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1
2 An act relating to the Florida Statutes; amending ss.
3 16.615, 17.076, 20.43, 25.077, 27.34, 27.54, 29.005,
4 29.006, 30.15, 39.001, 39.01, 39.0121, 39.0139,
5 39.2015, 39.202, 39.301, 39.303, 39.3031, 39.3035,
6 39.304, 39.3068, 39.307, 39.5086, 39.521, 105.036,
7 119.071, 121.71, 154.067, 159.834, 163.3177, 193.4615,
8 196.075, 196.1975, 210.03, 216.136, 218.135, 218.401,
9 220.11, 243.20, 259.105, 282.705, 288.9623, 316.614,
10 322.09, 328.76, 348.0012, 364.163, 373.206, 373.5905,
11 380.0651, 381.0072, 381.984, 383.3362, 383.402,
12 388.021, 391.026, 393.063, 395.1023, 395.1055,
13 395.4025, 397.6760, 400.235, 400.471, 400.4785,
14 400.991, 401.024, 402.305, 402.310, 402.56, 403.861,
15 408.036, 408.802, 408.820, 409.017, 409.145, 409.815,
16 409.9083, 440.45, 455.2286, 458.348, 459.025, 459.026,
17 468.432, 480.033, 483.285, 491.012, 501.011, 527.0201,
18 560.109, 578.08, 578.11, 578.13, 590.02, 624.509,
19 627.40951, 627.746, 634.436, 641.3107, 641.511,
20 655.825, 718.121, 736.0403, 825.101, 893.055,
21 893.0551, 900.05, 934.255, 943.0585, 943.1758,
22 944.115, 985.48, 1002.33, 1002.36, 1002.385, 1002.395,
23 1002.82, 1004.085, 1004.097, 1004.6495, 1005.03,
24 1005.06, 1006.061, 1007.24, 1007.273, 1008.31,
25 1009.89, 1011.69, 1011.71, 1012.2315, 1012.584, and
26 1013.62, F.S.; reenacting and amending s. 1006.12,
27 F.S.; and reenacting ss. 163.3164 and 893.13, F.S.;
28 deleting provisions that have expired, have become
29 obsolete, have had their effect, have served their

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30 purpose, or have been impliedly repealed or
31 superseded; replacing incorrect cross-references and
32 citations; correcting grammatical, typographical, and
33 like errors; removing inconsistencies, redundancies,
34 and unnecessary repetition in the statutes; improving
35 the clarity of the statutes and facilitating their
36 correct interpretation; and revising statutory
37 provisions to conform to directives of the
38 Legislature; providing an effective date.

39
40 Be It Enacted by the Legislature of the State of Florida:

41
42 Section 1. Subsection (9) of section 16.615, Florida
43 Statutes, is amended to read:

44 16.615 Council on the Social Status of Black Men and Boys.—

45 (9) ~~(a)~~ The council shall issue its ~~first~~ annual report by
46 ~~December 15, 2007, and by~~ December 15 each ~~following~~ year,
47 stating the findings, conclusions, and recommendations of the
48 council. The council shall submit the report to the Governor,
49 the President of the Senate, the Speaker of the House of
50 Representatives, and the chairpersons of the standing committees
51 of jurisdiction in each chamber.

52 ~~(b) The initial report must include the findings of an~~
53 ~~investigation into factors causing black-on-black crime from the~~
54 ~~perspective of public health related to mental health, other~~
55 ~~health issues, cultural disconnection, and cultural identity~~
56 ~~trauma.~~

57 Reviser's note.—Amended to delete obsolete language.

58 Section 2. Subsection (7) of section 17.076, Florida

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59 Statutes, is amended to read:

60 17.076 Direct deposit of funds.—

61 (7) ~~Effective July 1, 2000,~~ All new recipients of
62 retirement benefits from this state shall be paid by direct
63 deposit of funds. A retiree may request from the department an
64 exemption from the provisions of this subsection when such
65 retiree can demonstrate a hardship. The department may pay
66 retirement benefits by state warrant when deemed
67 administratively necessary.

68 Reviser's note.—Amended to delete obsolete language.

69 Section 3. Paragraph (g) of subsection (3) and subsection
70 (10) of section 20.43, Florida Statutes, are amended to read:

71 20.43 Department of Health.—There is created a Department
72 of Health.

73 (3) The following divisions of the Department of Health are
74 established:

75 (g) Division of Medical Quality Assurance, which is
76 responsible for the following boards and professions established
77 within the division:

- 78 1. The Board of Acupuncture, created under chapter 457.
- 79 2. The Board of Medicine, created under chapter 458.
- 80 3. The Board of Osteopathic Medicine, created under chapter
81 459.
- 82 4. The Board of Chiropractic Medicine, created under
83 chapter 460.
- 84 5. The Board of Podiatric Medicine, created under chapter
85 461.
- 86 6. Naturopathy, as provided under chapter 462.
- 87 7. The Board of Optometry, created under chapter 463.

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- 88 8. The Board of Nursing, created under part I of chapter
89 464.
- 90 9. Nursing assistants, as provided under part II of chapter
91 464.
- 92 10. The Board of Pharmacy, created under chapter 465.
- 93 11. The Board of Dentistry, created under chapter 466.
- 94 12. Midwifery, as provided under chapter 467.
- 95 13. The Board of Speech-Language Pathology and Audiology,
96 created under part I of chapter 468.
- 97 14. The Board of Nursing Home Administrators, created under
98 part II of chapter 468.
- 99 15. The Board of Occupational Therapy, created under part
100 III of chapter 468.
- 101 16. Respiratory therapy, as provided under part V of
102 chapter 468.
- 103 17. Dietetics and nutrition practice, as provided under
104 part X of chapter 468.
- 105 18. The Board of Athletic Training, created under part XIII
106 of chapter 468.
- 107 19. The Board of Orthotists and Prosthetists, created under
108 part XIV of chapter 468.
- 109 20. Electrolysis, as provided under chapter 478.
- 110 21. The Board of Massage Therapy, created under chapter
111 480.
- 112 22. The Board of Clinical Laboratory Personnel, created
113 under part II of chapter 483.
- 114 23. Medical physicists, as provided under part III ~~IV~~ of
115 chapter 483.
- 116 24. The Board of Opticianry, created under part I of

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117 chapter 484.

118 25. The Board of Hearing Aid Specialists, created under
119 part II of chapter 484.

120 26. The Board of Physical Therapy Practice, created under
121 chapter 486.

122 27. The Board of Psychology, created under chapter 490.

123 28. School psychologists, as provided under chapter 490.

124 29. The Board of Clinical Social Work, Marriage and Family
125 Therapy, and Mental Health Counseling, created under chapter
126 491.

127 30. Emergency medical technicians and paramedics, as
128 provided under part III of chapter 401.

129 (10) (a) ~~Beginning in fiscal year 2010-2011,~~ The department
130 shall initiate or commence new programs only when the
131 Legislative Budget Commission or the Legislature expressly
132 authorizes the department to do so.

133 (b) ~~Beginning in fiscal year 2010-2011,~~ Before applying for
134 any continuation of or new federal or private grants that are
135 for an amount of \$50,000 or greater, the department shall
136 provide written notification to the Governor, the President of
137 the Senate, and the Speaker of the House of Representatives. The
138 notification must include detailed information about the purpose
139 of the grant, the intended use of the funds, and the number of
140 full-time permanent or temporary employees needed to administer
141 the program funded by the grant.

142 Reviser's note.—Paragraph (3) (g) is amended to conform to the
143 redesignation of part IV of chapter 483 as part III
144 pursuant to the repeal of former part I of that chapter by
145 s. 97, ch. 2018-24, Laws of Florida. Subsection (10) is

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146 amended to delete obsolete language.

147 Section 4. Section 25.077, Florida Statutes, is amended to
148 read:

149 25.077 Negligence case settlements and jury verdicts; case
150 reporting.—Through the state's uniform case reporting system,
151 the clerk of court shall report to the Office of the State
152 Courts Administrator, ~~beginning in 2003,~~ information from each
153 settlement or jury verdict and final judgment in negligence
154 cases as defined in s. 768.81(1)(c), as the President of the
155 Senate and the Speaker of the House of Representatives deem
156 necessary from time to time. The information shall include, but
157 need not be limited to: the name of each plaintiff and
158 defendant; the verdict; the percentage of fault of each; the
159 amount of economic damages and noneconomic damages awarded to
160 each plaintiff, identifying those damages that are to be paid
161 jointly and severally and by which defendants; and the amount of
162 any punitive damages to be paid by each defendant.

163 Reviser's note.—Amended to delete obsolete language.

164 Section 5. Subsection (4) of section 27.34, Florida
165 Statutes, is amended to read:

166 27.34 Limitations on payment of salaries and other related
167 costs of state attorneys' offices other than by the state.—

168 (4) Unless expressly authorized by law or in the General
169 Appropriations Act, state attorneys are prohibited from spending
170 state-appropriated funds on county funding obligations under s.
171 14, Art. V of the State Constitution ~~beginning January 1, 2005.~~
172 This includes expenditures on communications services and
173 facilities as defined in s. 29.008. This does not prohibit a
174 state attorney from spending funds for these purposes in

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175 exceptional circumstances when necessary to maintain operational
176 continuity in the form of a short-term advance pending
177 reimbursement by the county. If a state attorney provides short-
178 term advance funding for a county responsibility as authorized
179 by this subsection, the state attorney shall request full
180 reimbursement from the board of county commissioners prior to
181 making the expenditure or at the next meeting of the board of
182 county commissioners after the expenditure is made. The total of
183 all short-term advances authorized by this subsection shall not
184 exceed 2 percent of the state attorney's approved operating
185 budget in any given year. No short-term advances authorized by
186 this subsection shall be permitted until all reimbursements
187 arising from advance funding in the prior state fiscal year have
188 been received by the state attorney. All reimbursement payments
189 received by the state attorney pursuant to this subsection shall
190 be deposited into the General Revenue Fund. Notwithstanding the
191 provisions of this subsection, the state attorney may expend
192 funds for the purchase of computer systems, including associated
193 hardware and software, and for personnel related to this
194 function.

