

By Senator Simmons

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1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes; amending ss.
 3 257.171, 257.193, 257.43, 393.0651, 393.066, 394.4789,
 4 394.495, 394.496, 394.497, 397.406, 397.407, 397.427,
 5 397.471, 397.901, 397.96, 400.147, 401.113, 401.252,
 6 401.34, 402.04, 402.47, 403.414, 403.510, 403.7061,
 7 403.763, 403.871, 403.873, 403.874, 403.876, 403.942,
 8 406.11, 409.2598, 409.9102, 415.112, 420.526, 420.527,
 9 429.44, 467.0125, 467.013, 467.019, 468.1165, 468.307,
 10 468.3851, 468.3852, 468.404, 468.435, 468.532,
 11 468.8312, 468.8317, 468.8412, 476.214, 477.022,
 12 479.07, 481.205, 502.121, and 509.035, F.S., and
 13 repealing s. 415.112, F.S., to conform to the
 14 directive of the Legislature in section 9 of chapter
 15 2012-116, Laws of Florida, codified as section
 16 11.242(5)(j), Florida Statutes, to prepare a reviser's
 17 bill to omit all statutes and laws, or parts thereof,
 18 which grant duplicative, redundant, or unused
 19 rulemaking authority; providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Section 257.171, Florida Statutes, is amended to
 24 read:
 25 257.171 Multicounty libraries.—Units of local government
 26 may establish a multicounty library. ~~The Division of Library and~~
 27 ~~Information Services may establish operating standards and rules~~
 28 ~~under which a multicounty library is eligible to receive state~~
 29 ~~moneys.~~ For a multicounty library, a local government may pay

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30 moneys in advance in lump sum from its public funds for the
31 provision of library services only.

32 Section 2. Subsection (5) of section 257.193, Florida
33 Statutes, is amended to read:

34 257.193 Community Libraries in Caring Program.—

35 ~~(5) The Department of State may adopt rules to administer~~
36 ~~this section.~~

37 Section 3. Paragraph (b) of subsection (2) of section
38 257.43, Florida Statutes, is amended to read:

39 257.43 Citizen support organization; use of state
40 administrative services and property; audit.—

41 (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—

42 ~~(b) The division may prescribe by rule any condition with~~
43 ~~which a citizen support organization shall comply in order to~~
44 ~~use division administrative services, property, or facilities.~~

45 Section 4. Subsection (1) of section 393.0651, Florida
46 Statutes, is amended to read:

47 393.0651 Family or individual support plan.—The agency
48 shall provide directly or contract for the development of a
49 family support plan for children ages 3 to 18 years of age and
50 an individual support plan for each client. The client, if
51 competent, the client's parent or guardian, or, when
52 appropriate, the client advocate, shall be consulted in the
53 development of the plan and shall receive a copy of the plan.
54 Each plan must include the most appropriate, least restrictive,
55 and most cost-beneficial environment for accomplishment of the
56 objectives for client progress and a specification of all
57 services authorized. The plan must include provisions for the
58 most appropriate level of care for the client. Within the

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59 specification of needs and services for each client, when
60 residential care is necessary, the agency shall move toward
61 placement of clients in residential facilities based within the
62 client's community. The ultimate goal of each plan, whenever
63 possible, shall be to enable the client to live a dignified life
64 in the least restrictive setting, be that in the home or in the
65 community. For children under 6 years of age, the family support
66 plan shall be developed within the 45-day application period as
67 specified in s. 393.065(1); for all applicants 6 years of age or
68 older, the family or individual support plan shall be developed
69 within the 60-day period as specified in that subsection.

70 ~~(1) The agency shall develop and specify by rule the core~~
71 ~~components of support plans.~~

72 Section 5. Subsection (8) of section 393.066, Florida
73 Statutes, is amended to read:

74 393.066 Community services and treatment.—

75 ~~(8) The agency may adopt rules providing definitions,~~
76 ~~eligibility criteria, and procedures for the purchase of~~
77 ~~services provided pursuant to this section.~~

78 Section 6. Section 394.4789, Florida Statutes, is amended
79 to read:

80 394.4789 Establishment of referral process and eligibility
81 determination.—

82 ~~(1) The department shall adopt by rule a referral process~~
83 ~~which shall provide each participating specialty psychiatric~~
84 ~~hospital with a system for accepting into the hospital's care~~
85 ~~indigent mentally ill persons referred by the department. It is~~
86 the intent of the Legislature that a hospital which seeks
87 payment under s. 394.4788 shall accept referrals from the

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88 department. However, a hospital shall have the right to refuse
89 the admission of a patient due to lack of functional bed space
90 or lack of services appropriate to a patient's specific
91 treatment and no hospital shall be required to accept referrals
92 if the costs for treating the referred patient are no longer
93 reimbursable because the hospital has reached the level of
94 contribution made to the PMATF in the previous fiscal year.
95 Furthermore, a hospital that does not seek compensation for
96 indigent mentally ill patients under the provisions of this act
97 shall not be obliged to accept department referrals,
98 notwithstanding any agreements it may have entered into with the
99 department. The right of refusal in this subsection shall not
100 affect a hospital's requirement to provide emergency care
101 pursuant to s. 395.1041 or other statutory requirements related
102 to the provision of emergency care.

