

1 A bill to be entitled
2 An act relating to government accountability; amending
3 s. 11.40, F.S.; specifying that the Governor, the
4 Commissioner of Education, or the designee of the
5 Governor or of the commissioner, may notify the
6 Legislative Auditing Committee of an entity's failure
7 to comply with certain auditing and financial
8 reporting requirements; amending s. 11.45, F.S.;
9 defining the terms "abuse," "fraud," and "waste";
10 revising the definition of the term "local
11 governmental entity"; excluding water management
12 districts from certain audit requirements; removing a
13 cross-reference; authorizing the Auditor General to
14 conduct audits of tourist development councils and
15 county tourism promotion agencies; revising reporting
16 requirements applicable to the Auditor General;
17 amending s. 28.35, F.S.; revising reporting
18 requirements applicable to the Florida Clerks of Court
19 Operations Corporation; amending s. 43.16, F.S.;
20 revising the responsibilities of the Justice
21 Administrative Commission, each state attorney, each
22 public defender, the criminal conflict and civil
23 regional counsel, the capital collateral regional
24 counsel, and the Guardian Ad Litem Program, to include
25 the establishment and maintenance of certain internal

26 controls; amending s. 112.061, F.S.; revising certain
27 lodging rates for the purpose of reimbursement to
28 specified employees; authorizing an employee to expend
29 his or her funds for certain lodging expenses;
30 defining the term "statewide travel management
31 system"; requiring agencies and the judicial branch to
32 report certain travel information of public officers
33 and employees in the statewide travel management
34 system; requiring executive branch state agencies and
35 the judicial branch to use the statewide travel
36 management system for certain purposes; amending ss.
37 129.03, 129.06, and 166.241, F.S.; requiring counties
38 and municipalities to maintain certain budget
39 documents on the entities' websites for a specified
40 period; amending s. 215.86, F.S.; revising the
41 purposes for which management systems and internal
42 controls must be established and maintained by each
43 state agency and the judicial branch; amending s.
44 215.97, F.S.; revising certain audit threshold
45 requirements; amending s. 215.985, F.S.; revising the
46 requirements for a monthly financial statement
47 provided by a water management district; amending s.
48 218.32, F.S.; revising the requirements of the annual
49 financial audit report of a local governmental entity;
50 authorizing the Department of Financial Services to

51 request additional information from a local
52 governmental entity; requiring a local governmental
53 entity to respond to such requests within a specified
54 timeframe; requiring the department to notify the
55 Legislative Auditing Committee of noncompliance;
56 amending s. 218.33, F.S.; requiring local governmental
57 entities to establish and maintain internal controls
58 to achieve specified purposes; amending s. 218.39,
59 F.S.; requiring an audited entity to respond to audit
60 recommendations under specified circumstances;
61 amending s. 218.391, F.S.; revising membership for the
62 audit committee; prohibiting an audit committee member
63 from being an employee, a chief executive officer, or
64 a chief financial officer of the respective
65 governmental entity; requiring an auditor to include
66 certain information in a management letter; requiring
67 the chair of a governmental entity's governing body to
68 submit an affidavit containing certain information
69 when the entity contracts with an auditor to conduct
70 an audit; providing requirements and procedures for
71 selecting an auditor; requiring the Legislative
72 Auditing Committee to determine whether a governmental
73 entity should be subject to state action under certain
74 circumstances; amending s. 286.0114, F.S.; prohibiting
75 a board or commission from requiring an advance copy

76 | of testimony or comments from a member of the public
77 | as a precondition to being given the opportunity to be
78 | heard at a public meeting; amending s. 373.536, F.S.;
79 | deleting obsolete language; requiring water management
80 | districts to maintain certain budget documents on the
81 | districts' websites for a specified period; amending
82 | s. 1001.42, F.S.; authorizing additional internal
83 | audits as directed by the district school board;
84 | amending s. 1002.33, F.S.; revising the
85 | responsibilities of the governing board of a charter
86 | school to include the establishment and maintenance of
87 | internal controls; removing obsolete provisions;
88 | amending s. 1002.37, F.S.; requiring completion of an
89 | annual financial audit of the Florida Virtual School;
90 | specifying audit requirements; requiring an audit
91 | report to be submitted to the board of trustees of the
92 | Florida Virtual School and the Auditor General;
93 | deleting obsolete provisions; amending s. 1010.01,
94 | F.S.; requiring each school district, Florida College
95 | System institution, and state university to establish
96 | and maintain certain internal controls; amending s.
97 | 1010.30, F.S.; requiring a district school board,
98 | Florida College System institution board of trustees,
99 | or university board of trustees to respond to audit
100 | recommendations under certain circumstances; amending

101 ss. 218.503 and 1002.455, F.S.; conforming provisions
 102 and cross-references to changes made by the act;
 103 declaring that the act fulfills an important state
 104 interest; providing an effective date.
 105

106 Be It Enacted by the Legislature of the State of Florida:
 107

108 Section 1. Subsection (2) of section 11.40, Florida
 109 Statutes, is amended to read:

110 11.40 Legislative Auditing Committee.—

111 (2) Following notification by the Auditor General, the
 112 Department of Financial Services, ~~or~~ the Division of Bond
 113 Finance of the State Board of Administration, the Governor or
 114 his or her designee, or the Commissioner of Education or his or
 115 her designee of the failure of a local governmental entity,
 116 district school board, charter school, or charter technical
 117 career center to comply with the applicable provisions within s.
 118 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the
 119 Legislative Auditing Committee may schedule a hearing to
 120 determine if the entity should be subject to further state
 121 action. If the committee determines that the entity should be
 122 subject to further state action, the committee shall:

123 (a) In the case of a local governmental entity or district
 124 school board, direct the Department of Revenue and the
 125 Department of Financial Services to withhold any funds not

126 pledged for bond debt service satisfaction which are payable to
127 such entity until the entity complies with the law. The
128 committee shall specify the date that such action must ~~shall~~
129 begin, and the directive must be received by the Department of
130 Revenue and the Department of Financial Services 30 days before
131 the date of the distribution mandated by law. The Department of
132 Revenue and the Department of Financial Services may implement
133 ~~the provisions of~~ this paragraph.

