

1 A bill to be entitled
 2 An act relating to the Florida Tax Credit Scholarship
 3 Program; repealing s. 1002.395, F.S., relating to
 4 Florida Tax Credit Scholarship Program; repealing ss.
 5 211.0251, 212.1831, 220.1875, 561.1211, 624.51055,
 6 F.S., relating to credit for contributions to eligible
 7 nonprofit scholarship-funding organizations; amending
 8 ss. 11.45, 213.053, 220.02, 220.13, 220.186, 1001.10,
 9 1002.20, 1002.23, 1002.385, 1002.39, 1002.421,
 10 1006.061, 1012.315, 1012.796, F.S.; conforming
 11 provisions to changes made by the act; providing an
 12 effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 1002.395, Florida Statutes, is
 17 repealed.

18 Section 2. Section 211.0251, Florida Statutes, is
 19 repealed.

20 Section 3. Section 212.1831, Florida Statutes, is
 21 repealed.

22 Section 4. Section 220.1875, Florida Statutes, is
 23 repealed.

24 Section 5. Section 561.1211, Florida Statutes, is
 25 repealed.

26 Section 6. Section 624.51055, Florida Statutes, is
 27 repealed.

28 Section 7. Paragraph (k) of subsection (2) and subsection
 29 (8) of section 11.45, Florida Statutes, are amended to read:

30 11.45 Definitions; duties; authorities; reports; rules.—

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

32 ~~(k) Annually conduct operational audits of the accounts~~
 33 ~~and records of eligible nonprofit scholarship funding~~
 34 ~~organizations receiving eligible contributions under s.~~
 35 ~~1002.395, including any contracts for services with related~~
 36 ~~entities, to determine compliance with the provisions of that~~
 37 ~~section. Such audits shall include, but not be limited to, a~~
 38 ~~determination of the eligible nonprofit scholarship funding~~
 39 ~~organization's compliance with s. 1002.395(6)(j). The Auditor~~
 40 ~~General shall provide its report on the results of the audits to~~
 41 ~~the Governor, the President of the Senate, the Speaker of the~~
 42 ~~House of Representatives, the Chief Financial Officer, and the~~
 43 ~~Legislative Auditing Committee, within 30 days of completion of~~
 44 ~~the audit.~~

45
 46 The Auditor General shall perform his or her duties
 47 independently but under the general policies established by the
 48 Legislative Auditing Committee. This subsection does not limit
 49 the Auditor General's discretionary authority to conduct other
 50 audits or engagements of governmental entities as authorized in

51 subsection (3).

52 (8) RULES OF THE AUDITOR GENERAL.—The Auditor General, in
 53 consultation with the Board of Accountancy, shall adopt rules
 54 for the form and conduct of all financial audits performed by
 55 independent certified public accountants pursuant to ss.
 56 215.981, 218.39, 1001.453, ~~1002.395~~, 1004.28, and 1004.70. The
 57 rules for audits of local governmental entities, charter
 58 schools, charter technical career centers, and district school
 59 boards must include, but are not limited to, requirements for
 60 the reporting of information necessary to carry out the purposes
 61 of the Local Governmental Entity, Charter School, Charter
 62 Technical Career Center, and District School Board Financial
 63 Emergencies Act as stated in s. 218.501.

64 Section 8. Paragraph (s) of subsection (8) of section
 65 213.053, Florida Statutes, is amended to read:

66 213.053 Confidentiality and information sharing.—

67 (8) Notwithstanding any other provision of this section,
 68 the department may provide:

69 ~~(s) Information relative to ss. 211.0251, 212.1831,~~
 70 ~~220.1875, 561.1211, 624.51055, and 1002.395 to the Department of~~
 71 ~~Education and the Division of Alcoholic Beverages and Tobacco in~~
 72 ~~the conduct of official business.~~

73
 74 Disclosure of information under this subsection shall be
 75 pursuant to a written agreement between the executive director

76 and the agency. Such agencies, governmental or nongovernmental,
 77 shall be bound by the same requirements of confidentiality as
 78 the Department of Revenue. Breach of confidentiality is a
 79 misdemeanor of the first degree, punishable as provided by s.
 80 775.082 or s. 775.083.