103 (2) The department shall adopt ~~by rule~~ a patient
104 eligibility form and shall be responsible for eligibility
105 determination. However, The department may contract with
106 participating psychiatric hospitals for eligibility
107 determination. The eligibility form shall provide the mechanism
108 for determining a patient's eligibility according to the
109 requirements of s. 394.4788(1).

110 (a) A specialty psychiatric hospital shall be eligible for
111 reimbursement only when an eligibility form has been completed
112 for each indigent mentally ill person for whom reimbursement is
113 sought.

114 (b) As part of eligibility determination, every effort
115 shall be made by the hospital to determine if any third party
116 insurance coverage is available.

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117 Section 7. Subsection (3) of section 394.495, Florida
118 Statutes, is amended to read:

119 394.495 Child and adolescent mental health system of care;
120 programs and services.—

121 (3) Assessments must be performed by:

122 (a) A professional as defined in s. 394.455(2), (4), (21),
123 (23), or (24);

124 (b) A professional licensed under chapter 491; or

125 (c) A person who is under the direct supervision of a
126 professional as defined in s. 394.455(2), (4), (21), (23), or
127 (24) or a professional licensed under chapter 491.

128

129 ~~The department shall adopt by rule statewide standards for~~
130 ~~mental health assessments, which must be based on current~~
131 ~~relevant professional and accreditation standards.~~

132 Section 8. Subsection (5) of section 394.496, Florida
133 Statutes, is amended to read:

134 394.496 Service planning.—

135 ~~(5) The department shall adopt by rule criteria for~~
136 ~~determining when a child or adolescent who receives mental~~
137 ~~health services under ss. 394.490-394.497 must have an~~
138 ~~individualized services plan.~~

139 Section 9. Subsection (2) of section 394.497, Florida
140 Statutes, is amended to read:

141 394.497 Case management services.—

142 ~~(2) The department shall adopt by rule criteria that define~~
143 ~~the target population who shall be assigned case managers.~~ The
144 department shall develop standards for case management services
145 and procedures for appointing case managers. It is the intent of

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146 the Legislature that case management services not be duplicated
147 or fragmented and that such services promote the continuity and
148 stability of a case manager assigned to a child or adolescent
149 and his or her family.

150 Section 10. Section 397.406, Florida Statutes, is amended
151 to read:

152 397.406 Licensure and regulation of government-operated
153 substance abuse programs.—Substance abuse programs operated
154 directly or under contract by the department, the Department of
155 Corrections, the Department of Juvenile Justice, any other state
156 agency, or any local correctional agency or authority, which
157 programs constitute any service provider licensable components
158 as defined in this chapter, are subject to licensure and
159 regulation in accordance with rules jointly developed by the
160 department and the state or local agency operating the program.
161 The department has authority to exempt ~~promulgate rules~~
162 ~~exempting~~ such government-operated programs from specific
163 licensure provisions of this part, including, but not limited
164 to, licensure fees and personnel background checks, and to
165 enforce the regulatory requirements governing such programs.

166 Section 11. Subsections (1), (5), and (7) of section
167 397.407, Florida Statutes, are amended to read:

168 397.407 Licensure process; fees.—

169 (1) The department shall establish ~~by rule~~ the licensure
170 process to include fees and categories of licenses and.~~The rule~~
171 must prescribe a fee range that is based, at least in part, on
172 the number and complexity of programs listed in s. 397.311(18)
173 which are operated by a licensee. The fees from the licensure of
174 service components are sufficient to cover at least 50 percent

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175 of the costs of regulating the service components. The
176 department shall specify ~~by rule~~ a fee range for public and
177 privately funded licensed service providers. Fees for privately
178 funded licensed service providers must exceed the fees for
179 publicly funded licensed service providers. ~~During adoption of~~
180 ~~the rule governing the licensure process and fees, the~~
181 ~~department shall carefully consider the potential adverse impact~~
182 ~~on small, not-for-profit service providers.~~

183 (5) The department may issue probationary, regular, and
184 interim licenses. ~~After adopting the rule governing the~~
185 ~~licensure process and fees,~~ The department shall issue one
186 license for each service component that is operated by a service
187 provider and defined ~~in rule~~ pursuant to s. 397.311(18). The
188 license is valid only for the specific service components listed
189 for each specific location identified on the license. The
190 licensed service provider shall apply for a new license at least
191 60 days before the addition of any service components or 30 days
192 before the relocation of any of its service sites. Provision of
193 service components or delivery of services at a location not
194 identified on the license may be considered an unlicensed
195 operation that authorizes the department to seek an injunction
196 against operation as provided in s. 397.401, in addition to
197 other sanctions authorized by s. 397.415. Probationary and
198 regular licenses may be issued only after all required
199 information has been submitted. A license may not be
200 transferred. As used in this subsection, the term "transfer"
201 includes, but is not limited to, the transfer of a majority of
202 the ownership interest in the licensed entity or transfer of
203 responsibilities under the license to another entity by

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204 contractual arrangement.

205 (7) A regular license may be issued to:

206 (a) A new applicant at the end of the probationary period.