134 (b) In the case of a special district created by:

135 1. A special act, notify the President of the Senate, the
136 Speaker of the House of Representatives, the standing committees
137 of the Senate and the House of Representatives charged with
138 special district oversight as determined by the presiding
139 officers of each respective chamber, the legislators who
140 represent a portion of the geographical jurisdiction of the
141 special district, and the Department of Economic Opportunity
142 that the special district has failed to comply with the law.
143 Upon receipt of notification, the Department of Economic
144 Opportunity shall proceed pursuant to s. 189.062 or s. 189.067.
145 If the special district remains in noncompliance after the
146 process set forth in s. 189.0651, or if a public hearing is not
147 held, the Legislative Auditing Committee may request the
148 department to proceed pursuant to s. 189.067(3).

149 2. A local ordinance, notify the chair or equivalent of
150 the local general-purpose government pursuant to s. 189.0652 and

151 the Department of Economic Opportunity that the special district
152 has failed to comply with the law. Upon receipt of notification,
153 the department shall proceed pursuant to s. 189.062 or s.
154 189.067. If the special district remains in noncompliance after
155 the process set forth in s. 189.0652, or if a public hearing is
156 not held, the Legislative Auditing Committee may request the
157 department to proceed pursuant to s. 189.067(3).

158 3. Any manner other than a special act or local ordinance,
159 notify the Department of Economic Opportunity that the special
160 district has failed to comply with the law. Upon receipt of
161 notification, the department shall proceed pursuant to s.
162 189.062 or s. 189.067(3).

163 (c) In the case of a charter school or charter technical
164 career center, notify the appropriate sponsoring entity, which
165 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

166 Section 2. Subsection (1), paragraph (j) of subsection
167 (2), paragraph (u) of subsection (3), and paragraph (i) of
168 subsection (7) of section 11.45, Florida Statutes, are amended,
169 and paragraph (x) is added to subsection (3) of that section to
170 read:

171 11.45 Definitions; duties; authorities; reports; rules.—

172 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

173 (a) "Abuse" means behavior that is deficient or improper
174 when compared with behavior that a prudent person would consider
175 a reasonable and necessary operational practice given the facts

176 | and circumstances. The term includes the misuse of authority or
 177 | position for personal gain.

178 | **(b)**~~(a)~~ "Audit" means a financial audit, operational audit,
 179 | or performance audit.

180 | **(c)**~~(b)~~ "County agency" means a board of county
 181 | commissioners or other legislative and governing body of a
 182 | county, however styled, including that of a consolidated or
 183 | metropolitan government, a clerk of the circuit court, a
 184 | separate or ex officio clerk of the county court, a sheriff, a
 185 | property appraiser, a tax collector, a supervisor of elections,
 186 | or any other officer in whom any portion of the fiscal duties of
 187 | a body or officer expressly stated in this paragraph are ~~the~~
 188 | ~~above are under law~~ separately placed by law.

189 | **(d)**~~(e)~~ "Financial audit" means an examination of financial
 190 | statements in order to express an opinion on the fairness with
 191 | which they are presented in conformity with generally accepted
 192 | accounting principles and an examination to determine whether
 193 | operations are properly conducted in accordance with legal and
 194 | regulatory requirements. Financial audits must be conducted in
 195 | accordance with auditing standards generally accepted in the
 196 | United States and government auditing standards as adopted by
 197 | the Board of Accountancy. When applicable, the scope of
 198 | financial audits must ~~shall~~ encompass the additional activities
 199 | necessary to establish compliance with the Single Audit Act
 200 | Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other

201 applicable federal law.

202 (e) "Fraud" means obtaining something of value through
203 willful misrepresentation, including, but not limited to, the
204 intentional misstatements or intentional omissions of amounts or
205 disclosures in financial statements to deceive users of
206 financial statements, theft of an entity's assets, bribery, or
207 the use of one's position for personal enrichment through the
208 deliberate misuse or misapplication of an organization's
209 resources.

210 (f)~~(d)~~ "Governmental entity" means a state agency, a
211 county agency, or any other entity, however styled, that
212 independently exercises any type of state or local governmental
213 function.

214 (g)~~(e)~~ "Local governmental entity" means a county agency,
215 municipality, tourist development council, county tourism
216 promotion agency, or special district as defined in s. 189.012.
217 The term,~~but~~ does not include any housing authority established
218 under chapter 421.

219 (h)~~(f)~~ "Management letter" means a statement of the
220 auditor's comments and recommendations.

221 (i)~~(g)~~ "Operational audit" means an audit whose purpose is
222 to evaluate management's performance in establishing and
223 maintaining internal controls, including controls designed to
224 prevent and detect fraud, waste, and abuse, and in administering
225 assigned responsibilities in accordance with applicable laws,

226 administrative rules, contracts, grant agreements, and other
227 guidelines. Operational audits must be conducted in accordance
228 with government auditing standards. Such audits examine internal
229 controls that are designed and placed in operation to promote
230 and encourage the achievement of management's control objectives
231 in the categories of compliance, economic and efficient
232 operations, reliability of financial records and reports, and
233 safeguarding of assets, and identify weaknesses in those
234 internal controls.

235 (j)~~(h)~~ "Performance audit" means an examination of a
236 program, activity, or function of a governmental entity,
237 conducted in accordance with applicable government auditing
238 standards or auditing and evaluation standards of other
239 appropriate authoritative bodies. The term includes an
240 examination of issues related to:

- 241 1. Economy, efficiency, or effectiveness of the program.
- 242 2. Structure or design of the program to accomplish its
243 goals and objectives.
- 244 3. Adequacy of the program to meet the needs identified by
245 the Legislature or governing body.
- 246 4. Alternative methods of providing program services or
247 products.
- 248 5. Goals, objectives, and performance measures used by the
249 agency to monitor and report program accomplishments.
- 250 6. The accuracy or adequacy of public documents, reports,

251 or requests prepared under the program by state agencies.

252 7. Compliance of the program with appropriate policies,
253 rules, or laws.

254 8. Any other issues related to governmental entities as
255 directed by the Legislative Auditing Committee.

256 (k)~~(i)~~ "Political subdivision" means a separate agency or
257 unit of local government created or established by law and
258 includes, but is not limited to, the following and the officers
259 thereof: authority, board, branch, bureau, city, commission,
260 consolidated government, county, department, district,
261 institution, metropolitan government, municipality, office,
262 officer, public corporation, town, or village.