81 Section 9. Subsection (8) of section 220.02, Florida
 82 Statutes, is amended to read:

83 220.02 Legislative intent.—

84 (8) It is the intent of the Legislature that credits
 85 against either the corporate income tax or the franchise tax be
 86 applied in the following order: those enumerated in s. 631.828,
 87 those enumerated in s. 220.191, those enumerated in s. 220.181,
 88 those enumerated in s. 220.183, those enumerated in s. 220.182,
 89 those enumerated in s. 220.1895, those enumerated in s. 220.195,
 90 those enumerated in s. 220.184, those enumerated in s. 220.186,
 91 those enumerated in s. 220.1845, those enumerated in s. 220.19,
 92 those enumerated in s. 220.185, ~~those enumerated in s. 220.1875,~~
 93 those enumerated in s. 220.192, those enumerated in s. 220.193,
 94 those enumerated in s. 288.9916, those enumerated in s.
 95 220.1899, those enumerated in s. 220.194, and those enumerated
 96 in s. 220.196.

97 Section 10. Paragraph (a) of subsection (1) of section
 98 220.13, Florida Statutes, is amended to read:

99 220.13 "Adjusted federal income" defined.—

100 (1) The term "adjusted federal income" means an amount

101 equal to the taxpayer's taxable income as defined in subsection
102 (2), or such taxable income of more than one taxpayer as
103 provided in s. 220.131, for the taxable year, adjusted as
104 follows:

105 (a) Additions.—There shall be added to such taxable
106 income:

107 1. The amount of any tax upon or measured by income,
108 excluding taxes based on gross receipts or revenues, paid or
109 accrued as a liability to the District of Columbia or any state
110 of the United States which is deductible from gross income in
111 the computation of taxable income for the taxable year.

112 2. The amount of interest which is excluded from taxable
113 income under s. 103(a) of the Internal Revenue Code or any other
114 federal law, less the associated expenses disallowed in the
115 computation of taxable income under s. 265 of the Internal
116 Revenue Code or any other law, excluding 60 percent of any
117 amounts included in alternative minimum taxable income, as
118 defined in s. 55(b)(2) of the Internal Revenue Code, if the
119 taxpayer pays tax under s. 220.11(3).

120 3. In the case of a regulated investment company or real
121 estate investment trust, an amount equal to the excess of the
122 net long-term capital gain for the taxable year over the amount
123 of the capital gain dividends attributable to the taxable year.

124 4. That portion of the wages or salaries paid or incurred
125 for the taxable year which is equal to the amount of the credit

126 allowable for the taxable year under s. 220.181. This
 127 subparagraph shall expire on the date specified in s. 290.016
 128 for the expiration of the Florida Enterprise Zone Act.

129 5. That portion of the ad valorem school taxes paid or
 130 incurred for the taxable year which is equal to the amount of
 131 the credit allowable for the taxable year under s. 220.182. This
 132 subparagraph shall expire on the date specified in s. 290.016
 133 for the expiration of the Florida Enterprise Zone Act.

134 6. The amount taken as a credit under s. 220.195 which is
 135 deductible from gross income in the computation of taxable
 136 income for the taxable year.

137 7. That portion of assessments to fund a guaranty
 138 association incurred for the taxable year which is equal to the
 139 amount of the credit allowable for the taxable year.

140 8. In the case of a nonprofit corporation which holds a
 141 pari-mutuel permit and which is exempt from federal income tax
 142 as a farmers' cooperative, an amount equal to the excess of the
 143 gross income attributable to the pari-mutuel operations over the
 144 attributable expenses for the taxable year.

145 9. The amount taken as a credit for the taxable year under
 146 s. 220.1895.