207 (b) A licensed applicant that holds a regular license and
208 is seeking renewal.

209 (c) An applicant for a service component operating under an
210 interim license upon successful satisfaction of the requirements
211 for a regular license.

212

213 In order to be issued a regular license, the applicant must be
214 in compliance with statutory and regulatory requirements.

215 ~~Standards and timeframes for the issuance of a regular license~~
216 ~~must be established by rule.~~ An application for renewal of a
217 regular license must be submitted to the department at least 60
218 days before the license expires.

219 Section 12. Paragraph (b) of subsection (2) and subsections
220 (3) and (8) of section 397.427, Florida Statutes, are amended to
221 read:

222 397.427 Medication-assisted treatment service providers;
223 rehabilitation program; needs assessment and provision of
224 services; persons authorized to issue takeout medication;
225 unlawful operation; penalty.—

226 (2) The department shall determine the need for
227 establishing providers of medication-assisted treatment services
228 for opiate addiction.

229 ~~(b) The department shall prescribe by rule the types of~~
230 ~~medication-assisted treatment services for opiate addiction for~~
231 ~~which it is necessary to conduct annual assessments of need.~~ If
232 needs assessment is required, the department shall annually

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233 conduct the assessment and publish a statement of findings which
234 identifies each substate entity's need.

235 ~~(3) The department shall adopt rules necessary to~~
236 ~~administer this section, including, but not limited to, rules~~
237 ~~prescribing criteria and procedures for:~~

238 ~~(a) Determining the need for additional medication-assisted~~
239 ~~treatment services for opiate addiction.~~

240 ~~(b) Selecting providers for medication-assisted treatment~~
241 ~~services for opiate addiction when the number of responses to a~~
242 ~~publication of need exceeds the determined need.~~

243 ~~(c) Administering any federally required rules,~~
244 ~~regulations, or procedures.~~

245 ~~(8) The department shall adopt rules necessary to~~
246 ~~administer medication-assisted treatment services, including,~~
247 ~~but not limited to, rules prescribing criteria and procedures~~
248 ~~for:~~

249 ~~(a) Determining the need for medication-assisted treatment~~
250 ~~services within the publicly funded system.~~

251 ~~(b) Selecting medication-assisted service providers within~~
252 ~~the publicly funded system.~~

253 ~~(c) Administering any federally required rules,~~
254 ~~regulations, or procedures related to the provision of~~
255 ~~medication-assisted treatment.~~

256 Section 13. Section 397.471, Florida Statutes, is amended
257 to read:

258 397.471 Service provider facility standards.—

259 ~~(1)~~ Each service provider must ensure:

260 (1) ~~(a)~~ Sufficient numbers and types of qualified personnel
261 on duty and available to provide necessary and adequate safety

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262 and care.

263 (2)~~(b)~~ Adequate space for each individual served within a
264 residential facility.

265 (3)~~(e)~~ Adequate infection control, housekeeping, and
266 sanitation.

267 (4)~~(d)~~ Adequate disaster planning policies and procedures.

268 ~~(2) The State Fire Marshal shall, in cooperation with the~~
269 ~~department, establish and enforce minimum firesafety standards,~~
270 ~~which standards must be included in the rules adopted by the~~
271 ~~department.~~

272 Section 14. Subsection (4) of section 397.901, Florida
273 Statutes, is amended to read:

274 397.901 Prototype juvenile addictions receiving
275 facilities.-

276 ~~(4) The department shall adopt rules necessary to implement~~
277 ~~this section. The rules must be written by the department's~~
278 ~~Substance Abuse Program Office and must specify criteria for~~
279 ~~staffing and services delineated for the provision of graduated~~
280 ~~levels of care from nonintensive to environmentally secure for~~
281 ~~the handling of aggressive and difficult to manage behavior and~~
282 ~~the prevention of elopement.~~

283 Section 15. Subsection (5) of section 397.96, Florida
284 Statutes, is amended to read:

285 397.96 Case management for complex substance abuse cases.-

286 ~~(5) The department shall establish by rule standards to~~
287 ~~coordinate case management activities from various referral~~
288 ~~points, in order to minimize fragmentation and duplication and~~
289 ~~promote stability of case managers assigned to a child and~~
290 ~~family.~~ In the attempt to minimize duplication, it is the intent

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291 of the Legislature that a child have no more than one case
292 manager.

293 Section 16. Subsection (12) of section 400.147, Florida
294 Statutes, is amended to read:

295 400.147 Internal risk management and quality assurance
296 program.—

297 ~~(12) The agency may adopt rules to administer this section.~~

298 Section 17. Subsection (3) of section 401.113, Florida
299 Statutes, is amended to read:

300 401.113 Department; powers and duties.—

301 ~~(3) The department shall adopt rules to administer this
302 section.~~

303 Section 18. Subsection (4) of section 401.252, Florida
304 Statutes, is amended to read:

305 401.252 Interfacility transfer.—

306 ~~(4) The department shall adopt and enforce rules to carry
307 out this section, including rules for permitting, equipping, and
308 staffing transport ambulances and that govern the medical
309 direction under which interfacility transfers take place.~~

310 Section 19. Subsections (5) and (6) of section 401.34,
311 Florida Statutes, are amended to read:

312 401.34 Fees.—

313 (5) The department may provide same-day grading of the
314 examination for an applicant for emergency medical technician or
315 paramedic certification. ~~The department must provide procedures
316 for implementing same-day grading in its rules.~~

317 (6) The department may ~~by rule~~ offer walk-in eligibility
318 determination and examination to applicants for emergency
319 medical technician or paramedic certification who pay to the

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320 department a nonrefundable fee to be set by the department not
321 to exceed \$65. The fee is in addition to the certification fee
322 and examination fee. The department must establish locations and
323 times for eligibility determination and examination.