263 (l)~~(j)~~ "State agency" means a separate agency or unit of
264 state government created or established by law and includes, but
265 is not limited to, the following and the officers thereof:
266 authority, board, branch, bureau, commission, department,
267 division, institution, office, officer, or public corporation,
268 as the case may be, except any such agency or unit within the
269 legislative branch of state government other than the Florida
270 Public Service Commission.

271 (m) "Waste" means the act of using or expending resources
272 unreasonably, carelessly, extravagantly, or for no useful
273 purpose.

274 (2) DUTIES.—The Auditor General shall:

275 (j) Conduct audits of local governmental entities when

276 determined to be necessary by the Auditor General, when directed
277 by the Legislative Auditing Committee, or when otherwise
278 required by law. No later than 18 months after the release of
279 the audit report, the Auditor General shall perform such
280 appropriate followup procedures as he or she deems necessary to
281 determine the audited entity's progress in addressing the
282 findings and recommendations contained within the Auditor
283 General's previous report. The Auditor General shall notify each
284 member of the audited entity's governing body and the
285 Legislative Auditing Committee of the results of his or her
286 determination. For purposes of this paragraph, local
287 governmental entities do not include water management districts.
288

289 The Auditor General shall perform his or her duties
290 independently but under the general policies established by the
291 Legislative Auditing Committee. This subsection does not limit
292 the Auditor General's discretionary authority to conduct other
293 audits or engagements of governmental entities as authorized in
294 subsection (3).

295 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
296 Auditor General may, pursuant to his or her own authority, or at
297 the direction of the Legislative Auditing Committee, conduct
298 audits or other engagements as determined appropriate by the
299 Auditor General of:

300 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

301 (x) Tourist development councils and county tourism
 302 promotion agencies.

303 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

304 (i) The Auditor General shall annually transmit by July
 305 15, to the President of the Senate, the Speaker of the House of
 306 Representatives, and the Department of Financial Services, a
 307 list of all school districts, charter schools, charter technical
 308 career centers, Florida College System institutions, state
 309 universities, and local governmental entities ~~water management~~
 310 ~~districts~~ that have failed to comply with the transparency
 311 requirements as identified in the audit reports reviewed
 312 pursuant to paragraph (b) and those conducted pursuant to
 313 subsection (2).

314 Section 3. Paragraph (d) of subsection (2) of section
 315 28.35, Florida Statutes, is amended to read:

316 28.35 Florida Clerks of Court Operations Corporation.—

317 (2) The duties of the corporation shall include the
 318 following:

319 (d) Developing and certifying a uniform system of workload
 320 measures and applicable workload standards for court-related
 321 functions as developed by the corporation and clerk workload
 322 performance in meeting the workload performance standards. These
 323 workload measures and workload performance standards shall be
 324 designed to facilitate an objective determination of the
 325 performance of each clerk in accordance with minimum standards

326 for fiscal management, operational efficiency, and effective
327 collection of fines, fees, service charges, and court costs. The
328 corporation shall develop the workload measures and workload
329 performance standards in consultation with the Legislature. When
330 the corporation finds a clerk has not met the workload
331 performance standards, the corporation shall identify the nature
332 of each deficiency and any corrective action recommended and
333 taken by the affected clerk of the court. For quarterly periods
334 ending on the last day of March, June, September, and December
335 of each year, the corporation shall notify the Legislature of
336 any clerk not meeting workload performance standards and provide
337 a copy of any corrective action plans. Such notifications shall
338 be submitted no later than 45 days after the end of the
339 preceding quarterly period. As used in this subsection, the
340 term:

341 1. "Workload measures" means the measurement of the
342 activities and frequency of the work required for the clerk to
343 adequately perform the court-related duties of the office as
344 defined by the membership of the Florida Clerks of Court
345 Operations Corporation.

346 2. "Workload performance standards" means the standards
347 developed to measure the timeliness and effectiveness of the
348 activities that are accomplished by the clerk in the performance
349 of the court-related duties of the office as defined by the
350 membership of the Florida Clerks of Court Operations

351 Corporation.

352 Section 4. Subsections (6) and (7) of section 43.16,
353 Florida Statutes, are renumbered as subsections (7) and (8),
354 respectively, and a new subsection (6) is added to that section
355 to read:

356 43.16 Justice Administrative Commission; membership,
357 powers and duties.—

358 (6) The commission, each state attorney, each public
359 defender, the criminal conflict and civil regional counsel, the
360 capital collateral regional counsel, and the Guardian Ad Litem
361 Program shall establish and maintain internal controls designed
362 to:

363 (a) Prevent and detect fraud, waste, and abuse as defined
364 in s. 11.45(1).

365 (b) Promote and encourage compliance with applicable laws,
366 rules, contracts, grant agreements, and best practices.

367 (c) Support economical and efficient operations.

368 (d) Ensure reliability of financial records and reports.

369 (e) Safeguard assets.

370 Section 5. Subsection (6) of section 112.061, Florida
371 Statutes, is amended, and subsection (16) is added to that
372 section, to read:

373 112.061 Per diem and travel expenses of public officers,
374 employees, and authorized persons.—

375 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For

376 | purposes of reimbursement rates and methods of calculation, per
 377 | diem and subsistence allowances are provided as follows:

378 | (a) All travelers shall be allowed for subsistence when
 379 | traveling to a convention or conference or when traveling within
 380 | or outside the state in order to conduct bona fide state
 381 | business, which convention, conference, or business serves a
 382 | direct and lawful public purpose with relation to the public
 383 | agency served by the person attending such meeting or conducting
 384 | such business, either of the following for each day of such
 385 | travel at the option of the traveler:

- 386 | 1. Eighty dollars per diem; or
- 387 | 2. If actual expenses exceed \$80, the amounts permitted in
 388 | paragraph (b) for subsistence, plus actual expenses for lodging
 389 | at a single-occupancy rate, except as provided in paragraph (c),
 390 | to be substantiated by paid bills therefor.

391 |
 392 | When lodging or meals are provided at a state institution, the
 393 | traveler shall be reimbursed only for the actual expenses of
 394 | such lodging or meals, not to exceed the maximum provided for in
 395 | this subsection.