147 10. Up to nine percent of the eligible basis of any
 148 designated project which is equal to the credit allowable for
 149 the taxable year under s. 220.185.

150 ~~11. The amount taken as a credit for the taxable year~~

151 ~~under s. 220.1875. The addition in this subparagraph is intended~~
152 ~~to ensure that the same amount is not allowed for the tax~~
153 ~~purposes of this state as both a deduction from income and a~~
154 ~~credit against the tax. This addition is not intended to result~~
155 ~~in adding the same expense back to income more than once.~~

156 11.12. The amount taken as a credit for the taxable year
157 under s. 220.192.

158 12.13. The amount taken as a credit for the taxable year
159 under s. 220.193.

160 13.14. Any portion of a qualified investment, as defined
161 in s. 288.9913, which is claimed as a deduction by the taxpayer
162 and taken as a credit against income tax pursuant to s.
163 288.9916.

164 14.15. The costs to acquire a tax credit pursuant to s.
165 288.1254(5) that are deducted from or otherwise reduce federal
166 taxable income for the taxable year.

167 15.16. The amount taken as a credit for the taxable year
168 pursuant to s. 220.194.

169 16.17. The amount taken as a credit for the taxable year
170 under s. 220.196. The addition in this subparagraph is intended
171 to ensure that the same amount is not allowed for the tax
172 purposes of this state as both a deduction from income and a
173 credit against the tax. The addition is not intended to result
174 in adding the same expense back to income more than once.

175 Section 11. Subsection (2) of section 220.186, Florida

176 Statutes, is amended to read:

177 220.186 Credit for Florida alternative minimum tax.—

178 (2) The credit pursuant to this section shall be the
 179 amount of the excess, if any, of the tax paid based upon taxable
 180 income determined pursuant to s. 220.13(2)(k) over the amount of
 181 tax which would have been due based upon taxable income without
 182 application of s. 220.13(2)(k), ~~before application of this~~
 183 ~~credit without application of any credit under s. 220.1875.~~

184 Section 12. Subsections (4) and (5) of section 1001.10,
 185 Florida Statutes, are amended to read:

186 1001.10 Commissioner of Education; general powers and
 187 duties.—

188 (4) The Department of Education shall provide technical
 189 assistance to school districts, charter schools, the Florida
 190 School for the Deaf and the Blind, and private schools that
 191 accept scholarship students under s. 1002.39 ~~or s. 1002.395~~ in
 192 the development of policies, procedures, and training related to
 193 employment practices and standards of ethical conduct for
 194 instructional personnel and school administrators, as defined in
 195 s. 1012.01.

196 (5) The Department of Education shall provide authorized
 197 staff of school districts, charter schools, the Florida School
 198 for the Deaf and the Blind, and private schools that accept
 199 scholarship students under s. 1002.39 ~~or s. 1002.395~~ with access
 200 to electronic verification of information from the following

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201 employment screening tools:

202 (a) The Professional Practices' Database of Disciplinary
203 Actions Against Educators; and

204 (b) The Department of Education's Teacher Certification
205 Database.

206

207 This subsection does not require the department to provide these
208 staff with unlimited access to the databases. However, the
209 department shall provide the staff with access to the data
210 necessary for performing employment history checks of the
211 instructional personnel and school administrators included in
212 the databases.

213 Section 13. Paragraph (b) of subsection (6) of section
214 1002.20, Florida Statutes, is amended to read:

215 1002.20 K-12 student and parent rights.—Parents of public
216 school students must receive accurate and timely information
217 regarding their child's academic progress and must be informed
218 of ways they can help their child to succeed in school. K-12
219 students and their parents are afforded numerous statutory
220 rights including, but not limited to, the following:

221 (6) EDUCATIONAL CHOICE.—

222 (b) Private educational choices.—Parents of public school
223 students may seek private educational choice options under
224 certain programs.

225 1. Under the McKay Scholarships for Students with

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226 Disabilities Program, the parent of a public school student with
227 a disability may request and receive a McKay Scholarship for the
228 student to attend a private school in accordance with s.
229 1002.39.

