

1                   A reviser's bill to be entitled  
 2           An act relating to the Florida Statutes; repealing ss.  
 3           15.0525, 29.008(4)(c), 255.25001(3), 339.135(4)(j) and  
 4           (5)(c), 373.4137(3)(f), 379.204(3), 403.7095(5),  
 5           409.997(2), 527.06(3)(b) as created by section 1 of  
 6           chapter 2011-106, Laws of Florida, 553.844(4),  
 7           627.410(9), 627.411(4), 627.648, 627.6482, 627.6484,  
 8           627.6486, 627.6488, 627.6489, 627.649, 627.6492,  
 9           627.6494, 627.6496, 627.6498, 627.6499, 641.31(3)(f),  
 10          and 1003.438, F.S., and amending ss. 409.997, 1011.62  
 11          as amended by section 9 of chapter 2015-222, Laws of  
 12          Florida, and 1013.64, F.S., to delete provisions which  
 13          have become inoperative by noncurrent repeal or  
 14          expiration and, pursuant to s. 11.242(5)(b) and (i),  
 15          F.S., may be omitted from the 2016 Florida Statutes  
 16          only through a reviser's bill duly enacted by the  
 17          Legislature; amending ss. 465.1862, 627.601, 627.6699,  
 18          627.66997, and 1002.20, F.S., to conform cross-  
 19          references; providing effective dates.

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

22  
 23           Section 1. Section 15.0525, Florida Statutes, is repealed.  
 24   Reviser's note.—The cited section, which relates to the Admiral  
 25           John H. Fetterman State of Florida Maritime Museum and  
 26           Research Center, expired pursuant to its own terms,

27 effective July 1, 2015.

28 Section 2. Paragraph (c) of subsection (4) of section  
 29 29.008, Florida Statutes, is repealed.

30 Reviser's note.—The cited paragraph, which exempts counties from  
 31 the requirements and provisions of s. 29.008(4)(a) for the  
 32 2014-2015 fiscal year, expired pursuant to its own terms,  
 33 effective July 1, 2015.

34 Section 3. Subsection (3) of section 255.25001, Florida  
 35 Statutes, is repealed.

36 Reviser's note.—The cited subsection, which provides for deposit  
 37 of funds from the sale of property located in Sanford,  
 38 Florida, by the Department of Agriculture and Consumer  
 39 Services to the Market Improvements Working Capital Trust  
 40 Fund, expired pursuant to its own terms, effective July 1,  
 41 2015.

42 Section 4. Paragraph (j) of subsection (4) and paragraph  
 43 (c) of subsection (5) of section 339.135, Florida Statutes, are  
 44 repealed.

45 Reviser's note.—The cited paragraphs, which relate to Department  
 46 of Transportation use, for the 2014-2015 fiscal year only,  
 47 of up to \$15 million of appropriated funds to pay the costs  
 48 of strategic and regionally significant transportation  
 49 projects, expired pursuant to their own terms, effective  
 50 July 1, 2015.

51 Section 5. Paragraph (f) of subsection (3) of section  
 52 373.4137, Florida Statutes, is repealed.

53 Reviser's note.—The cited paragraph requires funds identified in  
54 the Department of Transportation's work program or  
55 participating transportation authorities' escrow accounts  
56 to correspond to a cost per acre of \$75,000 multiplied by  
57 the projected acres of impact as identified in the  
58 environmental impact inventory for purposes of preparing  
59 and implementing the mitigation plans to be adopted by the  
60 water management districts on or before March 1, 2014, for  
61 impacts based on the July 1, 2013, environmental impact  
62 inventory, and for adjustment to a specified percentage  
63 change in the average of the Consumer Price Index. Payment  
64 under this paragraph is limited to mitigation activities  
65 that are identified in the first year of the 2013  
66 mitigation plan and for which the transportation project is  
67 permitted and are in the department's adopted work program,  
68 or equivalent for a transportation authority. When  
69 implementing the mitigation activities necessary to offset  
70 the permitted impacts as provided in the approved  
71 mitigation plan, the water management district shall  
72 maintain specified records of the costs incurred in  
73 implementing the mitigation. To the extent moneys paid to a  
74 water management district by the department or a  
75 participating transportation authority are greater than the  
76 amount spent by the water management districts in  
77 implementing the mitigation to offset the permitted  
78 impacts, these funds must be refunded to the department or

79 participating transportation authority. This paragraph  
 80 expired pursuant to its own terms, effective June 30, 2015.