195 Reviser's note.—Amended to delete obsolete language.

196 Section 6. Subsection (4) of section 27.54, Florida
197 Statutes, is amended to read:

198 27.54 Limitation on payment of expenditures other than by
199 the state.—

200 (4) Unless expressly authorized by law or in the General
201 Appropriations Act, public defenders and regional counsel are
202 prohibited from spending state-appropriated funds on county
203 funding obligations under s. 14, Art. V of the State

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204 Constitution ~~beginning January 1, 2005~~. This includes
205 expenditures on communications services and facilities as
206 defined in s. 29.008. This does not prohibit a public defender
207 from spending funds for these purposes in exceptional
208 circumstances when necessary to maintain operational continuity
209 in the form of a short-term advance pending reimbursement from
210 the county. If a public defender or regional counsel provides
211 short-term advance funding for a county responsibility as
212 authorized by this subsection, the public defender or regional
213 counsel shall request full reimbursement from the board of
214 county commissioners prior to making the expenditure or at the
215 next meeting of the board of county commissioners after the
216 expenditure is made. The total of all short-term advances
217 authorized by this subsection shall not exceed 2 percent of the
218 public defender's or regional counsel's approved operating
219 budget in any given year. No short-term advances authorized by
220 this subsection shall be permitted until all reimbursements
221 arising from advance funding in the prior state fiscal year have
222 been received by the public defender or regional counsel. All
223 reimbursement payments received by the public defender or
224 regional counsel shall be deposited into the General Revenue
225 Fund. Notwithstanding the provisions of this subsection, the
226 public defender or regional counsel may expend funds for the
227 purchase of computer systems, including associated hardware and
228 software, and for personnel related to this function.

229 Reviser's note.—Amended to delete obsolete language.

230 Section 7. Subsection (4) of section 29.005, Florida
231 Statutes, is amended to read:

232 29.005 State attorneys' offices and prosecution expenses.—

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233 For purposes of implementing s. 14, Art. V of the State
234 Constitution, the elements of the state attorneys' offices to be
235 provided from state revenues appropriated by general law are as
236 follows:

237 (4) Reasonable transportation services in the performance
238 of constitutional and statutory responsibilities. ~~Motor vehicles~~
239 ~~owned by the counties and provided exclusively to state~~
240 ~~attorneys as of July 1, 2003, and any additional vehicles owned~~
241 ~~by the counties and provided exclusively to state attorneys~~
242 ~~during fiscal year 2003-2004 shall be transferred by title to~~
243 ~~the state effective July 1, 2004.~~

244 Reviser's note.—Amended to delete obsolete language.

245 Section 8. Subsection (5) of section 29.006, Florida
246 Statutes, is amended to read:

247 29.006 Indigent defense costs.—For purposes of implementing
248 s. 14, Art. V of the State Constitution, the elements of the
249 public defenders' offices and criminal conflict and civil
250 regional counsel offices to be provided from state revenues
251 appropriated by general law are as follows:

252 (5) Reasonable transportation services in the performance
253 of constitutional and statutory responsibilities. ~~Motor vehicles~~
254 ~~owned by counties and provided exclusively to public defenders~~
255 ~~as of July 1, 2003, and any additional vehicles owned by the~~
256 ~~counties and provided exclusively to public defenders during~~
257 ~~fiscal year 2003-2004 shall be transferred by title to the state~~
258 ~~effective July 1, 2004.~~

259 Reviser's note.—Amended to delete obsolete language.

260 Section 9. Subsection (3) of section 30.15, Florida
261 Statutes, is amended to read:

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262 30.15 Powers, duties, and obligations.—

263 (3) ~~On or before January 1, 2002,~~ Every sheriff shall
264 incorporate an antiracial or other antidiscriminatory profiling
265 policy into the sheriff's policies and practices, utilizing the
266 Florida Police Chiefs Association Model Policy as a guide.
267 Antiprofiling policies shall include the elements of
268 definitions, traffic stop procedures, community education and
269 awareness efforts, and policies for the handling of complaints
270 from the public.

271 Reviser's note.—Amended to delete obsolete language.

272 Section 10. Paragraph (a) of subsection (10) of section
273 39.001, Florida Statutes, is amended to read:

274 39.001 Purposes and intent; personnel standards and
275 screening.—

276 (10) PLAN FOR COMPREHENSIVE APPROACH.—

277 (a) The office shall develop a state plan for the promotion
278 of adoption, support of adoptive families, and prevention of
279 abuse, abandonment, and neglect of children ~~and shall submit the~~
280 ~~state plan to the Speaker of the House of Representatives, the~~
281 ~~President of the Senate, and the Governor no later than December~~
282 ~~31, 2008.~~ The Department of Children and Families, the
283 Department of Corrections, the Department of Education, the
284 Department of Health, the Department of Juvenile Justice, the
285 Department of Law Enforcement, and the Agency for Persons with
286 Disabilities shall participate and fully cooperate in the
287 development of the state plan at both the state and local
288 levels. Furthermore, appropriate local agencies and
289 organizations shall be provided an opportunity to participate in
290 the development of the state plan at the local level.

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291 Appropriate local groups and organizations shall include, but
292 not be limited to, community mental health centers; guardian ad
293 litem programs for children under the circuit court; the school
294 boards of the local school districts; the Florida local advocacy
295 councils; community-based care lead agencies; private or public
296 organizations or programs with recognized expertise in working
297 with child abuse prevention programs for children and families;
298 private or public organizations or programs with recognized
299 expertise in working with children who are sexually abused,
300 physically abused, emotionally abused, abandoned, or neglected
301 and with expertise in working with the families of such
302 children; private or public programs or organizations with
303 expertise in maternal and infant health care; multidisciplinary
304 Child Protection Teams ~~child protection teams~~; child day care
305 centers; law enforcement agencies; and the circuit courts, when
306 guardian ad litem programs are not available in the local area.
307 The state plan to be provided to the Legislature and the
308 Governor shall include, as a minimum, the information required
309 of the various groups in paragraph (b).

310 Reviser's note.—Amended to delete obsolete language and to
311 conform to s. 32, ch. 2018-103, Laws of Florida, which
312 directed the Division of Law Revision and Information to
313 prepare a reviser's bill "to capitalize each word of the
314 term 'child protection team' wherever it occurs in the
315 Florida Statutes."

316 Section 11. Subsection (13) of section 39.01, Florida
317 Statutes, is amended to read:

318 39.01 Definitions.—When used in this chapter, unless the
319 context otherwise requires:

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320 (13) "Child Protection Team" ~~"Child protection team"~~ means
321 a team of professionals established by the Department of Health
322 to receive referrals from the protective investigators and
323 protective supervision staff of the department and to provide
324 specialized and supportive services to the program in processing
325 child abuse, abandonment, or neglect cases. A Child Protection
326 Team ~~child protection team~~ shall provide consultation to other
327 programs of the department and other persons regarding child
328 abuse, abandonment, or neglect cases.

329 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
330 of Florida, which directed the Division of Law Revision and
331 Information to prepare a reviser's bill "to capitalize each
332 word of the term 'child protection team' wherever it occurs
333 in the Florida Statutes."

334 Section 12. Subsection (5) of section 39.0121, Florida
335 Statutes, is amended to read:

336 39.0121 Specific rulemaking authority.—Pursuant to the
337 requirements of s. 120.536, the department is specifically
338 authorized to adopt, amend, and repeal administrative rules
339 which implement or interpret law or policy, or describe the
340 procedure and practice requirements necessary to implement this
341 chapter, including, but not limited to, the following:

342 (5) Requesting of services from Child Protection Teams
343 ~~child protection teams~~.

344 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
345 of Florida, which directed the Division of Law Revision and
346 Information to prepare a reviser's bill "to capitalize each
347 word of the term 'child protection team' wherever it occurs
348 in the Florida Statutes."

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349 Section 13. Paragraph (b) of subsection (4) of section
350 39.0139, Florida Statutes, is amended to read:

351 39.0139 Visitation or other contact; restrictions.—

352 (4) HEARINGS.—A person who meets any of the criteria set
353 forth in paragraph (3) (a) who seeks to begin or resume contact
354 with the child victim shall have the right to an evidentiary
355 hearing to determine whether contact is appropriate.

356 (b) At the hearing, the court may receive and rely upon any
357 relevant and material evidence submitted to the extent of its
358 probative value, including written and oral reports or
359 recommendations from the Child Protection Team ~~child protection~~
360 ~~team~~, the child's therapist, the child's guardian ad litem, or
361 the child's attorney ad litem, even if these reports,
362 recommendations, and evidence may not be admissible under the
363 rules of evidence.

364 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
365 of Florida, which directed the Division of Law Revision and
366 Information to prepare a reviser's bill "to capitalize each
367 word of the term 'child protection team' wherever it occurs
368 in the Florida Statutes."

369 Section 14. Subsection (3) of section 39.2015, Florida
370 Statutes, is amended to read:

371 39.2015 Critical incident rapid response team.—

372 (3) Each investigation shall be conducted by a multiagency
373 team of at least five professionals with expertise in child
374 protection, child welfare, and organizational management. The
375 team may consist of employees of the department, community-based
376 care lead agencies, Children's Medical Services, and community-
377 based care provider organizations; faculty from the institute

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378 consisting of public and private universities offering degrees
379 in social work established pursuant to s. 1004.615; or any other
380 person with the required expertise. The team shall include, at a
381 minimum, a Child Protection Team ~~child protection team~~ medical
382 director. The majority of the team must reside in judicial
383 circuits outside the location of the incident. The secretary
384 shall appoint a team leader for each group assigned to an
385 investigation.

386 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
387 of Florida, which directed the Division of Law Revision and
388 Information to prepare a reviser's bill "to capitalize each
389 word of the term 'child protection team' wherever it occurs
390 in the Florida Statutes."

391 Section 15. Paragraph (t) of subsection (2) and subsections
392 (5) and (6) of section 39.202, Florida Statutes, are amended to
393 read:

394 39.202 Confidentiality of reports and records in cases of
395 child abuse or neglect.—

396 (2) Except as provided in subsection (4), access to such
397 records, excluding the name of the reporter which shall be
398 released only as provided in subsection (5), shall be granted
399 only to the following persons, officials, and agencies:

400 (t) Persons with whom the department is seeking to place
401 the child or to whom placement has been granted, including
402 foster parents for whom an approved home study has been
403 conducted, the designee of a licensed residential group home
404 ~~described in s. 39.523~~, an approved relative or nonrelative with
405 whom a child is placed pursuant to s. 39.402, preadoptive
406 parents for whom a favorable preliminary adoptive home study has

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407 been conducted, adoptive parents, or an adoption entity acting
408 on behalf of preadoptive or adoptive parents.