324 Section 20. Section 402.04, Florida Statutes, is amended to
325 read:

326 402.04 Award of scholarships and stipends; disbursement of
327 funds; administration.—The award of scholarships or stipends
328 provided for herein shall be made by the Department of Children
329 and Families, hereinafter referred to as the department. The
330 department shall handle the administration of the scholarship or
331 stipend and the Department of Education shall, for and on behalf
332 of the department, handle the notes issued for the payment of
333 the scholarships or stipends provided for herein and the
334 collection of same. ~~The department shall prescribe regulations~~
335 ~~governing the payment of scholarships or stipends to the school,~~
336 ~~college, or university for the benefit of the scholarship or~~
337 ~~stipend holders.~~ All scholarship awards, expenses and costs of
338 administration shall be paid from moneys appropriated by the
339 Legislature and shall be paid upon vouchers approved by the
340 department and properly certified by the Chief Financial
341 Officer.

342 Section 21. Subsection (3) of section 402.47, Florida
343 Statutes, is amended to read:

344 402.47 Foster grandparent and retired senior volunteer
345 services to high-risk and handicapped children.—

346 ~~(3) The department may adopt rules necessary to implement~~
347 ~~the provisions of this section.~~

348 Section 22. Subsection (3) of section 403.414, Florida

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349 Statutes, is amended to read:

350 403.414 Environmental award program.—

351 ~~(3) The department shall adopt rules to govern~~
352 ~~administration of the program.~~ An agency, municipality, county,
353 or other governmental unit; a private organization, institution,
354 or industry; the communications media; or an individual may
355 submit a nomination for an award to the department at any time.
356 A nomination must be submitted on a form adopted by the
357 department and must include information required by the
358 department to consider that nomination.

359 Section 23. Subsection (3) of section 403.510, Florida
360 Statutes, is amended to read:

361 403.510 Superseded laws, regulations, and certification
362 power.—

363 ~~(3) The board shall have the power to adopt reasonable~~
364 ~~procedural rules to carry out its duties under this act and to~~
365 ~~give effect to the legislative intent that this act is to~~
366 ~~provide an efficient, simplified, centrally coordinated, one-~~
367 ~~stop licensing process.~~

368 Section 24. Subsection (2) of section 403.7061, Florida
369 Statutes, is amended to read:

370 403.7061 Requirements for review of new waste-to-energy
371 facility capacity by the Department of Environmental
372 Protection.—

373 (2) Notwithstanding any other provisions of state law, the
374 department shall not issue a construction permit or
375 certification to build a waste-to-energy facility or expand an
376 existing waste-to-energy facility unless the facility meets the
377 requirements set forth in subsection (3). Any construction

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378 permit issued by the department between January 1, 1993, and May
379 12, 1993, which does not address these new requirements is
380 invalid. These new requirements do not apply to the issuance of
381 permits or permit modifications to retrofit existing facilities
382 with new or improved pollution control equipment to comply with
383 state or federal law. ~~The department may initiate rulemaking to~~
384 ~~incorporate the criteria in subsection (3) into its permit~~
385 ~~review process.~~

386 Section 25. Subsection (4) of section 403.763, Florida
387 Statutes, is amended to read:

388 403.763 Grants to local governments.-

389 ~~(4) The department shall initiate rules on or before~~
390 ~~January 1, 1989, necessary to carry out the purposes of this~~
391 ~~section.~~

392 Section 26. Section 403.871, Florida Statutes, is amended
393 to read:

394 403.871 Fees.-~~The department shall, by rule,~~ establish fees
395 to be paid by persons seeking licensure or license renewal to
396 cover the entire cost to the department of administering ss.

397 403.865-403.876, including, but not limited to, the costs
398 associated with application review and examination,
399 reexamination, licensing and renewal, renewal of an inactive
400 license, reactivation of an inactive license, recordmaking, and
401 recordkeeping, and the costs of ensuring compliance with ss.

402 403.865-403.876. The fees for license application and license
403 renewal shall be nonrefundable. The department shall establish
404 fees adequate to administer and implement ss. 403.865-403.876.

405 (1) The application fee may not exceed \$100 and is not
406 refundable.

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407 (2) The renewal fee may not exceed \$100 and is not
408 refundable.

409 (3) All fees collected under this section must be deposited
410 into the Water Quality Assurance Trust Fund. The fees shall be
411 used exclusively to implement the provisions of ss. 403.865-
412 403.876.