81 Section 6. Subsection (3) of section 379.204, Florida  
 82 Statutes, is repealed.

83 Reviser's note.—The cited subsection, which authorizes transfer  
 84 of the cash balance originating from hunting and fishing  
 85 license fees from other trust funds into the Federal Grants  
 86 Trust Fund for the purpose of supporting cash flow needs,  
 87 expired pursuant to its own terms, effective July 1, 2012.

88 Section 7. Subsection (5) of section 403.7095, Florida  
 89 Statutes, is repealed.

90 Reviser's note.—The cited subsection, which requires the  
 91 Department of Environmental Protection, for the 2014-2015  
 92 fiscal year only, to award the sum of \$3 million in grants  
 93 equally to counties having populations of fewer than  
 94 100,000 for waste tire and litter prevention, recycling  
 95 education, and general solid waste programs, expired  
 96 pursuant to its own terms, effective July 1, 2015.

97 Section 8. Subsection (2) of section 409.997, Florida  
 98 Statutes, is repealed, and subsection (4) of that section is  
 99 amended to read:

100 409.997 Child welfare results-oriented accountability  
 101 program.—

102 ~~(3)(4) Subject to a specific appropriation to implement~~  
 103 ~~the accountability program developed under subsection (2),~~ The  
 104 department shall establish a technical advisory panel consisting

105 of representatives from the Florida Institute for Child Welfare  
106 established pursuant to s. 1004.615, lead agencies, community-  
107 based care providers, other contract providers, community  
108 alliances, and family representatives. The President of the  
109 Senate and the Speaker of the House of Representatives shall  
110 each appoint a member to serve as a legislative liaison to the  
111 panel. The technical advisory panel shall advise the department  
112 on the implementation of the results-oriented accountability  
113 program.

114 Reviser's note.—Subsection (2), which relates to contracting for  
115 and submittal of a plan for implementing the child welfare  
116 results-oriented accountability program, expired pursuant  
117 to its own terms, effective June 30, 2015. Subsection (4)  
118 is amended to conform to the expiration of subsection (2).

119 Section 9. Paragraph (b) of subsection (3) of section  
120 527.06, Florida Statutes, as created by section 1 of chapter  
121 2011-106, Laws of Florida, is repealed.

122 Reviser's note.—The cited paragraph, which provides that the  
123 department or other state agency may not require compliance  
124 with the minimum separation distances of NFPA 58 for  
125 separation between a liquefied petroleum gas tank and a  
126 building, adjoining property line, other liquefied  
127 petroleum gas tank, or any source of ignition, except in  
128 compliance with the minimum separation distances of the  
129 2011 edition of NFPA 58, expired pursuant to its own terms  
130 "upon the last effective date of rules adopted, directly or

131 incorporated by reference, by the department, the Florida  
132 Building Commission as part of the Florida Building Code,  
133 and the Office of State Fire Marshal as part of the Florida  
134 Fire Prevention Code of these minimum separation distances  
135 contained in the 2011 edition of NFPA 58, promulgated by  
136 the National Fire Protection Association." Rules 5J-20.002  
137 and 69A-3.012, Florida Administrative Code, incorporate  
138 NFPA 58 (2011 edition) re storage and handling of liquefied  
139 petroleum gas; s. 401.2 of the Florida Building Code also  
140 incorporates the NFPA 58 standard. Two conflicting laws,  
141 chapters 2011-106, Laws of Florida, and 2011-222, Laws of  
142 Florida, amended s. 527.06 and included very similar  
143 language; paragraph (3) (b) as created by s. 1, ch. 2011-  
144 106, expired pursuant to adoption of the rules, and  
145 subsection (3), as amended by s. 19, ch. 2011-222, was  
146 repealed upon adoption of the rules.