409 (5) The name of any person reporting child abuse,
410 abandonment, or neglect may not be released to any person other
411 than employees of the department responsible for child
412 protective services, the central abuse hotline, law enforcement,
413 the Child Protection Team ~~child protection team~~, or the
414 appropriate state attorney, without the written consent of the
415 person reporting. This does not prohibit the subpoenaing of a
416 person reporting child abuse, abandonment, or neglect when
417 deemed necessary by the court, the state attorney, or the
418 department, provided the fact that such person made the report
419 is not disclosed. Any person who reports a case of child abuse
420 or neglect may, at the time he or she makes the report, request
421 that the department notify him or her that a child protective
422 investigation occurred as a result of the report. Any person
423 specifically listed in s. 39.201(1) who makes a report in his or
424 her official capacity may also request a written summary of the
425 outcome of the investigation. The department shall mail such a
426 notice to the reporter within 10 days after completing the child
427 protective investigation.

428 (6) All records and reports of the Child Protection Team
429 ~~child protection team~~ of the Department of Health are
430 confidential and exempt from the provisions of ss. 119.07(1) and
431 456.057, and shall not be disclosed, except, upon request, to
432 the state attorney, law enforcement, the department, and
433 necessary professionals, in furtherance of the treatment or
434 additional evaluative needs of the child, by order of the court,
435 or to health plan payors, limited to that information used for

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436 insurance reimbursement purposes.

437 Reviser's note.—Paragraph (2) (t) is amended to delete a
438 reference to s. 39.523 to conform to the fact that that
439 section now focuses on placement in out-of-home care; prior
440 to substantial rewording of s. 39.523 by s. 14, ch. 2017-
441 151, Laws of Florida, the text related to placement in
442 residential group care. Subsections (5) and (6) are amended
443 to conform to s. 32, ch. 2018-103, Laws of Florida, which
444 directed the Division of Law Revision and Information to
445 prepare a reviser's bill "to capitalize each word of the
446 term 'child protection team' wherever it occurs in the
447 Florida Statutes."

448 Section 16. Paragraph (a) of subsection (9) and paragraph
449 (c) of subsection (14) of section 39.301, Florida Statutes, are
450 amended to read:

451 39.301 Initiation of protective investigations.—

452 (9) (a) For each report received from the central abuse
453 hotline and accepted for investigation, the department or the
454 sheriff providing child protective investigative services under
455 s. 39.3065, shall perform the following child protective
456 investigation activities to determine child safety:

457 1. Conduct a review of all relevant, available information
458 specific to the child and family and alleged maltreatment;
459 family child welfare history; local, state, and federal criminal
460 records checks; and requests for law enforcement assistance
461 provided by the abuse hotline. Based on a review of available
462 information, including the allegations in the current report, a
463 determination shall be made as to whether immediate consultation
464 should occur with law enforcement, the Child Protection Team

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465 ~~child protection team~~, a domestic violence shelter or advocate,
466 or a substance abuse or mental health professional. Such
467 consultations should include discussion as to whether a joint
468 response is necessary and feasible. A determination shall be
469 made as to whether the person making the report should be
470 contacted before the face-to-face interviews with the child and
471 family members.

472 2. Conduct face-to-face interviews with the child; other
473 siblings, if any; and the parents, legal custodians, or
474 caregivers.

475 3. Assess the child's residence, including a determination
476 of the composition of the family and household, including the
477 name, address, date of birth, social security number, sex, and
478 race of each child named in the report; any siblings or other
479 children in the same household or in the care of the same
480 adults; the parents, legal custodians, or caregivers; and any
481 other adults in the same household.

482 4. Determine whether there is any indication that any child
483 in the family or household has been abused, abandoned, or
484 neglected; the nature and extent of present or prior injuries,
485 abuse, or neglect, and any evidence thereof; and a determination
486 as to the person or persons apparently responsible for the
487 abuse, abandonment, or neglect, including the name, address,
488 date of birth, social security number, sex, and race of each
489 such person.

490 5. Complete assessment of immediate child safety for each
491 child based on available records, interviews, and observations
492 with all persons named in subparagraph 2. and appropriate
493 collateral contacts, which may include other professionals. The

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494 department's child protection investigators are hereby
495 designated a criminal justice agency for the purpose of
496 accessing criminal justice information to be used for enforcing
497 this state's laws concerning the crimes of child abuse,
498 abandonment, and neglect. This information shall be used solely
499 for purposes supporting the detection, apprehension,
500 prosecution, pretrial release, posttrial release, or
501 rehabilitation of criminal offenders or persons accused of the
502 crimes of child abuse, abandonment, or neglect and may not be
503 further disseminated or used for any other purpose.

504 6. Document the present and impending dangers to each child
505 based on the identification of inadequate protective capacity
506 through utilization of a standardized safety assessment
507 instrument. If present or impending danger is identified, the
508 child protective investigator must implement a safety plan or
509 take the child into custody. If present danger is identified and
510 the child is not removed, the child protective investigator
511 shall create and implement a safety plan before leaving the home
512 or the location where there is present danger. If impending
513 danger is identified, the child protective investigator shall
514 create and implement a safety plan as soon as necessary to
515 protect the safety of the child. The child protective
516 investigator may modify the safety plan if he or she identifies
517 additional impending danger.

518 a. If the child protective investigator implements a safety
519 plan, the plan must be specific, sufficient, feasible, and
520 sustainable in response to the realities of the present or
521 impending danger. A safety plan may be an in-home plan or an
522 out-of-home plan, or a combination of both. A safety plan may

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523 include tasks or responsibilities for a parent, caregiver, or
524 legal custodian. However, a safety plan may not rely on
525 promissory commitments by the parent, caregiver, or legal
526 custodian who is currently not able to protect the child or on
527 services that are not available or will not result in the safety
528 of the child. A safety plan may not be implemented if for any
529 reason the parents, guardian, or legal custodian lacks the
530 capacity or ability to comply with the plan. If the department
531 is not able to develop a plan that is specific, sufficient,
532 feasible, and sustainable, the department shall file a shelter
533 petition. A child protective investigator shall implement
534 separate safety plans for the perpetrator of domestic violence,
535 if the investigator, using reasonable efforts, can locate the
536 perpetrator to implement a safety plan, and for the parent who
537 is a victim of domestic violence as defined in s. 741.28.
538 Reasonable efforts to locate a perpetrator include, but are not
539 limited to, a diligent search pursuant to the same requirements
540 as in s. 39.503. If the perpetrator of domestic violence is not
541 the parent, guardian, or legal custodian of any child in the
542 home and if the department does not intend to file a shelter
543 petition or dependency petition that will assert allegations
544 against the perpetrator as a parent of a child in the home, the
545 child protective investigator shall seek issuance of an
546 injunction authorized by s. 39.504 to implement a safety plan
547 for the perpetrator and impose any other conditions to protect
548 the child. The safety plan for the parent who is a victim of
549 domestic violence may not be shared with the perpetrator. If any
550 party to a safety plan fails to comply with the safety plan
551 resulting in the child being unsafe, the department shall file a

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552 shelter petition.

553 b. The child protective investigator shall collaborate with
554 the community-based care lead agency in the development of the
555 safety plan as necessary to ensure that the safety plan is
556 specific, sufficient, feasible, and sustainable. The child
557 protective investigator shall identify services necessary for
558 the successful implementation of the safety plan. The child
559 protective investigator and the community-based care lead agency
560 shall mobilize service resources to assist all parties in
561 complying with the safety plan. The community-based care lead
562 agency shall prioritize safety plan services to families who
563 have multiple risk factors, including, but not limited to, two
564 or more of the following:

565 (I) The parent or legal custodian is of young age;

566 (II) The parent or legal custodian, or an adult currently
567 living in or frequently visiting the home, has a history of
568 substance abuse, mental illness, or domestic violence;

569 (III) The parent or legal custodian, or an adult currently
570 living in or frequently visiting the home, has been previously
571 found to have physically or sexually abused a child;

572 (IV) The parent or legal custodian or an adult currently
573 living in or frequently visiting the home has been the subject
574 of multiple allegations by reputable reports of abuse or
575 neglect;

576 (V) The child is physically or developmentally disabled; or

577 (VI) The child is 3 years of age or younger.

578 c. The child protective investigator shall monitor the
579 implementation of the plan to ensure the child's safety until
580 the case is transferred to the lead agency at which time the

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581 lead agency shall monitor the implementation.

582 (14)

583 (c) The department, in consultation with the judiciary,
584 shall adopt by rule:

585 1. Criteria that are factors requiring that the department
586 take the child into custody, petition the court as provided in
587 this chapter, or, if the child is not taken into custody or a
588 petition is not filed with the court, conduct an administrative
589 review. Such factors must include, but are not limited to,
590 noncompliance with a safety plan or the case plan developed by
591 the department, and the family under this chapter, and prior
592 abuse reports with findings that involve the child, the child's
593 sibling, or the child's caregiver.

594 2. Requirements that if after an administrative review the
595 department determines not to take the child into custody or
596 petition the court, the department shall document the reason for
597 its decision in writing and include it in the investigative
598 file. For all cases that were accepted by the local law
599 enforcement agency for criminal investigation pursuant to
600 subsection (2), the department must include in the file written
601 documentation that the administrative review included input from
602 law enforcement. In addition, for all cases that must be
603 referred to Child Protection Teams ~~child protection teams~~
604 pursuant to s. 39.303(4) and (5), the file must include written
605 documentation that the administrative review included the
606 results of the team's evaluation.

607 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
608 of Florida, which directed the Division of Law Revision and
609 Information to prepare a reviser's bill "to capitalize each

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610 word of the term 'child protection team' wherever it occurs
611 in the Florida Statutes."