396 | (b) All travelers shall be allowed the following amounts
 397 | for subsistence while on Class C travel on official business as
 398 | provided in paragraph (5) (b):

- 399 | 1. Breakfast.....\$6
- 400 | 2. Lunch.....\$11

401 3. Dinner.....\$19

402 (c) Actual expenses for lodging associated with the
 403 attendance of an employee of a state agency or the judicial
 404 branch at a meeting, conference, or convention organized or
 405 sponsored in whole or in part by a state agency or the judicial
 406 branch may not exceed \$150 per day. However, an employee may
 407 expend his or her own funds for any lodging expenses that exceed
 408 \$150 per day.

409 (d)~~(e)~~ No one, whether traveling out of state or in state,
 410 shall be reimbursed for any meal or lodging included in a
 411 convention or conference registration fee paid by the state.

412 (16) STATEWIDE TRAVEL MANAGEMENT SYSTEM.—

413 (a) For purposes of this subsection, "statewide travel
 414 management system" means the system acquired by the Executive
 415 Office of the Governor to:

- 416 1. Standardize and automate agency travel management;
- 417 2. Allow for travel planning and approval, expense
 418 reporting, and reimbursement; and

- 419 3. Allow a person to query travel information by public
 420 employee or officer name and position title, purpose of travel,
 421 dates and location of travel, mode of travel, confirmation of
 422 agency head or designee authorization if required, and total
 423 travel cost.

424 (b) All agencies and the judicial branch must report
 425 public officer and employee travel information in the statewide

426 travel management system, including, but not limited to, officer
427 or employee name and position title, purpose of travel, dates
428 and location of travel, mode of travel, confirmation of agency
429 head or designee authorization if required, and total travel
430 cost. At a minimum, such information must be reported in the
431 statewide travel management system on a monthly basis.

432 (c) All executive branch state agencies and the judicial
433 branch must use the statewide travel management system for
434 purposes of travel authorization and reimbursement.

435 Section 6. Paragraph (c) of subsection (3) of section
436 129.03, Florida Statutes, is amended to read:

437 129.03 Preparation and adoption of budget.—

438 (3) The county budget officer, after tentatively
439 ascertaining the proposed fiscal policies of the board for the
440 next fiscal year, shall prepare and present to the board a
441 tentative budget for the next fiscal year for each of the funds
442 provided in this chapter, including all estimated receipts,
443 taxes to be levied, and balances expected to be brought forward
444 and all estimated expenditures, reserves, and balances to be
445 carried over at the end of the year.

446 (c) The board shall hold public hearings to adopt
447 tentative and final budgets pursuant to s. 200.065. The hearings
448 shall be primarily for the purpose of hearing requests and
449 complaints from the public regarding the budgets and the
450 proposed tax levies and for explaining the budget and any

451 proposed or adopted amendments. The tentative budget must be
452 posted on the county's official website at least 2 days before
453 the public hearing to consider such budget and must remain on
454 the website for at least 45 days. The final budget must be
455 posted on the website within 30 days after adoption and must
456 remain on the website for at least 2 years. The tentative
457 budgets, adopted tentative budgets, and final budgets shall be
458 filed in the office of the county auditor as a public record.
459 Sufficient reference in words and figures to identify the
460 particular transactions must ~~shall~~ be made in the minutes of the
461 board to record its actions with reference to the budgets.

462 Section 7. Paragraph (f) of subsection (2) of section
463 129.06, Florida Statutes, is amended to read:

464 129.06 Execution and amendment of budget.—

465 (2) The board at any time within a fiscal year may amend a
466 budget for that year, and may within the first 60 days of a
467 fiscal year amend the budget for the prior fiscal year, as
468 follows:

469 (f) Unless otherwise prohibited by law, if an amendment to
470 a budget is required for a purpose not specifically authorized
471 in paragraphs (a)-(e), the amendment may be authorized by
472 resolution or ordinance of the board of county commissioners
473 adopted following a public hearing.

474 1. The public hearing must be advertised at least 2 days,
475 but not more than 5 days, before the date of the hearing. The

476 advertisement must appear in a newspaper of paid general
477 circulation and must identify the name of the taxing authority,
478 the date, place, and time of the hearing, and the purpose of the
479 hearing. The advertisement must also identify each budgetary
480 fund to be amended, the source of the funds, the use of the
481 funds, and the total amount of each fund's appropriations.

482 2. If the board amends the budget pursuant to this
483 paragraph, the adopted amendment must be posted on the county's
484 official website within 5 days after adoption and must remain on
485 the website for at least 2 years.

486 Section 8. Subsections (3) and (5) of section 166.241,
487 Florida Statutes, are amended to read:

488 166.241 Fiscal years, budgets, and budget amendments.—

489 (3) The tentative budget must be posted on the
490 municipality's official website at least 2 days before the
491 budget hearing, held pursuant to s. 200.065 or other law, to
492 consider such budget and must remain on the website for at least
493 45 days. The final adopted budget must be posted on the
494 municipality's official website within 30 days after adoption
495 and must remain on the website for at least 2 years. If the
496 municipality does not operate an official website, the
497 municipality must, within a reasonable period of time as
498 established by the county or counties in which the municipality
499 is located, transmit the tentative budget and final budget to
500 the manager or administrator of such county or counties who

501 shall post the budgets on the county's website.

502 (5) If the governing body of a municipality amends the
 503 budget pursuant to paragraph (4) (c), the adopted amendment must
 504 be posted on the official website of the municipality within 5
 505 days after adoption and must remain on the website for at least
 506 2 years. If the municipality does not operate an official
 507 website, the municipality must, within a reasonable period of
 508 time as established by the county or counties in which the
 509 municipality is located, transmit the adopted amendment to the
 510 manager or administrator of such county or counties who shall
 511 post the adopted amendment on the county's website.