413 Section 27. Subsection (2) of section 403.873, Florida
414 Statutes, is amended to read:

415 403.873 Renewal of license.—

416 (2) The department shall adopt ~~rules establishing a~~
417 procedure for the biennial renewal of licenses, including the
418 requirements for continuing education.

419 Section 28. Subsection (2) of section 403.874, Florida
420 Statutes, is amended to read:

421 403.874 Inactive status.—

422 (2) The department shall adopt ~~rules relating to licenses~~
423 ~~that have become inactive and for the reactivation of inactive~~
424 ~~licenses, and~~ procedures for null and void licenses and how to
425 obtain a new license after a license has become null and void.

426 Section 29. Subsection (1) of section 403.876, Florida
427 Statutes, is amended to read:

428 403.876 Grounds for disciplinary action.—

429 (1) The department shall establish, ~~by rule,~~ the grounds
430 for taking disciplinary action, including suspending or revoking
431 a valid license, placing a licensee on probation, refusing to
432 issue a license, refusing to renew a license, or refusing to
433 reactivate a license, and the imposition of an administrative
434 fine, not to exceed \$1,000 per count or offense. The fines
435 collected under this section shall be deposited into the Water

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436 Quality Assurance Trust Fund.

437 Section 30. Subsection (3) of section 403.942, Florida
438 Statutes, is amended to read:

439 403.942 Superseded laws, regulations, and certification
440 power.—

441 ~~(3) The board shall have the power to adopt reasonable~~
442 ~~procedural rules to carry out its duties under ss. 403.9401-~~
443 ~~403.9425 and to give effect to the legislative intent that this~~
444 ~~act provide an efficient, centrally coordinated, one-stop~~
445 ~~licensing process.~~

446 Section 31. Subsection (3) of section 406.11, Florida
447 Statutes, is amended to read:

448 406.11 Examinations, investigations, and autopsies.—

449 ~~(3) The Medical Examiners Commission may adopt rules~~
450 ~~incorporating by reference parameters or guidelines of practice~~
451 ~~or standards of conduct relating to examinations,~~
452 ~~investigations, or autopsies performed by medical examiners.~~

453 Section 32. Subsection (8) of section 409.2598, Florida
454 Statutes, is amended to read:

455 409.2598 License suspension proceeding to enforce support
456 order.—

457 ~~(8) RULEMAKING AUTHORITY. The Department of Revenue may~~
458 ~~adopt rules to implement and enforce the requirements of this~~
459 ~~section.~~

460 Section 33. Subsections (3) and (4) of section 409.9102,
461 Florida Statutes, are amended to read:

462 409.9102 A qualified state Long-Term Care Insurance
463 Partnership Program in Florida.—The Agency for Health Care
464 Administration, in consultation with the Office of Insurance

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465 Regulation and the Department of Children and Families, is
466 directed to establish a qualified state Long-Term Care Insurance
467 Partnership Program in Florida, in compliance with the
468 requirements of s. 1917(b) of the Social Security Act, as
469 amended.

470 ~~(3) The Agency for Health Care Administration is authorized~~
471 ~~to amend the Medicaid state plan and adopt rules pursuant to ss.~~
472 ~~120.536(1) and 120.54 to implement this section.~~

473 ~~(4) The Department of Children and Families, when~~
474 ~~determining eligibility for Medicaid long-term care services for~~
475 ~~an individual who is the beneficiary of an approved long-term~~
476 ~~care partnership program policy, shall reduce the total~~
477 ~~countable assets of the individual by an amount equal to the~~
478 ~~insurance benefit payments that are made to or on behalf of the~~
479 ~~individual. The department is authorized to adopt rules pursuant~~
480 ~~to ss. 120.536(1) and 120.54 to implement this subsection.~~

481 Section 34. Section 415.112, Florida Statutes, is repealed.

482 Section 35. Subsections (3) and (6) of section 420.526,
483 Florida Statutes, are amended to read:

484 420.526 Predevelopment Loan Program; loans and grants
485 authorized; activities eligible for support.-

486 ~~(3) The corporation shall establish rules for the equitable~~
487 ~~distribution of the funds in a manner that meets the need and~~
488 ~~demand for housing for the target population. Funds shall be~~
489 ~~made available under the program on a first-come, first-served~~
490 ~~basis, unless otherwise established by corporation rule.~~
491 Sponsors of farmworker housing, if any, shall receive first
492 priority under this program.

493 (6) Terms and conditions of housing predevelopment loan

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494 agreements shall be established ~~by rule~~ and shall include:

495 (a) Provision for interest, which shall be set at between 0
496 and 3 percent per year, as established by the corporation.

497 (b) Provision of a schedule for the repayment of principal
498 and interest for a term not to exceed 3 years or initiation of
499 permanent financing, whichever event occurs first. However, the
500 corporation may extend the term of a loan for an additional
501 period if extraordinary circumstances exist and if such
502 extension would not jeopardize the corporation's security
503 interest.

504 (c) Provision of reasonable security for the housing
505 predevelopment loan to ensure the repayment of the principal and
506 any interest accrued within the term specified.

507 (d) Provisions to ensure that the land acquired will be
508 used for the development of housing and related services for the
509 target population.