612 Section 17. Subsection (1), paragraphs (b), (c), and (d) of
613 subsection (2), subsections (3), (4), (5), (6), (7), and (8),
614 and paragraph (c) of subsection (10) of section 39.303, Florida
615 Statutes, are amended to read:

616 39.303 Child Protection Teams ~~protection teams~~ and sexual
617 abuse treatment programs; services; eligible cases.-

618 (1) The Children's Medical Services Program in the
619 Department of Health shall develop, maintain, and coordinate the
620 services of one or more multidisciplinary Child Protection Teams
621 ~~child protection teams~~ in each of the service circuits of the
622 Department of Children and Families. Such teams may be composed
623 of appropriate representatives of school districts and
624 appropriate health, mental health, social service, legal
625 service, and law enforcement agencies. The Department of Health
626 and the Department of Children and Families shall maintain an
627 interagency agreement that establishes protocols for oversight
628 and operations of Child Protection Teams ~~child protection teams~~
629 and sexual abuse treatment programs. The State Surgeon General
630 and the Deputy Secretary for Children's Medical Services, in
631 consultation with the Secretary of Children and Families and the
632 Statewide Medical Director for Child Protection, shall maintain
633 the responsibility for the screening, employment, and, if
634 necessary, the termination of Child Protection Team ~~child~~
635 ~~protection team~~ medical directors in the 15 circuits.

636 (2)

637 (b) Each Child Protection Team ~~child protection team~~
638 medical director must be a physician licensed under chapter 458

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639 or chapter 459 who is a board-certified physician in pediatrics
640 or family medicine and, within 2 years after the date of
641 employment as a Child Protection Team ~~child protection team~~
642 medical director, obtains a subspecialty certification in child
643 abuse from the American Board of Pediatrics or within 2 years
644 meet the minimum requirements established by a third-party
645 credentialing entity recognizing a demonstrated specialized
646 competence in child abuse pediatrics pursuant to paragraph (d).
647 Each Child Protection Team ~~child protection team~~ medical
648 director employed on July 1, 2015, must, by July 1, 2019, either
649 obtain a subspecialty certification in child abuse from the
650 American Board of Pediatrics or meet the minimum requirements
651 established by a third-party credentialing entity recognizing a
652 demonstrated specialized competence in child abuse pediatrics
653 pursuant to paragraph (d). Child Protection Team ~~protection team~~
654 medical directors shall be responsible for oversight of the
655 teams in the circuits.

656 (c) All medical personnel participating on a Child
657 Protection Team ~~child protection team~~ must successfully complete
658 the required Child Protection Team ~~child protection team~~
659 training curriculum as set forth in protocols determined by the
660 Deputy Secretary for Children's Medical Services and the
661 Statewide Medical Director for Child Protection.

662 (d) Contingent on appropriations, the Department of Health
663 shall approve one or more third-party credentialing entities for
664 the purpose of developing and administering a professional
665 credentialing program for Child Protection Team ~~child protection~~
666 ~~team~~ medical directors. Within 90 days after receiving
667 documentation from a third-party credentialing entity, the

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668 department shall approve a third-party credentialing entity that
669 demonstrates compliance with the following minimum standards:

670 1. Establishment of child abuse pediatrics core
671 competencies, certification standards, testing instruments, and
672 recertification standards according to national psychometric
673 standards.

674 2. Establishment of a process to administer the
675 certification application, award, and maintenance processes
676 according to national psychometric standards.

677 3. Demonstrated ability to administer a professional code
678 of ethics and disciplinary process that applies to all certified
679 persons.

680 4. Establishment of, and ability to maintain, a publicly
681 accessible Internet-based database that contains information on
682 each person who applies for and is awarded certification, such
683 as the person's first and last name, certification status, and
684 ethical or disciplinary history.

685 5. Demonstrated ability to administer biennial continuing
686 education and certification renewal requirements.

687 6. Demonstrated ability to administer an education provider
688 program to approve qualified training entities and to provide
689 precertification training to applicants and continuing education
690 opportunities to certified professionals.

691 (3) The Department of Health shall use and convene the
692 Child Protection Teams ~~child protection teams~~ to supplement the
693 assessment and protective supervision activities of the family
694 safety and preservation program of the Department of Children
695 and Families. This section does not remove or reduce the duty
696 and responsibility of any person to report pursuant to this

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697 chapter all suspected or actual cases of child abuse,
698 abandonment, or neglect or sexual abuse of a child. The role of
699 the Child Protection Teams ~~child protection teams~~ is to support
700 activities of the program and to provide services deemed by the
701 Child Protection Teams ~~child protection teams~~ to be necessary
702 and appropriate to abused, abandoned, and neglected children
703 upon referral. The specialized diagnostic assessment,
704 evaluation, coordination, consultation, and other supportive
705 services that a Child Protection Team ~~child protection team~~ must
706 be capable of providing include, but are not limited to, the
707 following:

708 (a) Medical diagnosis and evaluation services, including
709 provision or interpretation of X rays and laboratory tests, and
710 related services, as needed, and documentation of related
711 findings.

712 (b) Telephone consultation services in emergencies and in
713 other situations.

714 (c) Medical evaluation related to abuse, abandonment, or
715 neglect, as defined by policy or rule of the Department of
716 Health.

717 (d) Such psychological and psychiatric diagnosis and
718 evaluation services for the child or the child's parent or
719 parents, legal custodian or custodians, or other caregivers, or
720 any other individual involved in a child abuse, abandonment, or
721 neglect case, as the team may determine to be needed.

722 (e) Expert medical, psychological, and related professional
723 testimony in court cases.

724 (f) Case staffings to develop treatment plans for children
725 whose cases have been referred to the team. A Child Protection

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726 Team ~~child protection team~~ may provide consultation with respect
727 to a child who is alleged or is shown to be abused, abandoned,
728 or neglected, which consultation shall be provided at the
729 request of a representative of the family safety and
730 preservation program or at the request of any other professional
731 involved with a child or the child's parent or parents, legal
732 custodian or custodians, or other caregivers. In every such
733 Child Protection Team ~~child protection team~~ case staffing,
734 consultation, or staff activity involving a child, a family
735 safety and preservation program representative shall attend and
736 participate.

737 (g) Case service coordination and assistance, including the
738 location of services available from other public and private
739 agencies in the community.

740 (h) Such training services for program and other employees
741 of the Department of Children and Families, employees of the
742 Department of Health, and other medical professionals as is
743 deemed appropriate to enable them to develop and maintain their
744 professional skills and abilities in handling child abuse,
745 abandonment, and neglect cases.

746 (i) Educational and community awareness campaigns on child
747 abuse, abandonment, and neglect in an effort to enable citizens
748 more successfully to prevent, identify, and treat child abuse,
749 abandonment, and neglect in the community.

750 (j) Child Protection Team ~~protection team~~ assessments that
751 include, as appropriate, medical evaluations, medical
752 consultations, family psychosocial interviews, specialized
753 clinical interviews, or forensic interviews.

754

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755 A Child Protection Team ~~child protection team~~ that is evaluating
756 a report of medical neglect and assessing the health care needs
757 of a medically complex child shall consult with a physician who
758 has experience in treating children with the same condition.

759 (4) The child abuse, abandonment, and neglect reports that
760 must be referred by the department to Child Protection Teams
761 ~~child protection teams~~ of the Department of Health for an
762 assessment and other appropriate available support services as
763 set forth in subsection (3) must include cases involving:

764 (a) Injuries to the head, bruises to the neck or head,
765 burns, or fractures in a child of any age.

766 (b) Bruises anywhere on a child 5 years of age or under.

767 (c) Any report alleging sexual abuse of a child.

768 (d) Any sexually transmitted disease in a prepubescent
769 child.

770 (e) Reported malnutrition of a child and failure of a child
771 to thrive.

772 (f) Reported medical neglect of a child.

773 (g) Any family in which one or more children have been
774 pronounced dead on arrival at a hospital or other health care
775 facility, or have been injured and later died, as a result of
776 suspected abuse, abandonment, or neglect, when any sibling or
777 other child remains in the home.

778 (h) Symptoms of serious emotional problems in a child when
779 emotional or other abuse, abandonment, or neglect is suspected.

780 (5) All abuse and neglect cases transmitted for
781 investigation to a circuit by the hotline must be simultaneously
782 transmitted to the Child Protection Team ~~child protection team~~
783 for review. For the purpose of determining whether a face-to-

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784 face medical evaluation by a Child Protection Team ~~child~~
785 ~~protection team~~ is necessary, all cases transmitted to the Child
786 Protection Team ~~child protection team~~ which meet the criteria in
787 subsection (4) must be timely reviewed by:

788 (a) A physician licensed under chapter 458 or chapter 459
789 who holds board certification in pediatrics and is a member of a
790 Child Protection Team ~~child protection team~~;

791 (b) A physician licensed under chapter 458 or chapter 459
792 who holds board certification in a specialty other than
793 pediatrics, who may complete the review only when working under
794 the direction of the Child Protection Team ~~child protection team~~
795 medical director or a physician licensed under chapter 458 or
796 chapter 459 who holds board certification in pediatrics and is a
797 member of a Child Protection Team ~~child protection team~~;

798 (c) An advanced practice registered nurse licensed under
799 chapter 464 who has a specialty in pediatrics or family medicine
800 and is a member of a Child Protection Team ~~child protection~~
801 ~~team~~;

802 (d) A physician assistant licensed under chapter 458 or
803 chapter 459, who may complete the review only when working under
804 the supervision of the Child Protection Team ~~child protection~~
805 ~~team~~ medical director or a physician licensed under chapter 458
806 or chapter 459 who holds board certification in pediatrics and
807 is a member of a Child Protection Team ~~child protection team~~; or

808 (e) A registered nurse licensed under chapter 464, who may
809 complete the review only when working under the direct
810 supervision of the Child Protection Team ~~child protection team~~
811 medical director or a physician licensed under chapter 458 or
812 chapter 459 who holds board certification in pediatrics and is a

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813 member of a Child Protection Team ~~child protection team~~.

814 (6) A face-to-face medical evaluation by a Child Protection
815 Team ~~child protection team~~ is not necessary when:

816 (a) The child was examined for the alleged abuse or neglect
817 by a physician who is not a member of the Child Protection Team
818 ~~child protection team~~, and a consultation between the Child
819 Protection Team ~~child protection team~~ medical director or a
820 Child Protection Team ~~child protection team~~ board-certified
821 pediatrician, advanced practice registered nurse, physician
822 assistant working under the supervision of a Child Protection
823 Team ~~child protection team~~ medical director or a Child
824 Protection Team ~~child protection team~~ board-certified
825 pediatrician, or registered nurse working under the direct
826 supervision of a Child Protection Team ~~child protection team~~
827 medical director or a Child Protection Team ~~child protection~~
828 ~~team~~ board-certified pediatrician, and the examining physician
829 concludes that a further medical evaluation is unnecessary;

830 (b) The child protective investigator, with supervisory
831 approval, has determined, after conducting a child safety
832 assessment, that there are no indications of injuries as
833 described in paragraphs (4) (a)-(h) as reported; or

834 (c) The Child Protection Team ~~child protection team~~ medical
835 director or a Child Protection Team ~~child protection team~~ board-
836 certified pediatrician, as authorized in subsection (5),
837 determines that a medical evaluation is not required.