512 Section 9. Section 215.86, Florida Statutes, is amended to
 513 read:

514 215.86 Management systems and controls.—Each state agency
 515 and the judicial branch as defined in s. 216.011 shall establish
 516 and maintain management systems and internal controls designed
 517 to:

518 (1) Prevent and detect fraud, waste, and abuse as defined
 519 in s. 11.45(1). ~~that~~

520 (2) Promote and encourage compliance with applicable laws,
 521 rules, contracts, and grant agreements. ~~†~~

522 (3) Support economical and economic, ~~efficient, and~~
 523 ~~effective~~ operations. ~~†~~

524 (4) Ensure reliability of financial records and reports. ~~†~~

525 (5) Safeguard ~~and safeguarding of~~ assets. ~~Accounting~~

526 | ~~systems and procedures shall be designed to fulfill the~~
 527 | ~~requirements of generally accepted accounting principles.~~

528 | Section 10. Paragraph (a) of subsection (2) of section
 529 | 215.97, Florida Statutes, is amended to read:

530 | 215.97 Florida Single Audit Act.—

531 | (2) As used in this section, the term:

532 | (a) "Audit threshold" means the threshold amount used to
 533 | determine when a state single audit or project-specific audit of
 534 | a nonstate entity shall be conducted in accordance with this
 535 | section. Each nonstate entity that expends a total amount of
 536 | state financial assistance equal to or in excess of \$750,000 in
 537 | any fiscal year of such nonstate entity shall be required to
 538 | have a state single audit~~,~~ or a project-specific audit~~,~~ for such
 539 | fiscal year in accordance with the requirements of this section.
 540 | ~~Every 2 years the Auditor General,~~ After consulting with the
 541 | Executive Office of the Governor, the Department of Financial
 542 | Services, and all state awarding agencies, the Auditor General
 543 | shall periodically review the threshold amount for requiring
 544 | audits under this section and may recommend any appropriate
 545 | statutory change to revise the threshold amount in the annual
 546 | report submitted pursuant to s. 11.45(7)(h) to the Legislature
 547 | ~~adjust such threshold amount consistent with the purposes of~~
 548 | ~~this section.~~

549 | Section 11. Subsection (11) of section 215.985, Florida
 550 | Statutes, is amended to read:

551 215.985 Transparency in government spending.—

552 (11) Each water management district shall provide a
553 monthly financial statement in the form and manner prescribed by
554 the Department of Financial Services to the district's ~~its~~
555 governing board and make such monthly financial statement
556 available for public access on its website.

557 Section 12. Paragraph (d) of subsection (1) and subsection
558 (2) of section 218.32, Florida Statutes, are amended to read:

559 218.32 Annual financial reports; local governmental
560 entities.—

561 (1)

562 (d) Each local governmental entity that is required to
563 provide for an audit under s. 218.39(1) must submit a copy of
564 the audit report and annual financial report to the department
565 within 45 days after the completion of the audit report but no
566 later than 9 months after the end of the fiscal year. In
567 conducting an audit of a local governmental entity pursuant to
568 s. 218.39, an independent certified public accountant shall
569 determine whether the entity's annual financial report is in
570 agreement with the audited financial statements. If the audited
571 financial statements are not in agreement with the annual
572 financial report, the accountant shall specify and explain the
573 significant differences that exist between the audited financial
574 statements and the annual financial report.

575 (2) The department shall annually by December 1 file a

576 | verified report with the Governor, the Legislature, the Auditor
577 | General, and the Special District Accountability Program of the
578 | Department of Economic Opportunity showing the revenues, both
579 | locally derived and derived from intergovernmental transfers,
580 | and the expenditures of each local governmental entity, regional
581 | planning council, local government finance commission, and
582 | municipal power corporation that is required to submit an annual
583 | financial report. In preparing the verified report, the
584 | department may request additional information from the local
585 | governmental entity. The information requested must be provided
586 | to the department within 45 days after the request. If the local
587 | governmental entity does not comply with the request, the
588 | department shall notify the Legislative Auditing Committee,
589 | which may take action pursuant to s. 11.40(2). The report must
590 | include, but is not limited to:

591 | (a) The total revenues and expenditures of each local
592 | governmental entity that is a component unit included in the
593 | annual financial report of the reporting entity.

594 | (b) The amount of outstanding long-term debt by each local
595 | governmental entity. For purposes of this paragraph, the term
596 | "long-term debt" means any agreement or series of agreements to
597 | pay money, which, at inception, contemplate terms of payment
598 | exceeding 1 year in duration.

599 | Section 13. Subsection (3) of section 218.33, Florida
600 | Statutes, is renumbered as subsection (4), and a new subsection

601 (3) is added to that section to read:

602 218.33 Local governmental entities; establishment of
603 uniform fiscal years and accounting practices and procedures.—

604 (3) Each local governmental entity shall establish and
605 maintain internal controls designed to:

606 (a) Prevent and detect fraud, waste, and abuse as defined
607 in s. 11.45(1).

608 (b) Promote and encourage compliance with applicable laws,
609 rules, contracts, grant agreements, and best practices.

610 (c) Support economical and efficient operations.

611 (d) Ensure reliability of financial records and reports.

612 (e) Safeguard assets.

613 Section 14. Subsections (8) through (12) of section
614 218.39, Florida Statutes, are renumbered as subsections (9)
615 through (13), respectively, and a new subsection (8) is added to
616 that section to read:

617 218.39 Annual financial audit reports.—

618 (8) If the audit report includes a recommendation that was
619 included in the preceding financial audit report but remains
620 unaddressed, the governing body of the audited entity, within 60
621 days after the delivery of the audit report to the governing
622 body, shall indicate during a regularly scheduled public meeting
623 whether it intends to take corrective action, the intended
624 corrective action, and the timeframe for the corrective action.
625 If the governing body indicates that it does not intend to take

626 corrective action, it must explain its decision at the public
 627 meeting.

628 Section 15. Subsection (2) of section 218.391, Florida
 629 Statutes, is amended, and subsections (9) through (12) are added
 630 to that section, to read:

631 218.391 Auditor selection procedures.—

632 (2) The governing body of a ~~charter~~ county, municipality,
 633 special district, district school board, charter school, or
 634 charter technical career center shall establish an audit
 635 committee.

636 (a) The audit committee for a county ~~Each noncharter~~
 637 ~~county shall establish an audit committee that,~~ at a minimum,
 638 shall consist of each of the county officers elected pursuant to
 639 the county charter or s. 1(d), Art. VIII of the State
 640 Constitution, ~~or their respective designees a designee,~~ and one
 641 member of the board of county commissioners or its designee.

642 (b) The audit committee for a municipality, special
 643 district, district school board, charter school, or charter
 644 technical career center shall consist of at least three members.
 645 One member of the audit committee must be a member of the
 646 governing body of an entity specified in this paragraph, who
 647 shall also serve as the chair of the committee.

648 (c) An employee, chief executive officer, or chief
 649 financial officer of the county, municipality, special district,
 650 district school board, charter school, or charter technical

651 career center may not serve as a member of an audit committee
652 established under this subsection.