230 ~~2. Under the Florida Tax Credit Scholarship Program, the~~
231 ~~parent of a student who qualifies for free or reduced-price~~
232 ~~school lunch or who is currently placed, or during the previous~~
233 ~~state fiscal year was placed, in foster care as defined in s.~~
234 ~~39.01 may seek a scholarship from an eligible nonprofit~~
235 ~~scholarship funding organization in accordance with s. 1002.395.~~

236 2.3. Under the Florida Personal Learning Scholarship
237 Accounts Program, the parent of a student with a qualifying
238 disability may apply for a personal learning scholarship to be
239 used for individual educational needs in accordance with s.
240 1002.385.

241 Section 14. Paragraph (e) of subsection (2) of section
242 1002.23, Florida Statutes, is amended to read:

243 1002.23 Family and School Partnership for Student
244 Achievement Act.—

245 (2) To facilitate meaningful parent and family
246 involvement, the Department of Education shall develop
247 guidelines for a parent guide to successful student achievement
248 which describes what parents need to know about their child's
249 educational progress and how they can help their child to
250 succeed in school. The guidelines shall include, but need not be

251 limited to:

252 (e) Educational choices, as provided for in s. 1002.20(6),
 253 ~~and Florida tax credit scholarships, as provided for in s.~~
 254 ~~1002.395;~~

255 Section 15. Paragraphs (e) and (g) of subsection (2),
 256 paragraph (b) of subsection (3), paragraph (c) of subsection
 257 (4), paragraph (e) of subsection (8), paragraph (c) of
 258 subsection (9), and paragraph (g) of subsection (13) of section
 259 1002.385, Florida Statutes, are amended to read:

260 1002.385 The Gardiner Scholarship.—

261 (2) DEFINITIONS.—As used in this section, the term:

262 ~~(c) "Eligible nonprofit scholarship-funding organization"~~
 263 ~~or "organization" means a nonprofit scholarship-funding~~
 264 ~~organization that is approved pursuant to s. 1002.395(16).~~

265 (f)(g) "Eligible private school" means a private school,
 266 as defined in s. 1002.01, which is located in this state, which
 267 offers an education to students in any grade from kindergarten
 268 to grade 12, and which meets the requirements of:

- 269 1. Sections 1002.42 and 1002.421; and
- 270 2. A scholarship program under s. 1002.39 ~~or s. 1002.395,~~
 271 ~~as applicable,~~ if the private school participates in a
 272 scholarship program under s. 1002.39 ~~or s. 1002.395.~~

273 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
 274 disability may request and receive from the state a Gardiner
 275 Scholarship for the purposes specified in subsection (5) if:

276 (b) The parent has applied to an eligible nonprofit
277 scholarship-funding organization to participate in the program
278 by February 1 before the school year in which the student will
279 participate or an alternative date as set by the organization
280 for any vacant, funded slots. The request must be communicated
281 directly to the organization in a manner that creates a written
282 or electronic record of the request and the date of receipt of
283 the request. In addition to the application and any
284 documentation required by the organization or by State Board of
285 Education rule, the parent may submit a final verification
286 document pursuant to this paragraph to receive scholarship funds
287 in the student's account before the department confirms program
288 eligibility pursuant to paragraph (9)(e). The final verification
289 document must consist of one of the following items applicable
290 to the student:

291 1. A completed withdrawal form from the school district,
292 if the student was enrolled in a public school before the
293 determination of program eligibility.

294 2. A letter of admission or enrollment from an eligible
295 private school for the fiscal year in which the student wishes
296 to participate and, if applicable, a copy of the notification
297 from the private school that the student has withdrawn from the
298 John M. McKay Scholarships for Students with Disabilities
299 Program ~~or the Florida Tax Credit Scholarship Program.~~

300 3. A copy of the notice of the parent's intent to

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301 establish and maintain a home education program required by s.
302 1002.41(1)(a) or the annual educational evaluation of the
303 student in a home education program, which is required by s.
304 1002.41(2).