510 (e) Provisions to ensure, to the extent possible, that any
511 accrued savings in cost due to the availability of these funds
512 will be passed on to the target population in the form of lower
513 land prices. The corporation shall ensure that such savings in
514 land prices shall be passed on in the form of lower prices or
515 rents for dwellings constructed on such land.

516 (f) Provisions to ensure that any land acquired through
517 assistance under ss. 420.521-420.529 for housing for the target
518 population shall not be disposed of or alienated in a manner
519 that violates Title VII of the 1968 Civil Rights Act, which
520 specifically prohibits discrimination based on race, sex, color,
521 religion, or national origin or that violates other applicable
522 federal or state laws.

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523 Section 36. Section 420.527, Florida Statutes, is amended
524 to read:

525 420.527 Application procedure.—

526 (1) ~~Applications shall be submitted to the corporation in a~~
527 ~~form that it establishes by rule.~~

528 ~~(2) By rule,~~ The corporation shall establish the criteria
529 for determining threshold compliance with corporation
530 objectives. Final decisions regarding funding shall be approved
531 by the corporation board. The corporation board shall determine
532 the tentative loan or grant amount available to each program
533 participant. The actual loan or grant amount shall be determined
534 pursuant to rule specifying credit underwriting procedures.

535 (2)~~(3)~~ The criteria to be used to determine threshold
536 compliance shall include, but are not limited to, the following:

537 (a) Income target objectives of the corporation.

538 (b) Sponsor's agreement to reserve more than the minimum
539 number of units for low-income households and very-low-income
540 households.

541 (c) Projects requiring the least amount of predevelopment
542 funds compared to total predevelopment costs.

543 (d) Sponsor's prior experience.

544 (e) Commitments of other financing.

545 (f) Sponsor's ability to proceed.

546 (g) Project's consistency with the local government
547 comprehensive plan.

548 Section 37. Subsection (3) of section 429.44, Florida
549 Statutes, is amended to read:

550 429.44 Construction and renovation; requirements.—

551 ~~(3) The department may adopt rules to establish procedures~~

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552 ~~and specify the documentation necessary to implement this~~
553 ~~section.~~

554 Section 38. Paragraph (b) of subsection (1) of section
555 467.0125, Florida Statutes, is amended to read:

556 467.0125 Licensure by endorsement.—

557 (1) The department shall issue a license by endorsement to
558 practice midwifery to an applicant who, upon applying to the
559 department, demonstrates to the department that she or he:

560 (b) Has completed a 4-month prelicensure course conducted
561 by an approved program and has submitted documentation to the
562 department of successful completion. ~~The department shall~~
563 ~~determine by rule the content of the prelicensure course.~~

564 Section 39. Subsection (1) of section 467.013, Florida
565 Statutes, is amended to read:

566 467.013 Inactive status.—A licensee may request that his or
567 her license be placed in an inactive status by making
568 application to the department and paying a fee.

569 (1) An inactive license may be renewed for one additional
570 biennium upon application to the department and payment of the
571 applicable biennium renewal fee. The department shall establish
572 ~~by rule~~ procedures and fees for applying to place a license on
573 inactive status, renewing an inactive license, and reactivating
574 an inactive license. The fee for any of these procedures may not
575 exceed the biennial renewal fee established by the department.

576 Section 40. Subsections (4) and (6) of section 467.019,
577 Florida Statutes, are amended to read:

578 467.019 Records and reports.—

579 (4) ~~The department shall adopt rules requiring that A~~
580 midwife shall keep a record of each patient served. Such record

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581 must document, but need not be limited to, each consultation,
582 referral, transport, transfer of care, and emergency care
583 rendered by the midwife and must include all subsequent updates
584 and copy of the birth certificate. These records shall be kept
585 on file for a minimum of 5 years following the date of the last
586 entry in the records.

587 ~~(6) The department shall adopt rules to provide for~~
588 ~~maintaining~~ Patient records of a deceased midwife or a midwife
589 who terminates or relocates a private practice shall be
590 maintained pursuant to department requirements.

591 Section 41. Section 468.1165, Florida Statutes, is amended
592 to read:

593 468.1165 Professional employment experience requirement.—
594 Every applicant for licensure as a speech-language pathologist
595 must demonstrate, prior to licensure, a minimum of 9 months of
596 full-time professional employment, or the equivalent in part-
597 time professional employment. Each applicant for licensure as an
598 audiologist must demonstrate, prior to licensure, a minimum of
599 11 months of full-time professional employment, or the
600 equivalent in part-time professional employment. ~~The board, by~~
601 ~~rule, shall establish standards for obtaining and verifying the~~
602 ~~required professional employment experience.~~

603 Section 42. Subsection (1) of section 468.307, Florida
604 Statutes, is amended to read:

605 468.307 Certificate; issuance; display.—

606 (1) The department shall issue a certificate to each
607 candidate who has met the requirements of ss. 468.304 and
608 468.306 or has qualified under s. 468.3065. The department may
609 ~~by rule~~ establish a subcategory of a certificate issued under

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610 this part limiting the certificateholder to a specific procedure
611 or specific type of equipment. The first regular certificate
612 issued to a new certificateholder expires on the last day of the
613 certificateholder's birth month and shall be valid for at least
614 12 months but no more than 24 months. However, if the new
615 certificateholder already holds a regular, active certificate in
616 a different category under this part, the new certificate shall
617 be combined with and expire on the same date as the existing
618 certificate.