653 (d) The primary purpose of the audit committee is to
654 assist the governing body in selecting an auditor to conduct the
655 annual financial audit required in s. 218.39; however, the audit
656 committee may serve other audit oversight purposes as determined
657 by the entity's governing body. The public may ~~shall~~ not be
658 excluded from the proceedings under this section.

659 (9) For each audit required by s. 218.39, the auditor
660 shall include the following information in the management letter
661 prepared pursuant to s. 218.39(4):

662 (a) The date the entity's governing body approved the
663 selection of the auditor and the date the entity and the auditor
664 executed the most recent contract pursuant to subsection (7);

665 (b) The first fiscal year for which the auditor conducted
666 the audit under the most recently executed contract pursuant to
667 subsection (7); and

668 (c) The contract period, including renewals, and
669 conditions under which the contract may be terminated or
670 renewed.

671 (10) On each occasion that an entity contracts with an
672 auditor to conduct an audit pursuant to s. 218.39, an affidavit
673 shall be executed by the chair of the entity's governing body in
674 a format prescribed in accordance with rules adopted by the
675 Auditor General, affirming that the auditor was selected in

676 compliance with the requirements of subsections (3)-(6). The
677 affidavit must accompany the entity's first audit report
678 prepared by the auditor under the most recently executed
679 contract pursuant to subsection (7). The affidavit shall include
680 the following information:

681 (a) The date the entity's governing body approved the
682 selection of the auditor;

683 (b) The first fiscal year for which the auditor conducted
684 the audit; and

685 (c) The contract period, including renewals, and
686 conditions under which the contract may be terminated or
687 renewed.

688 (11) If the entity fails to select the auditor in
689 accordance with the requirements of subsections (3)-(6), the
690 entity shall again perform the auditor selection process in
691 accordance with this section to select an auditor to conduct
692 audits for subsequent fiscal years if the original audit was
693 performed under a multiyear contract.

694 (a) If performing the auditor selection process again in
695 accordance with this section would preclude the entity from
696 timely completing the annual financial audit required by s.
697 218.39, the entity shall again perform the auditor selection
698 process in accordance with this section for the subsequent
699 annual financial audit. A multiyear contract entered into
700 between an entity and an auditor after the effective date of

701 this act may not prohibit or restrict an entity from complying
702 with the section.

703 (b) If the entity fails to perform the auditor selection
704 process again, pursuant to this subsection, the Legislative
705 Auditing Committee shall determine whether the entity should be
706 subject to state action pursuant to s. 11.40(2).

707 (12) If the entity fails to provide the Auditor General
708 with the affidavit required by subsection (10), the Auditor
709 General shall request that the entity provide the affidavit. The
710 affidavit must be provided within 45 days after the date of the
711 request. If the entity does not comply with the Auditor
712 General's request, the Legislative Auditing Committee shall
713 determine whether the entity should be subject to state action
714 pursuant to s. 11.40(2).

715 Section 16. Subsection (2) of section 286.0114, Florida
716 Statutes, is amended to read:

717 286.0114 Public meetings; reasonable opportunity to be
718 heard; attorney fees.—

719 (2) Members of the public shall be given a reasonable
720 opportunity to be heard on a proposition before a board or
721 commission. The opportunity to be heard need not occur at the
722 same meeting at which the board or commission takes official
723 action on the proposition if the opportunity occurs at a meeting
724 that is during the decisionmaking process and is within
725 reasonable proximity in time before the meeting at which the

726 | board or commission takes the official action. A board or
 727 | commission may not require a member of the public to provide an
 728 | advance written copy of his or her testimony or comments as a
 729 | condition of being given the opportunity to be heard at a
 730 | meeting. This section does not prohibit a board or commission
 731 | from maintaining orderly conduct or proper decorum in a public
 732 | meeting. The opportunity to be heard is subject to rules or
 733 | policies adopted by the board or commission, as provided in
 734 | subsection (4).

735 | Section 17. Paragraph (e) of subsection (4), paragraph (d)
 736 | of subsection (5), and paragraph (d) of subsection (6) of
 737 | section 373.536, Florida Statutes, are amended to read:

738 | 373.536 District budget and hearing thereon.—

739 | (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

740 | (e) ~~By September 1, 2012,~~ Each district shall provide a
 741 | monthly financial statement in the form and manner prescribed by
 742 | the Department of Financial Services to the district's governing
 743 | board and make such monthly financial statement available for
 744 | public access on its website.

745 | (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
 746 | APPROVAL.—

747 | (d) Each district shall, by August 1 of each year, submit
 748 | for review a tentative budget and a description of any
 749 | significant changes from the preliminary budget submitted to the
 750 | Legislature pursuant to s. 373.535 to the Governor, the

751 President of the Senate, the Speaker of the House of
752 Representatives, the chairs of all legislative committees and
753 subcommittees having substantive or fiscal jurisdiction over
754 water management districts, as determined by the President of
755 the Senate or the Speaker of the House of Representatives, as
756 applicable, the secretary of the department, and the governing
757 body of each county in which the district has jurisdiction or
758 derives any funds for the operations of the district. The
759 tentative budget must be posted on the district's official
760 website at least 2 days before budget hearings held pursuant to
761 s. 200.065 or other law and must remain on the website for at
762 least 45 days.

763 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
764 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

765 (d) The final adopted budget must be posted on the water
766 management district's official website within 30 days after
767 adoption and must remain on the website for at least 2 years.

768 Section 18. Paragraph (1) of subsection (12) of section
769 1001.42, Florida Statutes, is amended to read:

770 1001.42 Powers and duties of district school board.—The
771 district school board, acting as a board, shall exercise all
772 powers and perform all duties listed below:

773 (12) FINANCE.—Take steps to assure students adequate
774 educational facilities through the financial procedure
775 authorized in chapters 1010 and 1011 and as prescribed below:

776 (1) *Internal auditor.*—May employ an internal auditor to
 777 perform ongoing financial verification of the financial records
 778 of the school district and such other audits and reviews as the
 779 district school board directs for the purpose of determining:

780 1. The adequacy of internal controls designed to prevent
 781 and detect fraud, waste, and abuse as defined in s. 11.45(1).

782 2. Compliance with applicable laws, rules, contracts,
 783 grant agreements, district school board-approved policies, and
 784 best practices.

785 3. The efficiency of operations.

786 4. The reliability of financial records and reports.

787 5. The safeguarding of assets.