305 (4) PROGRAM PROHIBITIONS.—A student is not eligible for
306 the program if he or she is:

307 (c) Receiving a scholarship pursuant to ~~the Florida Tax~~
308 ~~Credit Scholarship Program under s. 1002.395 or~~ the John M.
309 McKay Scholarships for Students with Disabilities Program under
310 s. 1002.39.

311 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
312 eligible private school may be sectarian or nonsectarian and
313 shall:

314 (e) Provide a report from an independent certified public
315 accountant ~~who performs the agreed-upon procedures developed~~
316 ~~under s. 1002.395(6)(e)~~ if the private school receives more than
317 \$250,000 in funds from scholarships awarded under this section
318 in a state fiscal year. A private school subject to this
319 paragraph must annually submit the report by September 15 to the
320 organization that awarded the majority of the school's
321 scholarship funds. ~~The agreed-upon procedures must be conducted~~
322 ~~in accordance with attestation standards established by the~~
323 ~~American Institute of Certified Public Accountants.~~

324
325 If a private school is unable to meet the requirements of this

326 subsection or has consecutive years of material exceptions
327 listed in the report required under paragraph (e), the
328 commissioner may determine that the private school is ineligible
329 to participate in the program.

330 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
331 shall:

332 (c) Investigate any written complaint of a violation of
333 this section by a parent, a student, a private school, a public
334 school or a school district, an organization, a provider, or
335 another appropriate party ~~in accordance with the process~~
336 ~~established by s. 1002.395(9)(f).~~

337 (13) FUNDING AND PAYMENT.—

338 (g) In addition to funds appropriated for scholarship
339 awards and subject to a separate, specific legislative
340 appropriation, an organization may receive an amount equivalent
341 to not more than 3 percent of the amount of each scholarship
342 award from state funds for administrative expenses if the
343 organization has operated as a nonprofit entity for at least the
344 preceding 3 fiscal years and did not have any findings of
345 material weakness or material noncompliance in its most recent
346 audit ~~under s. 1002.395(6)(m)~~. Such administrative expenses must
347 be reasonable and necessary for the organization's management
348 and distribution of scholarships under this section. Funds
349 authorized under this paragraph may not be used for lobbying or
350 political activity or expenses related to lobbying or political

351 activity. An organization may not charge an application fee for
352 a scholarship. Administrative expenses may not be deducted from
353 funds appropriated for scholarship awards.

354 Section 16. Paragraph (b) of subsection (3) of section
355 1002.39, Florida Statutes, is amended to read:

356 1002.39 The John M. McKay Scholarships for Students with
357 Disabilities Program.—There is established a program that is
358 separate and distinct from the Opportunity Scholarship Program
359 and is named the John M. McKay Scholarships for Students with
360 Disabilities Program.

361 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is
362 not eligible for a John M. McKay Scholarship:

363 ~~(b) While he or she is receiving a Florida tax credit~~
364 ~~scholarship under s. 1002.395;~~

365 Section 17. Subsections (1) and (4) of section 1002.421,
366 Florida Statutes, are amended to read:

367 1002.421 Accountability of private schools participating
368 in state school choice scholarship programs.—

369 (1) A Florida private school participating in ~~the Florida~~
370 ~~Tax Credit Scholarship Program established pursuant to s.~~
371 ~~1002.395~~ or an educational scholarship program established
372 pursuant to this chapter must comply with all requirements of
373 this section in addition to private school requirements outlined
374 in s. 1002.42, specific requirements identified within
375 respective scholarship program laws, and other provisions of

376 Florida law that apply to private schools.

377 (4) A private school that accepts scholarship students
378 under s. 1002.39 ~~or s. 1002.395~~ must:

379 (a) Disqualify instructional personnel and school
380 administrators, as defined in s. 1012.01, from employment in any
381 position that requires direct contact with students if the
382 personnel or administrators are ineligible for such employment
383 under s. 1012.315.