147 Section 10. Subsection (4) of section 553.844, Florida  
148 Statutes, is repealed.

149 Reviser's note.—The cited subsection, which provides that  
150 exposed mechanical equipment or appliances fastened to a  
151 roof or installed on the ground in compliance with the code  
152 using rated stands, platforms, curbs, slabs, or other means  
153 are deemed to comply with the wind resistance requirements  
154 of the 2007 Florida Building Code, as amended, and further  
155 support or enclosure of such mechanical equipment or  
156 appliance is not required by a state or local official

157 having authority to enforce the Florida Building Code,  
158 expired pursuant to its own terms, on the effective date of  
159 the 2013 Florida Building Code. The new edition of the code  
160 became effective June 30, 2015, but the Florida Building  
161 Commission elected to rename it as the 2014 Florida  
162 Building Code.

163 Section 11. Subsection (9) of section 627.410, Florida  
164 Statutes, is repealed.

165 Reviser's note.—The cited subsection, which provides that, for  
166 plan years 2014 and 2015, nongrandfathered health plans for  
167 the individual or small group market are not subject to  
168 rate review or approval by the Office of Insurance  
169 Regulation, was repealed pursuant to its own terms,  
170 effective March 1, 2015.

171 Section 12. Subsection (4) of section 627.411, Florida  
172 Statutes, is repealed.

173 Reviser's note.—The cited subsection, which provides that the  
174 provisions of s. 627.411 which apply to rates, rating  
175 practices, or the relationship of benefits to the premium  
176 charged do not apply to nongrandfathered health plans  
177 described in s. 627.410(9), was repealed pursuant to its  
178 own terms, effective March 1, 2015.

179 Section 13. Sections 627.648, 627.6482, 627.6484,  
180 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494,  
181 627.6496, 627.6498, and 627.6499, Florida Statutes, are  
182 repealed.

HB 7047

2016

183 Reviser's note.—The cited sections, which relate to the Florida  
184 Comprehensive Health Association, were repealed by s. 20,  
185 ch. 2013-101, Laws of Florida, effective October 1, 2015.  
186 Since the sections were not repealed by a "current session"  
187 of the Legislature, they may be omitted from the 2016  
188 Florida Statutes only through a reviser's bill duly enacted  
189 by the Legislature. See s. 11.242(5)(b) and (i).

190 Section 14. Paragraph (f) of subsection (3) of section  
191 641.31, Florida Statutes, is repealed.

192 Reviser's note.—The cited paragraph, which, for plan years 2014  
193 and 2015, provides that nongrandfathered health plans for  
194 the individual or small group market are not subject to  
195 rate review or approval by the office, and that a health  
196 maintenance organization that issues or renews a  
197 nongrandfathered health plan is subject to s. 627.410(9),  
198 expired pursuant to its own terms, effective March 1, 2015.

199 Section 15. Section 1003.438, Florida Statutes, is  
200 repealed.

201 Reviser's note.—The cited section, which relates to special high  
202 school graduation requirements for certain exceptional  
203 students, was repealed by s. 19, ch. 2014-184, Laws of  
204 Florida, effective July 1, 2015. Since the section was not  
205 repealed by a "current session" of the Legislature, it may  
206 be omitted from the 2016 Florida Statutes only through a  
207 reviser's bill duly enacted by the Legislature. See s.  
208 11.242(5)(b) and (i).