619 Section 43. Subsection (2) of section 468.3851, Florida
620 Statutes, is amended to read:

621 468.3851 Renewal of license.—

622 (2) The department shall adopt ~~rules establishing~~ a
623 procedure for the biennial renewal of licenses.

624 Section 44. Section 468.3852, Florida Statutes, is amended
625 to read:

626 468.3852 Reactivation of license; fee.—The board shall
627 prescribe ~~by rule~~ a fee not to exceed \$250 for the reactivation
628 of an inactive license. The fee shall be in addition to the
629 current biennial renewal fee.

630 Section 45. Subsection (1) of section 468.404, Florida
631 Statutes, is amended to read:

632 468.404 License; fees; renewals.—

633 (1) The department ~~by rule~~ shall establish biennial fees
634 for initial licensing, renewal of license, and reinstatement of
635 license, none of which fees shall exceed \$400. The department
636 may ~~by rule~~ establish a delinquency fee of no more than \$50. The
637 fees shall be adequate to proportionately fund the expenses of
638 the department which are allocated to the regulation of talent

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639 agencies and shall be based on the department's estimate of the
640 revenue required to administer this part.

641 Section 46. Subsections (1) and (2) of section 468.435,
642 Florida Statutes, are amended to read:

643 468.435 Fees; establishment; disposition.—

644 (1) The council shall, ~~by rule,~~ establish fees for the
645 described purposes and within the ranges specified in this
646 section:

647 (a) Application fee: not less than \$25, or more than \$50.

648 (b) Examination fee: not less than \$25, or more than \$100.

649 (c) Initial license fee: not less than \$25, or more than
650 \$100.

651 (d) Renewal of license fee: not less than \$25, or more than
652 \$100.

653 (e) Delinquent license fee: not less than \$25, or more than
654 \$50.

655 (f) Inactive license fee: not less than \$10, or more than
656 \$25.

657 (2) Until the council establishes ~~adopts rules establishing~~
658 fees under subsection (1), the lower amount in each range shall
659 apply.

660 Section 47. Subsection (4) of section 468.532, Florida
661 Statutes, is amended to read:

662 468.532 Discipline.—

663 (4) The board shall specify ~~by rule~~ the penalties for any
664 violation of this part.

665 Section 48. Subsection (1) of section 468.8312, Florida
666 Statutes, is amended to read:

667 468.8312 Fees.—

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668 (1) The department, ~~by rule,~~ may establish fees to be paid
669 for applications, examination, reexamination, licensing and
670 renewal, inactive status application and reactivation of
671 inactive licenses, recordkeeping, and applications for providers
672 of continuing education. The department may also establish ~~by~~
673 ~~rule~~ a delinquency fee. Fees shall be based on department
674 estimates of the revenue required to implement the provisions of
675 this part. All fees shall be remitted with the appropriate
676 application, examination, or license.

677 Section 49. Subsection (2) of section 468.8317, Florida
678 Statutes, is amended to read:

679 468.8317 Inactive license.—

680 (2) A license that becomes inactive may be reactivated upon
681 application to the department. ~~The department may prescribe by~~
682 ~~rule continuing education requirements as a condition of~~
683 ~~reactivating a license. The rules may not require more than one~~
684 ~~renewal cycle of continuing education to reactivate a license.~~

685 Section 50. Subsection (1) of section 468.8412, Florida
686 Statutes, is amended to read:

687 468.8412 Fees.—

688 (1) The department, ~~by rule,~~ may establish fees to be paid
689 for application, examination, reexamination, licensing and
690 renewal, inactive status application and reactivation of
691 inactive licenses, and application for providers of continuing
692 education. The department may also establish ~~by rule~~ a
693 delinquency fee. Fees shall be based on department estimates of
694 the revenue required to implement the provisions of this part.
695 All fees shall be remitted with the application, examination,
696 reexamination, licensing and renewal, inactive status

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697 application and reactivation of inactive licenses, and
698 application for providers of continuing education.

699 Section 51. Subsection (2) of section 476.214, Florida
700 Statutes, is amended to read:

701 476.214 Grounds for suspending, revoking, or refusing to
702 grant license or certificate.—

703 ~~(2) The board shall adopt rules relating to the suspension~~
704 ~~or revocation of licenses or certificates of registration under~~
705 ~~this section pursuant to the provisions of chapter 120.~~

706 Section 52. Subsections (1) and (4) of section 477.022,
707 Florida Statutes, are amended to read:

708 477.022 Examinations.—

709 (1) ~~The board shall specify by rule the general areas of~~
710 ~~competency to be covered by examinations for the licensing under~~
711 ~~this chapter of cosmetologists. The rules shall include the~~
712 ~~relative weight assigned in grading each area, the grading~~
713 ~~criteria to be used by the examiner, and the score necessary to~~
714 ~~achieve a passing grade.~~ The board shall ensure that
715 examinations adequately measure both an applicant's competency
716 and her or his knowledge of related statutory requirements.
717 Professional testing services may be utilized to formulate the
718 examinations. The board may, ~~by rule,~~ offer a written clinical
719 examination or a performance examination, or both, in addition
720 to a written theory examination.