384 (b) Adopt policies establishing standards of ethical
385 conduct for instructional personnel and school administrators.
386 The policies must require all instructional personnel and school
387 administrators, as defined in s. 1012.01, to complete training
388 on the standards; establish the duty of instructional personnel
389 and school administrators to report, and procedures for
390 reporting, alleged misconduct by other instructional personnel
391 and school administrators which affects the health, safety, or
392 welfare of a student; and include an explanation of the
393 liability protections provided under ss. 39.203 and 768.095. A
394 private school, or any of its employees, may not enter into a
395 confidentiality agreement regarding terminated or dismissed
396 instructional personnel or school administrators, or personnel
397 or administrators who resign in lieu of termination, based in
398 whole or in part on misconduct that affects the health, safety,
399 or welfare of a student, and may not provide the instructional
400 personnel or school administrators with employment references or

401 discuss the personnel's or administrators' performance with
402 prospective employers in another educational setting, without
403 disclosing the personnel's or administrators' misconduct. Any
404 part of an agreement or contract that has the purpose or effect
405 of concealing misconduct by instructional personnel or school
406 administrators which affects the health, safety, or welfare of a
407 student is void, is contrary to public policy, and may not be
408 enforced.

409 (c) Before employing instructional personnel or school
410 administrators in any position that requires direct contact with
411 students, conduct employment history checks of each of the
412 personnel's or administrators' previous employers, screen the
413 personnel or administrators through use of the educator
414 screening tools described in s. 1001.10(5), and document the
415 findings. If unable to contact a previous employer, the private
416 school must document efforts to contact the employer.

417
418 The department shall suspend the payment of funds under s.
419 1002.39 ~~ss. 1002.39 and 1002.395~~ to a private school that
420 knowingly fails to comply with this subsection, and shall
421 prohibit the school from enrolling new scholarship students, for
422 1 fiscal year and until the school complies.

423 Section 18. Section 1006.061, Florida Statutes, is amended
424 to read:

425 1006.061 Child abuse, abandonment, and neglect policy.—

426 Each district school board, charter school, and private school
427 that accepts scholarship students under s. 1002.39 ~~or s.~~
428 ~~1002.395~~ shall:

429 (1) Post in a prominent place in each school a notice
430 that, pursuant to chapter 39, all employees and agents of the
431 district school board, charter school, or private school have an
432 affirmative duty to report all actual or suspected cases of
433 child abuse, abandonment, or neglect; have immunity from
434 liability if they report such cases in good faith; and have a
435 duty to comply with child protective investigations and all
436 other provisions of law relating to child abuse, abandonment,
437 and neglect. The notice shall also include the statewide toll-
438 free telephone number of the central abuse hotline.

439 (2) Post in a prominent place at each school site and on
440 each school's Internet website, if available, the policies and
441 procedures for reporting alleged misconduct by instructional
442 personnel or school administrators which affects the health,
443 safety, or welfare of a student; the contact person to whom the
444 report is made; and the penalties imposed on instructional
445 personnel or school administrators who fail to report suspected
446 or actual child abuse or alleged misconduct by other
447 instructional personnel or school administrators.

448 (3) Require the principal of the charter school or private
449 school, or the district school superintendent, or the
450 superintendent's designee, at the request of the Department of

451 Children and Families, to act as a liaison to the Department of
452 Children and Families and the child protection team, as defined
453 in s. 39.01, when in a case of suspected child abuse,
454 abandonment, or neglect or an unlawful sexual offense involving
455 a child the case is referred to such a team; except that this
456 does not relieve or restrict the Department of Children and
457 Families from discharging its duty and responsibility under the
458 law to investigate and report every suspected or actual case of
459 child abuse, abandonment, or neglect or unlawful sexual offense
460 involving a child.