209 Section 16. Effective July 1, 2016, paragraph (e) of  
 210 subsection (4) of section 1011.62, Florida Statutes, as amended  
 211 by section 9 of chapter 2015-222, Laws of Florida, is amended to  
 212 read:

213 1011.62 Funds for operation of schools.—If the annual  
 214 allocation from the Florida Education Finance Program to each  
 215 district for operation of schools is not determined in the  
 216 annual appropriations act or the substantive bill implementing  
 217 the annual appropriations act, it shall be determined as  
 218 follows:

219 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The  
 220 Legislature shall prescribe the aggregate required local effort  
 221 for all school districts collectively as an item in the General  
 222 Appropriations Act for each fiscal year. The amount that each  
 223 district shall provide annually toward the cost of the Florida  
 224 Education Finance Program for kindergarten through grade 12  
 225 programs shall be calculated as follows:

226 (e) Prior period funding adjustment millage.—

227 1. There shall be an additional millage to be known as the  
 228 Prior Period Funding Adjustment Millage levied by a school  
 229 district if the prior period unrealized required local effort  
 230 funds are greater than zero. The Commissioner of Education shall  
 231 calculate the amount of the prior period unrealized required  
 232 local effort funds as specified in subparagraph 2. and the  
 233 millage required to generate that amount as specified in this  
 234 subparagraph. The Prior Period Funding Adjustment Millage shall

235 be the quotient of the prior period unrealized required local  
236 effort funds divided by the current year taxable value certified  
237 to the Commissioner of Education pursuant to sub-subparagraph  
238 (a)1.a. This levy shall be in addition to the required local  
239 effort millage certified pursuant to this subsection. Such  
240 millage shall not affect the calculation of the current year's  
241 required local effort, and the funds generated by such levy  
242 shall not be included in the district's Florida Education  
243 Finance Program allocation for that fiscal year. For purposes of  
244 the millage to be included on the Notice of Proposed Taxes, the  
245 Commissioner of Education shall adjust the required local effort  
246 millage computed pursuant to paragraph (a) as adjusted by  
247 paragraph (b) for the current year for any district that levies  
248 a Prior Period Funding Adjustment Millage to include all Prior  
249 Period Funding Adjustment Millage. For the purpose of this  
250 paragraph, there shall be a Prior Period Funding Adjustment  
251 Millage levied for each year certified by the Department of  
252 Revenue pursuant to sub-subparagraph (a)2.a. since the previous  
253 year certification and for which the calculation in sub-  
254 subparagraph 2.b. is greater than zero.

255 2.a. As used in this subparagraph, the term:

256 (I) "Prior year" means a year certified under sub-  
257 subparagraph (a)2.a.

258 (II) "Preliminary taxable value" means:

259 (A) If the prior year is the 2009-2010 fiscal year or  
260 later, the taxable value certified to the Commissioner of

261 Education pursuant to sub-subparagraph (a)1.a.

262 (B) If the prior year is the 2008-2009 fiscal year or  
 263 earlier, the taxable value certified pursuant to the final  
 264 calculation as specified in former paragraph (b) as that  
 265 paragraph existed in the prior year.

266 (III) "Final taxable value" means the district's taxable  
 267 value as certified by the property appraiser pursuant to s.  
 268 193.122(2) or (3), if applicable. This is the certification that  
 269 reflects all final administrative actions of the value  
 270 adjustment board.

271 b. For purposes of this subsection and with respect to  
 272 each year certified pursuant to sub-subparagraph (a)2.a., if the  
 273 district's prior year preliminary taxable value is greater than  
 274 the district's prior year final taxable value, the prior period  
 275 unrealized required local effort funds are the difference  
 276 between the district's prior year preliminary taxable value and  
 277 the district's prior year final taxable value, multiplied by the  
 278 prior year district required local effort millage. If the  
 279 district's prior year preliminary taxable value is less than the  
 280 district's prior year final taxable value, the prior period  
 281 unrealized required local effort funds are zero.