721 ~~(4) The board shall adopt rules providing for reexamination~~
722 ~~of applicants who have failed the examinations.~~

723 Section 53. Paragraph (c) of subsection (3), paragraph (b)
724 of subsection (5), paragraph (a) of subsection (8), and
725 subsection (10) of section 479.07, Florida Statutes, are amended

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726 to read:

727 479.07 Sign permits.—

728 (3)

729 (c) The annual permit fee for each sign facing shall be
730 established by the department ~~by rule~~ in an amount sufficient to
731 offset the total cost to the department for the program, but may
732 not be greater than \$100. The first-year fee may be prorated by
733 payment of an amount equal to one-fourth of the annual fee for
734 each remaining whole quarter or partial quarter of the permit
735 year. Applications received after the end of the third quarter
736 of the permit year must include fees for the last quarter of the
737 current year and fees for the succeeding year.

738 (5)

739 (b) If a permit tag is lost, stolen, or destroyed, the
740 permittee to whom the tag was issued must apply to the
741 department for a replacement tag. The department shall establish
742 ~~adopt a rule establishing~~ a service fee for replacement tags in
743 an amount that will recover the actual cost of providing the
744 replacement tag. Upon receipt of the application accompanied by
745 the service fee, the department shall issue a replacement permit
746 tag.

747 (8) (a) In order to reduce peak workloads, the department
748 may provide ~~adopt rules providing~~ for staggered expiration dates
749 for licenses and permits. Unless otherwise provided for by rule,
750 All licenses and permits expire annually on January 15. All
751 license and permit renewal fees are required to be submitted to
752 the department by no later than the expiration date. At least
753 105 days before the expiration date of licenses and permits, the
754 department shall send to each permittee a notice of fees due for

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755 all licenses and permits that were issued to him or her before
756 the date of the notice. Such notice must list the permits and
757 the permit fees due for each sign facing. The permittee shall,
758 no later than 45 days before the expiration date, advise the
759 department of any additions, deletions, or errors contained in
760 the notice. Permit tags that are not renewed shall be returned
761 to the department for cancellation by the expiration date.
762 Permits that are not renewed or are canceled shall be certified
763 in writing at that time as canceled or not renewed by the
764 permittee, and permit tags for such permits shall be returned to
765 the department or shall be accounted for by the permittee in
766 writing, which writing shall be submitted with the renewal fee
767 payment or the cancellation certification. However, failure of a
768 permittee to submit a permit cancellation does not affect the
769 nonrenewal of a permit. Before cancellation of a permit, the
770 permittee shall provide written notice to all persons or
771 entities having a right to advertise on the sign that the
772 permittee intends to cancel the permit.

773 (10) Commercial or industrial zoning that is not
774 comprehensively enacted or that is enacted primarily to permit
775 signs may not be recognized as commercial or industrial zoning
776 for purposes of this provision, and permits may not be issued
777 for signs in such areas. ~~The department shall adopt rules that~~
778 ~~provide criteria to determine whether such zoning is~~
779 ~~comprehensively enacted or enacted primarily to permit signs.~~

780 Section 54. Subsection (4) of section 481.205, Florida
781 Statutes, is amended to read:

782 481.205 Board of Architecture and Interior Design.—

783 (4) The board may establish ~~by rule~~ minimum procedures,

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784 documentation, and other requirements for indicating evidence of
785 the exercise of responsible supervising control by a person
786 licensed under this part in connection with work performed both
787 inside and outside the licensee's office.

788 Section 55. Subsection (1) of section 502.121, Florida
789 Statutes, is amended to read:

790 502.121 Future dairy farms and milk and frozen dessert
791 plants.—

792 (1) All future construction or extensive alteration of milk
793 houses, milking barns, stables, parlors, transfer stations, and
794 milk and frozen dessert plants regulated under this chapter must
795 meet certain minimum specifications and requirements which the
796 department shall establish ~~by rule~~.

797 Section 56. Subsection (4) of section 509.035, Florida
798 Statutes, is amended to read:

799 509.035 Immediate closure due to severe public health
800 threat.—The division shall, upon proper finding, immediately
801 issue an order to close an establishment licensed under this
802 chapter in the instance of a severe and immediate public health
803 or safety or welfare threat as follows:

804 ~~(4) The division may further adopt rules for issuing~~
805 ~~emergency orders after business hours and on weekends and~~
806 ~~holidays in order to ensure the timely closure of an~~
807 ~~establishment under this section.~~

808 Reviser's note.—Amends or repeals provisions of the Florida
809 Statutes pursuant to the directive of the Legislature in s.
810 9, ch. 2012-116, Laws of Florida, codified as s.
811 11.242(5)(j), Florida Statutes, to prepare a reviser's bill
812 to omit all statutes and laws, or parts thereof, which

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813 grant duplicative, redundant, or unused rulemaking
814 authority.

815 Section 57. This act shall take effect on the 60th day
816 after adjournment sine die of the session of the Legislature in
817 which enacted.