461 (4) (a) Post in a prominent place in a clearly visible
462 location and public area of the school which is readily
463 accessible to and widely used by students a sign in English and
464 Spanish that contains:

465 1. The statewide toll-free telephone number of the central
466 abuse hotline as provided in chapter 39;

467 2. Instructions to call 911 for emergencies; and

468 3. Directions for accessing the Department of Children and
469 Families Internet website for more information on reporting
470 abuse, neglect, and exploitation.

471 (b) The information in paragraph (a) must be put on at
472 least one poster in each school, on a sheet that measures at
473 least 11 inches by 17 inches, produced in large print, and
474 placed at student eye level for easy viewing.

475

476 The Department of Education shall develop, and publish on the
477 department's Internet website, sample notices suitable for
478 posting in accordance with subsections (1), (2), and (4).

479 Section 19. Section 1012.315, Florida Statutes, is amended
480 to read:

481 1012.315 Disqualification from employment.—A person is
482 ineligible for educator certification, and instructional
483 personnel and school administrators, as defined in s. 1012.01,
484 are ineligible for employment in any position that requires
485 direct contact with students in a district school system,
486 charter school, or private school that accepts scholarship
487 students under s. 1002.39 ~~or s. 1002.395~~, if the person,
488 instructional personnel, or school administrator has been
489 convicted of:

490 (1) Any felony offense prohibited under any of the
491 following statutes:

492 (a) Section 393.135, relating to sexual misconduct with
493 certain developmentally disabled clients and reporting of such
494 sexual misconduct.

495 (b) Section 394.4593, relating to sexual misconduct with
496 certain mental health patients and reporting of such sexual
497 misconduct.

498 (c) Section 415.111, relating to adult abuse, neglect, or
499 exploitation of aged persons or disabled adults.

500 (d) Section 782.04, relating to murder.

501 (e) Section 782.07, relating to manslaughter, aggravated
 502 manslaughter of an elderly person or disabled adult, aggravated
 503 manslaughter of a child, or aggravated manslaughter of an
 504 officer, a firefighter, an emergency medical technician, or a
 505 paramedic.

506 (f) Section 784.021, relating to aggravated assault.

507 (g) Section 784.045, relating to aggravated battery.

508 (h) Section 784.075, relating to battery on a detention or
 509 commitment facility staff member or a juvenile probation
 510 officer.

511 (i) Section 787.01, relating to kidnapping.

512 (j) Section 787.02, relating to false imprisonment.

513 (k) Section 787.025, relating to luring or enticing a
 514 child.

515 (l) Section 787.04(2), relating to leading, taking,
 516 enticing, or removing a minor beyond the state limits, or
 517 concealing the location of a minor, with criminal intent pending
 518 custody proceedings.

519 (m) Section 787.04(3), relating to leading, taking,
 520 enticing, or removing a minor beyond the state limits, or
 521 concealing the location of a minor, with criminal intent pending
 522 dependency proceedings or proceedings concerning alleged abuse
 523 or neglect of a minor.

524 (n) Section 790.115(1), relating to exhibiting firearms or
 525 weapons at a school-sponsored event, on school property, or

526 | within 1,000 feet of a school.

527 | (o) Section 790.115(2)(b), relating to possessing an
528 | electric weapon or device, destructive device, or other weapon
529 | at a school-sponsored event or on school property.

530 | (p) Section 794.011, relating to sexual battery.

531 | (q) Former s. 794.041, relating to sexual activity with or
532 | solicitation of a child by a person in familial or custodial
533 | authority.

534 | (r) Section 794.05, relating to unlawful sexual activity
535 | with certain minors.

536 | (s) Section 794.08, relating to female genital mutilation.

537 | (t) Chapter 796, relating to prostitution.

538 | (u) Chapter 800, relating to lewdness and indecent
539 | exposure.

540 | (v) Section 806.01, relating to arson.

541 | (w) Section 810.14, relating to voyeurism.

542 | (x) Section 810.145, relating to video voyeurism.

543 | (y) Section 812.014(6), relating to coordinating the
544 | commission of theft in excess of \$3,000.