282 ~~e. For the 2014-2015 fiscal year only, if a district's~~  
 283 ~~prior period unrealized required local effort funds and prior~~  
 284 ~~period district required local effort millage cannot be~~  
 285 ~~determined because such district's final taxable value has not~~  
 286 ~~yet been certified pursuant to s. 193.122(2) or (3), for the~~

287 ~~2014 tax levy, the Prior Period Funding Adjustment Millage for~~  
288 ~~such fiscal year shall be levied in 2014 in an amount equal to~~  
289 ~~75 percent of such district's most recent unrealized required~~  
290 ~~local effort for which a Prior Period Funding Adjustment Millage~~  
291 ~~was determined as provided in this section. Upon certification~~  
292 ~~of the final taxable value for the 2013 tax roll in accordance~~  
293 ~~with s. 193.122(2) or (3), the Prior Period Funding Adjustment~~  
294 ~~Millage levied in 2015 shall be adjusted to include any~~  
295 ~~shortfall or surplus in the prior period unrealized required~~  
296 ~~local effort funds that would have been levied in 2014, had the~~  
297 ~~district's final taxable value been certified pursuant to s.~~  
298 ~~193.122(2) or (3) for the 2014 tax levy. This provision shall be~~  
299 ~~implemented by a district only if the millage calculated~~  
300 ~~pursuant to this paragraph when added to the millage levied by~~  
301 ~~the district for all purposes for the 2014-2015 fiscal year is~~  
302 ~~less than or equal to the total millage levied for the 2013-2014~~  
303 ~~fiscal year. This sub-subparagraph expires July 1, 2015.~~

304 Reviser's note.—Amended, as amended by s. 9, ch. 2015-222, Laws  
305 of Florida, effective July 1, 2016, to delete sub-  
306 subparagraph (4)(e)2.c., to conform to the expiration of  
307 that sub-subparagraph pursuant to its own terms, effective  
308 July 1, 2015.

309 Section 17. Paragraph (a) of subsection (1) of section  
310 1013.64, Florida Statutes, is amended to read:

311 1013.64 Funds for comprehensive educational plant needs;  
312 construction cost maximums for school district capital

HB 7047

2016

313 projects.—Allocations from the Public Education Capital Outlay  
314 and Debt Service Trust Fund to the various boards for capital  
315 outlay projects shall be determined as follows:

316 (1) (a) ~~1.~~ Funds for remodeling, renovation, maintenance,  
317 repairs, and site improvement for existing satisfactory  
318 facilities shall be given priority consideration by the  
319 Legislature for appropriations allocated to the boards from the  
320 total amount of the Public Education Capital Outlay and Debt  
321 Service Trust Fund appropriated. These funds shall be calculated  
322 pursuant to the following basic formula: the building value  
323 times the building age over the sum of the years' digits  
324 assuming a 50-year building life. For modular noncombustible  
325 facilities, a 35-year life shall be used, and for relocatable  
326 facilities, a 20-year life shall be used. "Building value" is  
327 calculated by multiplying each building's total assignable  
328 square feet times the appropriate net-to-gross conversion rate  
329 found in state board rules and that product times the current  
330 average new construction cost. "Building age" is calculated by  
331 multiplying the prior year's building age times 1 minus the  
332 prior year's sum received from this subsection divided by the  
333 prior year's building value. To the net result shall be added  
334 the number 1. Each board shall receive the percentage generated  
335 by the preceding formula of the total amount appropriated for  
336 the purposes of this section.

337 ~~2. Notwithstanding subparagraph 1., and for the 2014-2015~~  
338 ~~fiscal year only, funds appropriated for remodeling, renovation,~~

339 ~~maintenance, repairs, and site improvement for existing~~  
 340 ~~satisfactory facilities shall be allocated by prorating the~~  
 341 ~~total appropriation based on each school district's share of the~~  
 342 ~~2013-2014 reported fixed capital outlay full-time equivalent~~  
 343 ~~student. This subparagraph expires July 1, 2015.~~

344 Reviser's note.—Amended to delete subparagraph 2., which expired  
 345 pursuant to its own terms, effective July 1, 2015.

346 Section 18. Paragraph (b) of subsection (1) of section  
 347 465.1862, Florida Statutes, is amended to read:

348 465.1862 Pharmacy benefits manager contracts.—

349 (1) As used in this section, the term:

350 (b) "Pharmacy benefits manager" means a person or entity  
 351 doing business in this state which contracts to administer or  
 352 manage prescription drug benefits on behalf of a health  
 353 insurance plan, as defined in former s. 627.6482, to residents  
 354 of this state.

