regarding the activity of significant criminal gangs
647 in the region, factors, and trends relevant to the
648 implementation of the statewide drug strategy, and the results
649 of drug control and illicit money laundering investigative
650 efforts funded in part by the council.

651 2. Maintain and use criteria for the disbursement of funds
652 from the Violent Crime Investigative Emergency and Drug Control
653 Strategy Implementation Account or any other account from which
654 the council may disburse proactive investigative funds as may be
655 established within the Department of Law Enforcement Operating
656 Trust Fund or other appropriations provided to the Department of
657 Law Enforcement by the Legislature in the General Appropriations
658 Act. The criteria shall allow for the advancement of funds to
659 reimburse agencies regarding violent crime investigations as
660 approved by the full council and the advancement of funds to
661 implement proactive drug control strategies or significant
662 criminal gang investigative efforts as authorized by the Drug
663 Control Strategy and Criminal Gang Committee or the Victim and
664 Witness Protection Review Committee. Regarding violent crime
665 investigation reimbursement, an expedited approval procedure
666 shall be established for rapid disbursement of funds in violent
667 crime emergency situations.

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668 (c) As used in this section, "significant criminal gang
669 investigative efforts" eligible for proactive funding must
670 involve at a minimum an effort against a known criminal gang
671 that:

672 1. Involves multiple law enforcement agencies.

673 2. Reflects a dedicated significant investigative effort on
674 the part of each participating agency in personnel, time devoted
675 to the investigation, and agency resources dedicated to the
676 effort.

677 3. Reflects a dedicated commitment by a prosecuting
678 authority to ensure that cases developed by the investigation
679 will be timely and effectively prosecuted.

680 4. Demonstrates a strategy and commitment to dismantling
681 the criminal gang via seizures of assets, significant money
682 laundering and organized crime investigations and prosecutions,
683 or similar efforts.

684

685 The council may require satisfaction of additional elements, to
686 include reporting criminal investigative and criminal
687 intelligence information related to criminal gang activity and
688 members in a manner required by the department, as a
689 prerequisite for receiving proactive criminal gang funding.

690 Section 9. Subsection (7) of section 1006.07, Florida
691 Statutes, is repealed.

692 Section 10. In accordance with s. 11.242, Florida Statutes,
693 the Division of Statutory Revision of the Office of Legislative
694 Services is requested to prepare a reviser's bill for
695 consideration by the 2012 Regular Session of the Legislature to
696 conform the Florida Statutes to the changes made by this act.

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697

Section 11. This act shall take effect July 1, 2011.