545 | (z) Section 812.0145, relating to theft from persons 65
546 | years of age or older.

547 | (aa) Section 812.019, relating to dealing in stolen
548 | property.

549 | (bb) Section 812.13, relating to robbery.

550 | (cc) Section 812.131, relating to robbery by sudden

551 | snatching.

552 | (dd) Section 812.133, relating to carjacking.

553 | (ee) Section 812.135, relating to home-invasion robbery.

554 | (ff) Section 817.563, relating to fraudulent sale of

555 | controlled substances.

556 | (gg) Section 825.102, relating to abuse, aggravated abuse,

557 | or neglect of an elderly person or disabled adult.

558 | (hh) Section 825.103, relating to exploitation of an

559 | elderly person or disabled adult.

560 | (ii) Section 825.1025, relating to lewd or lascivious

561 | offenses committed upon or in the presence of an elderly person

562 | or disabled person.

563 | (jj) Section 826.04, relating to incest.

564 | (kk) Section 827.03, relating to child abuse, aggravated

565 | child abuse, or neglect of a child.

566 | (ll) Section 827.04, relating to contributing to the

567 | delinquency or dependency of a child.

568 | (mm) Section 827.071, relating to sexual performance by a

569 | child.

570 | (nn) Section 843.01, relating to resisting arrest with

571 | violence.

572 | (oo) Chapter 847, relating to obscenity.

573 | (pp) Section 874.05, relating to causing, encouraging,

574 | soliciting, or recruiting another to join a criminal street

575 | gang.

576 (qq) Chapter 893, relating to drug abuse prevention and
 577 control, if the offense was a felony of the second degree or
 578 greater severity.

579 (rr) Section 916.1075, relating to sexual misconduct with
 580 certain forensic clients and reporting of such sexual
 581 misconduct.

582 (ss) Section 944.47, relating to introduction, removal, or
 583 possession of contraband at a correctional facility.

584 (tt) Section 985.701, relating to sexual misconduct in
 585 juvenile justice programs.

586 (uu) Section 985.711, relating to introduction, removal,
 587 or possession of contraband at a juvenile detention facility or
 588 commitment program.

589 (2) Any misdemeanor offense prohibited under any of the
 590 following statutes:

591 (a) Section 784.03, relating to battery, if the victim of
 592 the offense was a minor.

593 (b) Section 787.025, relating to luring or enticing a
 594 child.

595 (3) Any criminal act committed in another state or under
 596 federal law which, if committed in this state, constitutes an
 597 offense prohibited under any statute listed in subsection (1) or
 598 subsection (2).

599 (4) Any delinquent act committed in this state or any
 600 delinquent or criminal act committed in another state or under

601 federal law which, if committed in this state, qualifies an
602 individual for inclusion on the Registered Juvenile Sex Offender
603 List under s. 943.0435(1)(h)1.d.

604 Section 20. Paragraph (e) of subsection (1) of section
605 1012.796, Florida Statutes, is amended to read:

606 1012.796 Complaints against teachers and administrators;
607 procedure; penalties.—

608 (1)

609 (e) If allegations arise against an employee who is
610 certified under s. 1012.56 and employed in an educator-
611 certificated position in any public school, charter school or
612 governing board thereof, or private school that accepts
613 scholarship students under s. 1002.39 ~~or s. 1002.395~~, the school
614 shall file in writing with the department a legally sufficient
615 complaint within 30 days after the date on which the subject
616 matter of the complaint came to the attention of the school. A
617 complaint is legally sufficient if it contains ultimate facts
618 that show a violation has occurred as provided in s. 1012.795
619 and defined by rule of the State Board of Education. The school
620 shall include all known information relating to the complaint
621 with the filing of the complaint. This paragraph does not limit
622 or restrict the power and duty of the department to investigate
623 complaints, regardless of the school's untimely filing, or
624 failure to file, complaints and followup reports.

625 Section 21. This act shall take effect July 1, 2018.