355 Reviser's note.—Amended to conform to the repeal of s. 627.6482  
 356 by s. 20, ch. 2013-101, Laws of Florida, effective October  
 357 1, 2015, and confirmed in this act.

358 Section 19. Subsection (2) of section 627.601, Florida  
 359 Statutes, is amended to read:

360 627.601 Scope of this part.—Nothing in this part applies  
 361 to or affects:

362 (2) Any group or blanket policy, ~~except as provided in ss.~~  
 363 ~~627.648-627.6499.~~

364 Reviser's note.—Amended to conform to the repeal of ss. 627.648,

365 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649,  
 366 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, which  
 367 relate to the Florida Comprehensive Health Association, by  
 368 s. 20, ch. 2013-101, Laws of Florida, effective October 1,  
 369 2015, and confirmed in this act. Sections 627.6487 and  
 370 627.64871 were created by ch. 97-179, Laws of Florida. The  
 371 most recent amendment to s. 627.601 was by s. 53, ch. 92-  
 372 318, Laws of Florida.

373 Section 20. Paragraph (b) of subsection (15) of section  
 374 627.6699, Florida Statutes, is amended to read:

375 627.6699 Employee Health Care Access Act.—

376 (15) APPLICABILITY OF OTHER STATE LAWS.—

377 ~~(b) Any second tier assessment paid by a carrier pursuant~~  
 378 ~~to paragraph (11)(j) may be credited against assessments levied~~  
 379 ~~against the carrier pursuant to s. 627.6494.~~

380 Reviser's note.—Amended to conform to the repeal of s. 627.6494  
 381 by s. 20, ch. 2013-101, Laws of Florida, effective October  
 382 1, 2015, and confirmed by this act.

383 Section 21. Subsection (2) of section 627.66997, Florida  
 384 Statutes, is amended to read:

385 627.66997 Stop-loss insurance.—

386 (2) A self-insured health benefit plan established or  
 387 maintained by an employer with 51 or more covered employees is  
 388 considered health insurance if the plan's stop-loss coverage, as  
 389 defined in former s. 627.6482(14), has an aggregate attachment  
 390 point that is lower than the greater of:

HB 7047

2016

391 (a) One hundred ten percent of expected claims, as  
392 determined by the stop-loss insurer in accordance with actuarial  
393 standards of practice; or

394 (b) Twenty thousand dollars.

395 Reviser's note.—Amended to conform to the repeal of s. 627.6482  
396 by s. 20, ch. 2013-101, Laws of Florida, effective October  
397 1, 2015, and confirmed by this act.

398 Section 22. Subsection (8) of section 1002.20, Florida  
399 Statutes, is amended to read:

400 1002.20 K-12 student and parent rights.—Parents of public  
401 school students must receive accurate and timely information  
402 regarding their child's academic progress and must be informed  
403 of ways they can help their child to succeed in school. K-12  
404 students and their parents are afforded numerous statutory  
405 rights including, but not limited to, the following:

406 (8) STUDENTS WITH DISABILITIES.—Parents of public school  
407 students with disabilities and parents of public school students  
408 in residential care facilities are entitled to notice and due  
409 process in accordance with the provisions of ss. 1003.57 and  
410 1003.58. Public school students with disabilities must be  
411 provided the opportunity to meet the graduation requirements for  
412 a standard high school diploma as set forth in s. 1003.4282 in  
413 accordance with the provisions of ss. 1003.57 and 1008.22.  
414 ~~Pursuant to s. 1003.438, certain public school students with~~  
415 ~~disabilities may be awarded a special diploma upon high school~~  
416 ~~graduation.~~



HB 7047

2016

417 Reviser's note.—Amended to conform to the repeal of s. 1003.438  
418 by s. 19, ch. 2014-184, Laws of Florida, effective July 1,  
419 2015, and confirmed by this act.

420 Section 23. Except as otherwise expressly provided in this  
421 act, this act shall take effect on the 60th day after  
422 adjournment sine die of the session of the Legislature in which  
423 enacted.