788

789 The internal auditor shall report directly to the district
 790 school board or its designee.

791 Section 19. Paragraph (j) of subsection (9) of section
 792 1002.33, Florida Statutes, is amended to read:

793 1002.33 Charter schools.—

794 (9) CHARTER SCHOOL REQUIREMENTS.—

795 (j) The governing body of the charter school shall be
 796 responsible for:

797 1. Establishing and maintaining internal controls designed
 798 to:

799 a. Prevent and detect fraud, waste, and abuse as defined
 800 in s. 11.45(1).

801 b. Promote and encourage compliance with applicable laws,
 802 rules, contracts, grant agreements, and best practices.

803 c. Support economical and efficient operations.

804 d. Ensure reliability of financial records and reports.

805 e. Safeguard assets.

806 ~~2.4.~~ Ensuring that the charter school has retained the
 807 services of a certified public accountant or auditor for the
 808 annual financial audit, pursuant to s. 1002.345(2), who shall
 809 submit the report to the governing body.

810 ~~3.2.~~ Reviewing and approving the audit report, including
 811 audit findings and recommendations for the financial recovery
 812 plan.

813 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including
 814 monitoring a corrective action plan.

815 b. Monitoring a financial recovery plan in order to ensure
 816 compliance.

817 ~~5.4.~~ Participating in governance training approved by the
 818 department which must include government in the sunshine,
 819 conflicts of interest, ethics, and financial responsibility.

820 Section 20. Subsections (6) through (10) of section
 821 1002.37, Florida Statutes, are renumbered as subsections (7)
 822 through (11), respectively, a new subsection (6) is added to
 823 that section, and present subsections (6) and (11) of that
 824 section are amended, to read:

825 1002.37 The Florida Virtual School.—

826 (6) The Florida Virtual School shall have an annual
827 financial audit of its accounts and records conducted by an
828 independent auditor who is a certified public accountant
829 licensed under chapter 473. The independent auditor shall
830 conduct the audit in accordance with rules adopted by the
831 Auditor General pursuant to s. 11.45 and, upon completion of the
832 audit, shall prepare an audit report in accordance with such
833 rules. The audit report must include a written statement by the
834 board of trustees describing corrective action to be taken in
835 response to each of the recommendations of the independent
836 auditor included in the audit report. The independent auditor
837 shall submit the audit report to the board of trustees and the
838 Auditor General no later than 9 months after the end of the
839 preceding fiscal year.

840 (7)~~(6)~~ The board of trustees shall annually submit to the
841 Governor, the Legislature, the Commissioner of Education, and
842 the State Board of Education the audit report prepared pursuant
843 to subsection (6) and a complete and detailed report setting
844 forth:

845 (a) The operations and accomplishments of the Florida
846 Virtual School within the state and those occurring outside the
847 state as Florida Virtual School Global.

848 (b) The marketing and operational plan for the Florida
849 Virtual School and Florida Virtual School Global, including
850 recommendations regarding methods for improving the delivery of

851 education through the Internet and other distance learning
852 technology.

853 (c) The assets and liabilities of the Florida Virtual
854 School and Florida Virtual School Global at the end of the
855 fiscal year.

856 ~~(d) A copy of an annual financial audit of the accounts~~
857 ~~and records of the Florida Virtual School and Florida Virtual~~
858 ~~School Global, conducted by an independent certified public~~
859 ~~accountant and performed in accordance with rules adopted by the~~
860 ~~Auditor General.~~

861 (d)~~(e)~~ Recommendations regarding the unit cost of
862 providing services to students through the Florida Virtual
863 School and Florida Virtual School Global. In order to most
864 effectively develop public policy regarding any future funding
865 of the Florida Virtual School, it is imperative that the cost of
866 the program is accurately identified. The identified cost of the
867 program must be based on reliable data.

868 (e)~~(f)~~ Recommendations regarding an accountability
869 mechanism to assess the effectiveness of the services provided
870 by the Florida Virtual School and Florida Virtual School Global.

871 ~~(11) The Auditor General shall conduct an operational~~
872 ~~audit of the Florida Virtual School, including Florida Virtual~~
873 ~~School Global. The scope of the audit shall include, but not be~~
874 ~~limited to, the administration of responsibilities relating to~~
875 ~~personnel; procurement and contracting; revenue production;~~

876 ~~school funds, including internal funds; student enrollment~~
877 ~~records; franchise agreements; information technology~~
878 ~~utilization, assets, and security; performance measures and~~
879 ~~standards; and accountability. The final report on the audit~~
880 ~~shall be submitted to the President of the Senate and the~~
881 ~~Speaker of the House of Representatives no later than January~~
882 ~~31, 2014.~~

883 Section 21. Subsection (5) is added to section 1010.01,
884 Florida Statutes, to read:

885 1010.01 Uniform records and accounts.—

886 (5) Each school district, Florida College System
887 institution, and state university shall establish and maintain
888 internal controls designed to:

889 (a) Prevent and detect fraud, waste, and abuse as defined
890 in s. 11.45(1).

891 (b) Promote and encourage compliance with applicable laws,
892 rules, contracts, grant agreements, and best practices.

893 (c) Support economical and efficient operations.

894 (d) Ensure reliability of financial records and reports.

895 (e) Safeguard assets.

896 Section 22. Subsection (2) of section 1010.30, Florida
897 Statutes, is amended to read:

898 1010.30 Audits required.—

899 (2) If a school district, Florida College System
900 institution, or university audit report includes a

901 recommendation that was included in the preceding financial
 902 audit report but remains unaddressed ~~an audit contains a~~
 903 ~~significant finding,~~ the district school board, the Florida
 904 College System institution board of trustees, or the university
 905 board of trustees, within 60 days after the delivery of the
 906 audit report to the school district, Florida College System
 907 institution, or university, shall indicate ~~conduct an audit~~
 908 ~~overview~~ during a regularly scheduled public meeting whether it
 909 intends to take corrective action, the intended corrective
 910 action, and the timeframe for the corrective action. If the
 911 district school board, Florida College System institution board
 912 of trustees, or university board of trustees indicates that it
 913 does not intend to take corrective action, it shall explain its
 914 decision at the public meeting.