838
839 Notwithstanding paragraphs (a), (b), and (c), a Child Protection
840 Team ~~child protection team~~ medical director or a Child
841 Protection Team ~~child protection team~~ pediatrician, as

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842 authorized in subsection (5), may determine that a face-to-face
843 medical evaluation is necessary.

844 (7) In all instances in which a Child Protection Team ~~child~~
845 ~~protection team~~ is providing certain services to abused,
846 abandoned, or neglected children, other offices and units of the
847 Department of Health, and offices and units of the Department of
848 Children and Families, shall avoid duplicating the provision of
849 those services.

850 (8) The Department of Health Child Protection Team ~~child~~
851 ~~protection team~~ quality assurance program and the Family Safety
852 Program Office of the Department of Children and Families shall
853 collaborate to ensure referrals and responses to child abuse,
854 abandonment, and neglect reports are appropriate. Each quality
855 assurance program shall include a review of records in which
856 there are no findings of abuse, abandonment, or neglect, and the
857 findings of these reviews shall be included in each department's
858 quality assurance reports.

859 (10) The Children's Medical Services program in the
860 Department of Health shall develop, maintain, and coordinate the
861 services of one or more sexual abuse treatment programs.

862 (c) The sexual abuse treatment programs and Child
863 Protection Teams ~~child protection teams~~ must provide referrals
864 for victims of child sexual abuse and their families, as
865 appropriate.

866 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
867 of Florida, which directed the Division of Law Revision and
868 Information to prepare a reviser's bill "to capitalize each
869 word of the term 'child protection team' wherever it occurs
870 in the Florida Statutes."

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871 Section 18. Section 39.3031, Florida Statutes, is amended
872 to read:

873 39.3031 Rules for implementation of s. 39.303.—The
874 Department of Health, in consultation with the Department of
875 Children and Families, shall adopt rules governing the Child
876 Protection Teams ~~child protection teams~~ and sexual abuse
877 treatment programs pursuant to s. 39.303, including definitions,
878 organization, roles and responsibilities, eligibility, services
879 and their availability, qualifications of staff, and a waiver-
880 request process.

881 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
882 of Florida, which directed the Division of Law Revision and
883 Information to prepare a reviser's bill "to capitalize each
884 word of the term 'child protection team' wherever it occurs
885 in the Florida Statutes."

886 Section 19. Paragraphs (b) and (e) of subsection (1) of
887 section 39.3035, Florida Statutes, are amended to read:

888 39.3035 Child advocacy centers; standards; state funding.—

889 (1) In order to become eligible for a full membership in
890 the Florida Network of Children's Advocacy Centers, Inc., a
891 child advocacy center in this state shall:

892 (b) Be a Child Protection Team ~~child protection team~~, or by
893 written agreement incorporate the participation and services of
894 a Child Protection Team ~~child protection team~~, with established
895 community protocols which meet all of the requirements of the
896 National Network of Children's Advocacy Centers, Inc.

897 (e) Have a multidisciplinary case review team that meets on
898 a regularly scheduled basis or as the caseload of the community
899 requires. The team shall consist of representatives from the

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900 Office of the State Attorney, the department, the Child
901 Protection Team ~~child protection team~~, mental health services,
902 law enforcement, and the child advocacy center staff. Medical
903 personnel and a victim's advocate may be part of the team.
904 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
905 of Florida, which directed the Division of Law Revision and
906 Information to prepare a reviser's bill "to capitalize each
907 word of the term 'child protection team' wherever it occurs
908 in the Florida Statutes."

909 Section 20. Paragraph (a) of subsection (1) and subsection
910 (3) of section 39.304, Florida Statutes, are amended to read:

911 39.304 Photographs, medical examinations, X rays, and
912 medical treatment of abused, abandoned, or neglected child.—

913 (1) (a) Any person required to investigate cases of
914 suspected child abuse, abandonment, or neglect may take or cause
915 to be taken photographs of the areas of trauma visible on a
916 child who is the subject of a report. Any Child Protection Team
917 ~~child protection team~~ that examines a child who is the subject
918 of a report must take, or cause to be taken, photographs of any
919 areas of trauma visible on the child. Photographs of physical
920 abuse injuries, or duplicates thereof, shall be provided to the
921 department for inclusion in the investigative file and shall
922 become part of that file. Photographs of sexual abuse trauma
923 shall be made part of the Child Protection Team ~~child protection~~
924 ~~team~~ medical record.

925 (3) Any facility licensed under chapter 395 shall provide
926 to the department, its agent, or a Child Protection Team ~~child~~
927 ~~protection team~~ that contracts with the department any
928 photograph or report on examinations made or X rays taken

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929 pursuant to this section, or copies thereof, for the purpose of
930 investigation or assessment of cases of abuse, abandonment,
931 neglect, or exploitation of children.

932 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
933 of Florida, which directed the Division of Law Revision and
934 Information to prepare a reviser's bill "to capitalize each
935 word of the term 'child protection team' wherever it occurs
936 in the Florida Statutes."

937 Section 21. Subsections (2) and (3) of section 39.3068,
938 Florida Statutes, are amended to read:

939 39.3068 Reports of medical neglect.—

940 (2) The child protective investigator who has interacted
941 with the child and the child's family shall promptly contact and
942 provide information to the Child Protection Team ~~child~~
943 ~~protection team~~. The Child Protection Team ~~child protection team~~
944 shall assist the child protective investigator in identifying
945 immediate responses to address the medical needs of the child
946 with the priority of maintaining the child in the home if the
947 parents will be able to meet the needs of the child with
948 additional services. The child protective investigator and the
949 Child Protection Team ~~child protection team~~ must use a family-
950 centered approach to assess the capacity of the family to meet
951 those needs. A family-centered approach is intended to increase
952 independence on the part of the family, accessibility to
953 programs and services within the community, and collaboration
954 between families and their service providers. The ethnic,
955 cultural, economic, racial, social, and religious diversity of
956 families must be respected and considered in the development and
957 provision of services.

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958 (3) The child shall be evaluated by the Child Protection
959 Team ~~child protection team~~ as soon as practicable. If the Child
960 Protection Team ~~child protection team~~ reports that medical
961 neglect is substantiated, the department shall convene a case
962 staffing which shall be attended, at a minimum, by the child
963 protective investigator; department legal staff; and
964 representatives from the Child Protection Team ~~child protection~~
965 ~~team~~ that evaluated the child, Children's Medical Services, the
966 Agency for Health Care Administration, the community-based care
967 lead agency, and any providers of services to the child.
968 However, the Agency for Health Care Administration is not
969 required to attend the staffing if the child is not Medicaid
970 eligible. The staffing shall consider, at a minimum, available
971 services, given the family's eligibility for services; services
972 that are effective in addressing conditions leading to medical
973 neglect allegations; and services that would enable the child to
974 safely remain at home. Any services that are available and
975 effective shall be provided.

976 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
977 of Florida, which directed the Division of Law Revision and
978 Information to prepare a reviser's bill "to capitalize each
979 word of the term 'child protection team' wherever it occurs
980 in the Florida Statutes."

981 Section 22. Paragraphs (c) and (e) of subsection (2) of
982 section 39.307, Florida Statutes, are amended to read:

983 39.307 Reports of child-on-child sexual abuse.—

984 (2) The department, contracted sheriff's office providing
985 protective investigation services, or contracted case management
986 personnel responsible for providing services, at a minimum,

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987 shall adhere to the following procedures:

988 (c) The assessment of risk and the perceived treatment
989 needs of the alleged abuser or child who has exhibited
990 inappropriate sexual behavior, the victim, and respective
991 caregivers shall be conducted by the district staff, the Child
992 Protection Team ~~child protection team~~ of the Department of
993 Health, and other providers under contract with the department
994 to provide services to the caregiver of the alleged offender,
995 the victim, and the victim's caregiver.

996 (e) If necessary, the Child Protection Team ~~child~~
997 ~~protection team~~ of the Department of Health shall conduct a
998 physical examination of the victim, which is sufficient to meet
999 forensic requirements.

1000 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
1001 of Florida, which directed the Division of Law Revision and
1002 Information to prepare a reviser's bill "to capitalize each
1003 word of the term 'child protection team' wherever it occurs
1004 in the Florida Statutes."

1005 Section 23. Subsection (1) of section 39.5086, Florida
1006 Statutes, is amended to read:

1007 39.5086 Kinship navigator programs.—

1008 (1) DEFINITIONS.—As used in this section, the term:

1009 (a) "Fictive kin" has the same meaning as provided in s.
1010 39.4015(2)(d).

1011 (b) "Kinship care" means the full-time care of a child
1012 placed in out-of-home care by the court in the home of a
1013 relative or fictive kin.

1014 (c) "Kinship navigator program" means a program designed to
1015 ensure that kinship caregivers are provided with necessary

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1016 resources for the preservation of the family.

1017 (d) "Relative" means an individual who is caring full time
1018 for a child placed in out-of-home care by the court and who:

1019 1. Is related to the child within the fifth degree by blood
1020 or marriage to the parent or stepparent of the child; or

1021 2. Is related to a half-sibling of that child within the
1022 fifth degree by blood or marriage to the parent or stepparent.

1023 Reviser's note.—Amended to confirm the editorial insertion of
1024 the word "in" to improve clarity.

1025 Section 24. Paragraph (k) of subsection (2) of section
1026 39.521, Florida Statutes, is amended to read:

1027 39.521 Disposition hearings; powers of disposition.—

1028 (2) The family functioning assessment must provide the
1029 court with the following documented information:

1030 (k) The complete report and recommendation of the Child
1031 Protection Team ~~child protection team~~ of the Department of
1032 Health or, if no report exists, a statement reflecting that no
1033 report has been made.

1034
1035 Any other relevant and material evidence, including other
1036 written or oral reports, may be received by the court in its
1037 effort to determine the action to be taken with regard to the
1038 child and may be relied upon to the extent of its probative
1039 value, even though not competent in an adjudicatory hearing.
1040 Except as otherwise specifically provided, nothing in this
1041 section prohibits the publication of proceedings in a hearing.