915 Section 23. Subsection (3) of section 218.503, Florida
 916 Statutes, is amended to read:

917 218.503 Determination of financial emergency.—

918 (3) Upon notification that one or more of the conditions
 919 in subsection (1) have occurred or will occur if action is not
 920 taken to assist the local governmental entity or district school
 921 board, the Governor or his or her designee shall contact the
 922 local governmental entity or the Commissioner of Education or
 923 his or her designee shall contact the district school board, as
 924 appropriate, to determine what actions have been taken by the
 925 local governmental entity or the district school board to

926 | resolve or prevent the condition. The information requested must
927 | be provided within 45 days after the date of the request. If the
928 | local governmental entity or the district school board does not
929 | comply with the request, the Governor or his or her designee or
930 | the Commissioner of Education or his or her designee shall
931 | notify ~~the members of~~ the Legislative Auditing Committee, which
932 | ~~who~~ may take action pursuant to s. 11.40(2) ~~11.40~~. The Governor
933 | or the Commissioner of Education, as appropriate, shall
934 | determine whether the local governmental entity or the district
935 | school board needs state assistance to resolve or prevent the
936 | condition. If state assistance is needed, the local governmental
937 | entity or district school board is considered to be in a state
938 | of financial emergency. The Governor or the Commissioner of
939 | Education, as appropriate, has the authority to implement
940 | measures as set forth in ss. 218.50-218.504 to assist the local
941 | governmental entity or district school board in resolving the
942 | financial emergency. Such measures may include, but are not
943 | limited to:

944 | (a) Requiring approval of the local governmental entity's
945 | budget by the Governor or approval of the district school
946 | board's budget by the Commissioner of Education.

947 | (b) Authorizing a state loan to a local governmental
948 | entity and providing for repayment of same.

949 | (c) Prohibiting a local governmental entity or district
950 | school board from issuing bonds, notes, certificates of

951 indebtedness, or any other form of debt until such time as it is
952 no longer subject to this section.

953 (d) Making such inspections and reviews of records,
954 information, reports, and assets of the local governmental
955 entity or district school board as are needed. The appropriate
956 local officials shall cooperate in such inspections and reviews.

957 (e) Consulting with officials and auditors of the local
958 governmental entity or the district school board and the
959 appropriate state officials regarding any steps necessary to
960 bring the books of account, accounting systems, financial
961 procedures, and reports into compliance with state requirements.

962 (f) Providing technical assistance to the local
963 governmental entity or the district school board.

964 (g)1. Establishing a financial emergency board to oversee
965 the activities of the local governmental entity or the district
966 school board. If a financial emergency board is established for
967 a local governmental entity, the Governor shall appoint board
968 members and select a chair. If a financial emergency board is
969 established for a district school board, the State Board of
970 Education shall appoint board members and select a chair. The
971 financial emergency board shall adopt such rules as are
972 necessary for conducting board business. The board may:

973 a. Make such reviews of records, reports, and assets of
974 the local governmental entity or the district school board as
975 are needed.

976 b. Consult with officials and auditors of the local
977 governmental entity or the district school board and the
978 appropriate state officials regarding any steps necessary to
979 bring the books of account, accounting systems, financial
980 procedures, and reports of the local governmental entity or the
981 district school board into compliance with state requirements.

982 c. Review the operations, management, efficiency,
983 productivity, and financing of functions and operations of the
984 local governmental entity or the district school board.

985 d. Consult with other governmental entities for the
986 consolidation of all administrative direction and support
987 services, including, but not limited to, services for asset
988 sales, economic and community development, building inspections,
989 parks and recreation, facilities management, engineering and
990 construction, insurance coverage, risk management, planning and
991 zoning, information systems, fleet management, and purchasing.

992 2. The recommendations and reports made by the financial
993 emergency board must be submitted to the Governor for local
994 governmental entities or to the Commissioner of Education and
995 the State Board of Education for district school boards for
996 appropriate action.

997 (h) Requiring and approving a plan, to be prepared by
998 officials of the local governmental entity or the district
999 school board in consultation with the appropriate state
1000 officials, prescribing actions that will cause the local

1001 governmental entity or district school board to no longer be
 1002 subject to this section. The plan must include, but need not be
 1003 limited to:

1004 1. Provision for payment in full of obligations outlined
 1005 in subsection (1), designated as priority items, which are
 1006 currently due or will come due.

1007 2. Establishment of priority budgeting or zero-based
 1008 budgeting in order to eliminate items that are not affordable.

1009 3. The prohibition of a level of operations which can be
 1010 sustained only with nonrecurring revenues.

1011 4. Provisions implementing the consolidation, sourcing, or
 1012 discontinuance of all administrative direction and support
 1013 services, including, but not limited to, services for asset
 1014 sales, economic and community development, building inspections,
 1015 parks and recreation, facilities management, engineering and
 1016 construction, insurance coverage, risk management, planning and
 1017 zoning, information systems, fleet management, and purchasing.

1018 Section 24. Subsection (2) of section 1002.455, Florida
 1019 Statutes, is amended to read:

1020 1002.455 Student eligibility for K-12 virtual
 1021 instruction.-

1022 (2) A student is eligible to participate in virtual
 1023 instruction if:

1024 (a) The student spent the prior school year in attendance
 1025 at a public school in the state and was enrolled and reported by

1026 the school district for funding during October and February for
 1027 purposes of the Florida Education Finance Program surveys;

1028 (b) The student is a dependent child of a member of the
 1029 United States Armed Forces who was transferred within the last
 1030 12 months to this state from another state or from a foreign
 1031 country pursuant to a permanent change of station order;

1032 (c) The student was enrolled during the prior school year
 1033 in a virtual instruction program under s. 1002.45 or a full-time
 1034 Florida Virtual School program under s. 1002.37(9)(a)
 1035 ~~1002.37(8)(a)~~;

1036 (d) The student has a sibling who is currently enrolled in
 1037 a virtual instruction program and the sibling was enrolled in
 1038 that program at the end of the prior school year;

1039 (e) The student is eligible to enter kindergarten or first
 1040 grade; or

1041 (f) The student is eligible to enter grades 2 through 5
 1042 and is enrolled full-time in a school district virtual
 1043 instruction program, virtual charter school, or the Florida
 1044 Virtual School.

1045 Section 25. The Legislature finds that a proper and
 1046 legitimate state purpose is served when internal controls are
 1047 established to prevent and detect fraud, waste, and abuse and to
 1048 safeguard and account for government funds and property.
 1049 Therefore, the Legislature determines and declares that this act
 1050 fulfills an important state interest.

1051 | Section 26. This act shall take effect July 1, 2017. |