1042 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
1043 of Florida, which directed the Division of Law Revision and
1044 Information to prepare a reviser's bill "to capitalize each

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1045 word of the term 'child protection team' wherever it occurs
1046 in the Florida Statutes."

1047 Section 25. Subsection (1) of section 105.036, Florida
1048 Statutes, is amended to read:

1049 105.036 Initiative for method of selection for circuit or
1050 county court judges; procedures for placement on ballot.—

1051 ~~(1) Subsequent to the general election in the year 2000, A~~
1052 local option for merit selection and retention or the election
1053 of circuit or county court judges may be placed on the ballot
1054 for the general election occurring in excess of 90 days from the
1055 certification of ballot position by the Secretary of State for
1056 circuit court judges or the county supervisor of elections for
1057 county court judges. The ballot shall provide for a vote on the
1058 method for selection of judges not currently used for filling
1059 judicial offices in the county or circuit.

1060 Reviser's note.—Amended to delete obsolete language.

1061 Section 26. Paragraph (d) of subsection (4) of section
1062 119.071, Florida Statutes, is amended to read:

1063 119.071 General exemptions from inspection or copying of
1064 public records.—

1065 (4) AGENCY PERSONNEL INFORMATION.—

1066 (d)1. For purposes of this paragraph, the term "telephone
1067 numbers" includes home telephone numbers, personal cellular
1068 telephone numbers, personal pager telephone numbers, and
1069 telephone numbers associated with personal communications
1070 devices.

1071 2.a. The home addresses, telephone numbers, dates of birth,
1072 and photographs of active or former sworn or civilian law
1073 enforcement personnel, including correctional and correctional

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1074 probation officers, personnel of the Department of Children and
1075 Families whose duties include the investigation of abuse,
1076 neglect, exploitation, fraud, theft, or other criminal
1077 activities, personnel of the Department of Health whose duties
1078 are to support the investigation of child abuse or neglect, and
1079 personnel of the Department of Revenue or local governments
1080 whose responsibilities include revenue collection and
1081 enforcement or child support enforcement; the names, home
1082 addresses, telephone numbers, photographs, dates of birth, and
1083 places of employment of the spouses and children of such
1084 personnel; and the names and locations of schools and day care
1085 facilities attended by the children of such personnel are exempt
1086 from s. 119.07(1) and s. 24(a), Art. I of the State
1087 Constitution. This sub-subparagraph is subject to the Open
1088 Government Sunset Review Act in accordance with s. 119.15 and
1089 shall stand repealed on October 2, 2022, unless reviewed and
1090 saved from repeal through reenactment by the Legislature.

1091 b. The home addresses, telephone numbers, dates of birth,
1092 and photographs of current or former nonsworn investigative
1093 personnel of the Department of Financial Services whose duties
1094 include the investigation of fraud, theft, workers' compensation
1095 coverage requirements and compliance, other related criminal
1096 activities, or state regulatory requirement violations; the
1097 names, home addresses, telephone numbers, dates of birth, and
1098 places of employment of the spouses and children of such
1099 personnel; and the names and locations of schools and day care
1100 facilities attended by the children of such personnel are exempt
1101 from s. 119.07(1) and s. 24(a), Art. I of the State
1102 Constitution. This sub-subparagraph is subject to the Open

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1103 Government Sunset Review Act in accordance with s. 119.15 and
1104 shall stand repealed on October 2, 2021, unless reviewed and
1105 saved from repeal through reenactment by the Legislature.

1106 c. The home addresses, telephone numbers, dates of birth,
1107 and photographs of current or former nonsworn investigative
1108 personnel of the Office of Financial Regulation's Bureau of
1109 Financial Investigations whose duties include the investigation
1110 of fraud, theft, other related criminal activities, or state
1111 regulatory requirement violations; the names, home addresses,
1112 telephone numbers, dates of birth, and places of employment of
1113 the spouses and children of such personnel; and the names and
1114 locations of schools and day care facilities attended by the
1115 children of such personnel are exempt from s. 119.07(1) and s.
1116 24(a), Art. I of the State Constitution. This sub-subparagraph
1117 is subject to the Open Government Sunset Review Act in
1118 accordance with s. 119.15 and shall stand repealed on October 2,
1119 2022, unless reviewed and saved from repeal through reenactment
1120 by the Legislature.

1121 d. The home addresses, telephone numbers, dates of birth,
1122 and photographs of current or former firefighters certified in
1123 compliance with s. 633.408; the names, home addresses, telephone
1124 numbers, photographs, dates of birth, and places of employment
1125 of the spouses and children of such firefighters; and the names
1126 and locations of schools and day care facilities attended by the
1127 children of such firefighters are exempt from s. 119.07(1) and
1128 s. 24(a), Art. I of the State Constitution. This sub-
1129 subparagraph is subject to the Open Government Sunset Review Act
1130 in accordance with s. 119.15, and shall stand repealed on
1131 October 2, 2022, unless reviewed and saved from repeal through

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1132 reenactment by the Legislature.

1133 e. The home addresses, dates of birth, and telephone
1134 numbers of current or former justices of the Supreme Court,
1135 district court of appeal judges, circuit court judges, and
1136 county court judges; the names, home addresses, telephone
1137 numbers, dates of birth, and places of employment of the spouses
1138 and children of current or former justices and judges; and the
1139 names and locations of schools and day care facilities attended
1140 by the children of current or former justices and judges are
1141 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1142 Constitution. This sub-subparagraph is subject to the Open
1143 Government Sunset Review Act in accordance with s. 119.15 and
1144 shall stand repealed on October 2, 2022, unless reviewed and
1145 saved from repeal through reenactment by the Legislature.

1146 f. The home addresses, telephone numbers, dates of birth,
1147 and photographs of current or former state attorneys, assistant
1148 state attorneys, statewide prosecutors, or assistant statewide
1149 prosecutors; the names, home addresses, telephone numbers,
1150 photographs, dates of birth, and places of employment of the
1151 spouses and children of current or former state attorneys,
1152 assistant state attorneys, statewide prosecutors, or assistant
1153 statewide prosecutors; and the names and locations of schools
1154 and day care facilities attended by the children of current or
1155 former state attorneys, assistant state attorneys, statewide
1156 prosecutors, or assistant statewide prosecutors are exempt from
1157 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

1158 g. The home addresses, dates of birth, and telephone
1159 numbers of general magistrates, special magistrates, judges of
1160 compensation claims, administrative law judges of the Division

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1161 of Administrative Hearings, and child support enforcement
1162 hearing officers; the names, home addresses, telephone numbers,
1163 dates of birth, and places of employment of the spouses and
1164 children of general magistrates, special magistrates, judges of
1165 compensation claims, administrative law judges of the Division
1166 of Administrative Hearings, and child support enforcement
1167 hearing officers; and the names and locations of schools and day
1168 care facilities attended by the children of general magistrates,
1169 special magistrates, judges of compensation claims,
1170 administrative law judges of the Division of Administrative
1171 Hearings, and child support enforcement hearing officers are
1172 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1173 Constitution. This sub-subparagraph is subject to the Open
1174 Government Sunset Review Act in accordance with s. 119.15 and
1175 shall stand repealed on October 2, 2022, unless reviewed and
1176 saved from repeal through reenactment by the Legislature.

1177 h. The home addresses, telephone numbers, dates of birth,
1178 and photographs of current or former human resource, labor
1179 relations, or employee relations directors, assistant directors,
1180 managers, or assistant managers of any local government agency
1181 or water management district whose duties include hiring and
1182 firing employees, labor contract negotiation, administration, or
1183 other personnel-related duties; the names, home addresses,
1184 telephone numbers, dates of birth, and places of employment of
1185 the spouses and children of such personnel; and the names and
1186 locations of schools and day care facilities attended by the
1187 children of such personnel are exempt from s. 119.07(1) and s.
1188 24(a), Art. I of the State Constitution.

1189 i. The home addresses, telephone numbers, dates of birth,

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1190 and photographs of current or former code enforcement officers;
1191 the names, home addresses, telephone numbers, dates of birth,
1192 and places of employment of the spouses and children of such
1193 personnel; and the names and locations of schools and day care
1194 facilities attended by the children of such personnel are exempt
1195 from s. 119.07(1) and s. 24(a), Art. I of the State
1196 Constitution.

1197 j. The home addresses, telephone numbers, places of
1198 employment, dates of birth, and photographs of current or former
1199 guardians ad litem, as defined in s. 39.820; the names, home
1200 addresses, telephone numbers, dates of birth, and places of
1201 employment of the spouses and children of such persons; and the
1202 names and locations of schools and day care facilities attended
1203 by the children of such persons are exempt from s. 119.07(1) and
1204 s. 24(a), Art. I of the State Constitution. This sub-
1205 subparagraph is subject to the Open Government Sunset Review Act
1206 in accordance with s. 119.15 and shall stand repealed on October
1207 2, 2022, unless reviewed and saved from repeal through
1208 reenactment by the Legislature.

1209 k. The home addresses, telephone numbers, dates of birth,
1210 and photographs of current or former juvenile probation
1211 officers, juvenile probation supervisors, detention
1212 superintendents, assistant detention superintendents, juvenile
1213 justice detention officers I and II, juvenile justice detention
1214 officer supervisors, juvenile justice residential officers,
1215 juvenile justice residential officer supervisors I and II,
1216 juvenile justice counselors, juvenile justice counselor
1217 supervisors, human services counselor administrators, senior
1218 human services counselor administrators, rehabilitation

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1219 therapists, and social services counselors of the Department of
1220 Juvenile Justice; the names, home addresses, telephone numbers,
1221 dates of birth, and places of employment of spouses and children
1222 of such personnel; and the names and locations of schools and
1223 day care facilities attended by the children of such personnel
1224 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1225 Constitution.

1226 1. The home addresses, telephone numbers, dates of birth,
1227 and photographs of current or former public defenders, assistant
1228 public defenders, criminal conflict and civil regional counsel,
1229 and assistant criminal conflict and civil regional counsel; the
1230 names, home addresses, telephone numbers, dates of birth, and
1231 places of employment of the spouses and children of current or
1232 former public defenders, assistant public defenders, criminal
1233 conflict and civil regional counsel, and assistant criminal
1234 conflict and civil regional counsel; and the names and locations
1235 of schools and day care facilities attended by the children of
1236 current or former public defenders, assistant public defenders,
1237 criminal conflict and civil regional counsel, and assistant
1238 criminal conflict and civil regional counsel are exempt from s.
1239 119.07(1) and s. 24(a), Art. I of the State Constitution.

1240 m. The home addresses, telephone numbers, dates of birth,
1241 and photographs of current or former investigators or inspectors
1242 of the Department of Business and Professional Regulation; the
1243 names, home addresses, telephone numbers, dates of birth, and
1244 places of employment of the spouses and children of such current
1245 or former investigators and inspectors; and the names and
1246 locations of schools and day care facilities attended by the
1247 children of such current or former investigators and inspectors

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1248 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1249 Constitution. This sub-subparagraph is subject to the Open
1250 Government Sunset Review Act in accordance with s. 119.15 and
1251 shall stand repealed on October 2, 2022, unless reviewed and
1252 saved from repeal through reenactment by the Legislature.

1253 n. The home addresses, telephone numbers, and dates of
1254 birth of county tax collectors; the names, home addresses,
1255 telephone numbers, dates of birth, and places of employment of
1256 the spouses and children of such tax collectors; and the names
1257 and locations of schools and day care facilities attended by the
1258 children of such tax collectors are exempt from s. 119.07(1) and
1259 s. 24(a), Art. I of the State Constitution. This sub-
1260 subparagraph is subject to the Open Government Sunset Review Act
1261 in accordance with s. 119.15 and shall stand repealed on October
1262 2, 2022, unless reviewed and saved from repeal through
1263 reenactment by the Legislature.

1264 o. The home addresses, telephone numbers, dates of birth,
1265 and photographs of current or former personnel of the Department
1266 of Health whose duties include, or result in, the determination
1267 or adjudication of eligibility for social security disability
1268 benefits, the investigation or prosecution of complaints filed
1269 against health care practitioners, or the inspection of health
1270 care practitioners or health care facilities licensed by the
1271 Department of Health; the names, home addresses, telephone
1272 numbers, dates of birth, and places of employment of the spouses
1273 and children of such personnel; and the names and locations of
1274 schools and day care facilities attended by the children of such
1275 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
1276 the State Constitution. This sub-subparagraph is subject to the

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1277 Open Government Sunset Review Act in accordance with s. 119.15
1278 and shall stand repealed on October 2, 2019, unless reviewed and
1279 saved from repeal through reenactment by the Legislature.

1280 p. The home addresses, telephone numbers, dates of birth,
1281 and photographs of current or former impaired practitioner
1282 consultants who are retained by an agency or current or former
1283 employees of an impaired practitioner consultant whose duties
1284 result in a determination of a person's skill and safety to
1285 practice a licensed profession; the names, home addresses,
1286 telephone numbers, dates of birth, and places of employment of
1287 the spouses and children of such consultants or their employees;
1288 and the names and locations of schools and day care facilities
1289 attended by the children of such consultants or employees are
1290 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1291 Constitution. This sub-subparagraph is subject to the Open
1292 Government Sunset Review Act in accordance with s. 119.15 and
1293 shall stand repealed on October 2, 2020, unless reviewed and
1294 saved from repeal through reenactment by the Legislature.

1295 q. The home addresses, telephone numbers, dates of birth,
1296 and photographs of current or former emergency medical
1297 technicians or paramedics certified under chapter 401; the
1298 names, home addresses, telephone numbers, dates of birth, and
1299 places of employment of the spouses and children of such
1300 emergency medical technicians or paramedics; and the names and
1301 locations of schools and day care facilities attended by the
1302 children of such emergency medical technicians or paramedics are
1303 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1304 Constitution. This sub-subparagraph is subject to the Open
1305 Government Sunset Review Act in accordance with s. 119.15 and

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1306 shall stand repealed on October 2, 2021, unless reviewed and
1307 saved from repeal through reenactment by the Legislature.

1308 r. The home addresses, telephone numbers, dates of birth,
1309 and photographs of current or former personnel employed in an
1310 agency's office of inspector general or internal audit
1311 department whose duties include auditing or investigating waste,
1312 fraud, abuse, theft, exploitation, or other activities that
1313 could lead to criminal prosecution or administrative discipline;
1314 the names, home addresses, telephone numbers, dates of birth,
1315 and places of employment of spouses and children of such
1316 personnel; and the names and locations of schools and day care
1317 facilities attended by the children of such personnel are exempt
1318 from s. 119.07(1) and s. 24(a), Art. I of the State
1319 Constitution. This sub-subparagraph is subject to the Open
1320 Government Sunset Review Act in accordance with s. 119.15 and
1321 shall stand repealed on October 2, 2021, unless reviewed and
1322 saved from repeal through reenactment by the Legislature.

1323 s. The home addresses, telephone numbers, dates of birth,
1324 and photographs of current or former directors, managers,
1325 supervisors, nurses, and clinical employees of an addiction
1326 treatment facility; the home addresses, telephone numbers,
1327 photographs, dates of birth, and places of employment of the
1328 spouses and children of such personnel; and the names and
1329 locations of schools and day care facilities attended by the
1330 children of such personnel are exempt from s. 119.07(1) and s.
1331 24(a), Art. I of the State Constitution. For purposes of this
1332 sub-subparagraph, the term "addiction treatment facility" means
1333 a county government, or agency thereof, that is licensed
1334 pursuant to s. 397.401 and provides substance abuse prevention,

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1335 intervention, or clinical treatment, including any licensed
1336 service component described in s. 397.311(26). This sub-
1337 subparagraph is subject to the Open Government Sunset Review Act
1338 in accordance with s. 119.15 and shall stand repealed on October
1339 2, 2023, unless reviewed and saved from repeal through
1340 reenactment by the Legislature.

1341 t. The home addresses, telephone numbers, dates of birth,
1342 and photographs of current or former directors, managers,
1343 supervisors, and clinical employees of a child advocacy center
1344 that meets the standards of s. 39.3035(1) and fulfills the
1345 screening requirement of s. 39.3035(2), and the members of a
1346 Child Protection Team ~~child protection team~~ as described in s.
1347 39.303 whose duties include supporting the investigation of
1348 child abuse or sexual abuse, child abandonment, child neglect,
1349 and child exploitation or to provide services as part of a
1350 multidisciplinary case review team; the names, home addresses,
1351 telephone numbers, photographs, dates of birth, and places of
1352 employment of the spouses and children of such personnel and
1353 members; and the names and locations of schools and day care
1354 facilities attended by the children of such personnel and
1355 members are exempt from s. 119.07(1) and s. 24(a), Art. I of the
1356 State Constitution. This sub-subparagraph is subject to the Open
1357 Government Sunset Review Act in accordance with s. 119.15 and
1358 shall stand repealed on October 2, 2023, unless reviewed and
1359 saved from repeal through reenactment by the Legislature.

1360 3. An agency that is the custodian of the information
1361 specified in subparagraph 2. and that is not the employer of the
1362 officer, employee, justice, judge, or other person specified in
1363 subparagraph 2. shall maintain the exempt status of that

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1364 information only if the officer, employee, justice, judge, other
1365 person, or employing agency of the designated employee submits a
1366 written request for maintenance of the exemption to the
1367 custodial agency.

1368 4. The exemptions in this paragraph apply to information
1369 held by an agency before, on, or after the effective date of the
1370 exemption.

1371 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
1372 of Florida, which directed the Division of Law Revision and
1373 Information to prepare a reviser's bill "to capitalize each
1374 word of the term 'child protection team' wherever it occurs
1375 in the Florida Statutes."

1376 Section 27. Subsection (5) of section 121.71, Florida
1377 Statutes, is amended to read:

1378 121.71 Uniform rates; process; calculations; levy.—

1379 (5) In order to address unfunded actuarial liabilities of
1380 the system, the required employer retirement contribution rates
1381 for each membership class and subclass of the Florida Retirement
1382 System for both retirement plans are as follows:

1383

	Percentage of Gross Compensation, Effective July 1, 2018
Membership Class	

1384

1385

Regular Class	3.50%
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1386

Special Risk Class 10.60%

1387

Special Risk
Administrative
Support Class 29.62%

1388

Elected Officers' Class—
Legislators, Governor,
Lt. Governor,
Cabinet Officers,
State Attorneys,
Public Defenders 48.38% ~~43.38%~~

1389

Elected Officers' Class—
Justices, Judges 27.05%

1390

Elected Officers' Class—
County Elected Officers 38.48%

1391

Senior Management Service
Class 17.89%

1392

DROP 7.96%

1393

1394

Reviser's note.—Amended to correct an editorial error to s. 1,
1395 ch. 2018-12, Laws of Florida, which amended s. 121.71. The
1396 enrolled act which became ch. 2018-12 provided a rate of
1397 48.38%, not 43.38%.

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1398 Section 28. Subsection (2) of section 154.067, Florida
1399 Statutes, is amended to read:

1400 154.067 Child abuse and neglect cases; duties.—The
1401 Department of Health shall adopt a rule requiring every county
1402 health department, as described in s. 154.01, to adopt a
1403 protocol that, at a minimum, requires the county health
1404 department to:

1405 (2) In any case involving suspected child abuse,
1406 abandonment, or neglect, designate, at the request of the
1407 department, a staff physician to act as a liaison between the
1408 county health department and the Department of Children and
1409 Families office that is investigating the suspected abuse,
1410 abandonment, or neglect, and the Child Protection Team ~~child~~
1411 ~~protection team~~, as defined in s. 39.01, when the case is
1412 referred to such a team.

1413 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
1414 of Florida, which directed the Division of Law Revision and
1415 Information to prepare a reviser's bill "to capitalize each
1416 word of the term 'child protection team' wherever it occurs
1417 in the Florida Statutes."

1418 Section 29. Subsection (1) of section 159.834, Florida
1419 Statutes, is amended to read:

1420 159.834 Allocation of state volume limitation.—

1421 (1) ~~By February 1, 2004,~~ The board shall establish a
1422 program for allocating the state volume limitation imposed by s.
1423 142(k)(5)(A) of the code on private activity bonds to finance
1424 qualified public educational facilities. Such program shall
1425 include objective criteria to be considered in determining
1426 whether to grant a request for such volume limitation,

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1427 including, but not limited to, the need for a qualified public
1428 educational facility in the area proposed in the application,
1429 the number of students to be served by such facility, and the
1430 cost-effectiveness of the proposed facility. The program shall
1431 be administered by the department.

1432 Reviser's note.—Amended to delete obsolete language.

1433 Section 30. Section 163.3164, Florida Statutes, is
1434 reenacted to read:

1435 163.3164 Community Planning Act; definitions.—As used in
1436 this act:

1437 (1) "Adaptation action area" or "adaptation area" means a
1438 designation in the coastal management element of a local
1439 government's comprehensive plan which identifies one or more
1440 areas that experience coastal flooding due to extreme high tides
1441 and storm surge, and that are vulnerable to the related impacts
1442 of rising sea levels for the purpose of prioritizing funding for
1443 infrastructure needs and adaptation planning.

1444 (2) "Administration Commission" means the Governor and the
1445 Cabinet, and for purposes of this chapter the commission shall
1446 act on a simple majority vote, except that for purposes of
1447 imposing the sanctions provided in s. 163.3184(8), affirmative
1448 action shall require the approval of the Governor and at least
1449 three other members of the commission.

1450 (3) "Affordable housing" has the same meaning as in s.
1451 420.0004(3).

1452 (4) "Agricultural enclave" means an unincorporated,
1453 undeveloped parcel that:

1454 (a) Is owned by a single person or entity;

1455 (b) Has been in continuous use for bona fide agricultural

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1456 purposes, as defined by s. 193.461, for a period of 5 years
1457 prior to the date of any comprehensive plan amendment
1458 application;

1459 (c) Is surrounded on at least 75 percent of its perimeter
1460 by:

1461 1. Property that has existing industrial, commercial, or
1462 residential development; or

1463 2. Property that the local government has designated, in
1464 the local government's comprehensive plan, zoning map, and
1465 future land use map, as land that is to be developed for
1466 industrial, commercial, or residential purposes, and at least 75
1467 percent of such property is existing industrial, commercial, or
1468 residential development;

1469 (d) Has public services, including water, wastewater,
1470 transportation, schools, and recreation facilities, available or
1471 such public services are scheduled in the capital improvement
1472 element to be provided by the local government or can be
1473 provided by an alternative provider of local government
1474 infrastructure in order to ensure consistency with applicable
1475 concurrency provisions of s. 163.3180; and

1476 (e) Does not exceed 1,280 acres; however, if the property
1477 is surrounded by existing or authorized residential development
1478 that will result in a density at buildout of at least 1,000
1479 residents per square mile, then the area shall be determined to
1480 be urban and the parcel may not exceed 4,480 acres.

1481 (5) "Antiquated subdivision" means a subdivision that was
1482 recorded or approved more than 20 years ago and that has
1483 substantially failed to be built and the continued buildout of
1484 the subdivision in accordance with the subdivision's zoning and

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1485 land use purposes would cause an imbalance of land uses and
1486 would be detrimental to the local and regional economies and
1487 environment, hinder current planning practices, and lead to
1488 inefficient and fiscally irresponsible development patterns as
1489 determined by the respective jurisdiction in which the
1490 subdivision is located.

1491 (6) "Area" or "area of jurisdiction" means the total area
1492 qualifying under this act, whether this be all of the lands
1493 lying within the limits of an incorporated municipality, lands
1494 in and adjacent to incorporated municipalities, all
1495 unincorporated lands within a county, or areas comprising
1496 combinations of the lands in incorporated municipalities and
1497 unincorporated areas of counties.

1498 (7) "Capital improvement" means physical assets constructed
1499 or purchased to provide, improve, or replace a public facility
1500 and which are typically large scale and high in cost. The cost
1501 of a capital improvement is generally nonrecurring and may
1502 require multiyear financing. For the purposes of this part,
1503 physical assets that have been identified as existing or
1504 projected needs in the individual comprehensive plan elements
1505 shall be considered capital improvements.

1506 (8) "Coastal area" means the 35 coastal counties and all
1507 coastal municipalities within their boundaries.

1508 (9) "Compatibility" means a condition in which land uses or
1509 conditions can coexist in relative proximity to each other in a
1510 stable fashion over time such that no use or condition is unduly
1511 negatively impacted directly or indirectly by another use or
1512 condition.

1513 (10) "Comprehensive plan" means a plan that meets the

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1514 requirements of ss. 163.3177 and 163.3178.

1515 (11) "Deepwater ports" means the ports identified in s.
1516 403.021(9).

1517 (12) "Density" means an objective measurement of the number
1518 of people or residential units allowed per unit of land, such as
1519 residents or employees per acre.

1520 (13) "Developer" means any person, including a governmental
1521 agency, undertaking any development as defined in this act.

1522 (14) "Development" has the same meaning as in s. 380.04.

1523 (15) "Development order" means any order granting, denying,
1524 or granting with conditions an application for a development
1525 permit.

1526 (16) "Development permit" includes any building permit,
1527 zoning permit, subdivision approval, rezoning, certification,
1528 special exception, variance, or any other official action of
1529 local government having the effect of permitting the development
1530 of land.

1531 (17) "Downtown revitalization" means the physical and
1532 economic renewal of a central business district of a community
1533 as designated by local government, and includes both downtown
1534 development and redevelopment.

1535 (18) "Floodprone areas" means areas inundated during a 100-
1536 year flood event or areas identified by the National Flood
1537 Insurance Program as an A Zone on flood insurance rate maps or
1538 flood hazard boundary maps.

1539 (19) "Goal" means the long-term end toward which programs
1540 or activities are ultimately directed.

1541 (20) "Governing body" means the board of county
1542 commissioners of a county, the commission or council of an

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1543 incorporated municipality, or any other chief governing body of
1544 a unit of local government, however designated, or the
1545 combination of such bodies where joint utilization of this act
1546 is accomplished as provided herein.

1547 (21) "Governmental agency" means:

1548 (a) The United States or any department, commission,
1549 agency, or other instrumentality thereof.

1550 (b) This state or any department, commission, agency, or
1551 other instrumentality thereof.

1552 (c) Any local government, as defined in this section, or
1553 any department, commission, agency, or other instrumentality
1554 thereof.

1555 (d) Any school board or other special district, authority,
1556 or governmental entity.

1557 (22) "Intensity" means an objective measurement of the
1558 extent to which land may be developed or used, including the
1559 consumption or use of the space above, on, or below ground; the
1560 measurement of the use of or demand on natural resources; and
1561 the measurement of the use of or demand on facilities and
1562 services.

1563 (23) "Internal trip capture" means trips generated by a
1564 mixed-use project that travel from one onsite land use to
1565 another onsite land use without using the external road network.

1566 (24) "Land" means the earth, water, and air, above, below,
1567 or on the surface, and includes any improvements or structures
1568 customarily regarded as land.

1569 (25) "Land development regulation commission" means a
1570 commission designated by a local government to develop and
1571 recommend, to the local governing body, land development

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1572 regulations which implement the adopted comprehensive plan and
1573 to review land development regulations, or amendments thereto,
1574 for consistency with the adopted plan and report to the
1575 governing body regarding its findings. The responsibilities of
1576 the land development regulation commission may be performed by
1577 the local planning agency.

1578 (26) "Land development regulations" means ordinances
1579 enacted by governing bodies for the regulation of any aspect of
1580 development and includes any local government zoning, rezoning,
1581 subdivision, building construction, or sign regulations or any
1582 other regulations controlling the development of land, except
1583 that this definition does not apply in s. 163.3213.

1584 (27) "Land use" means the development that has occurred on
1585 the land, the development that is proposed by a developer on the
1586 land, or the use that is permitted or permissible on the land
1587 under an adopted comprehensive plan or element or portion
1588 thereof, land development regulations, or a land development
1589 code, as the context may indicate.

1590 (28) "Level of service" means an indicator of the extent or
1591 degree of service provided by, or proposed to be provided by, a
1592 facility based on and related to the operational characteristics
1593 of the facility. Level of service shall indicate the capacity
1594 per unit of demand for each public facility.

1595 (29) "Local government" means any county or municipality.

1596 (30) "Local planning agency" means the agency designated to
1597 prepare the comprehensive plan or plan amendments required by
1598 this act.

1599 (31) "Master development plan" or "master plan," for the
1600 purposes of this act and 26 U.S.C. s. 118, means a planning

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1601 document that integrates plans, orders, agreements, designs, and
1602 studies to guide development as defined in this section and may
1603 include, as appropriate, authorized land uses, authorized
1604 amounts of horizontal and vertical development, and public
1605 facilities, including local and regional water storage for water
1606 quality and water supply. The term includes, but is not limited
1607 to, a plan for a development under this chapter or chapter 380,
1608 a basin management action plan pursuant to s. 403.067(7), a
1609 regional water supply plan pursuant to s. 373.709, a watershed
1610 protection plan pursuant to s. 373.4595, and a spring protection
1611 plan developed pursuant to s. 373.807.

1612 (32) "Newspaper of general circulation" means a newspaper
1613 published at least on a weekly basis and printed in the language
1614 most commonly spoken in the area within which it circulates, but
1615 does not include a newspaper intended primarily for members of a
1616 particular professional or occupational group, a newspaper whose
1617 primary function is to carry legal notices, or a newspaper that
1618 is given away primarily to distribute advertising.

1619 (33) "New town" means an urban activity center and
1620 community designated on the future land use map of sufficient
1621 size, population, and land use composition to support a variety
1622 of economic and social activities consistent with an urban area
1623 designation. New towns shall include basic economic activities;
1624 all major land use categories, with the possible exception of
1625 agricultural and industrial; and a centrally provided full range
1626 of public facilities and services that demonstrate internal trip
1627 capture. A new town shall be based on a master development plan.

1628 (34) "Objective" means a specific, measurable, intermediate
1629 end that is achievable and marks progress toward a goal.

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1630 (35) "Parcel of land" means any quantity of land capable of
1631 being described with such definiteness that its locations and
1632 boundaries may be established, which is designated by its owner
1633 or developer as land to be used, or developed as, a unit or
1634 which has been used or developed as a unit.

1635 (36) "Person" means an individual, corporation,
1636 governmental agency, business trust, estate, trust, partnership,
1637 association, two or more persons having a joint or common
1638 interest, or any other legal entity.

1639 (37) "Policy" means the way in which programs and
1640 activities are conducted to achieve an identified goal.

1641 (38) "Projects that promote public transportation" means
1642 projects that directly affect the provisions of public transit,
1643 including transit terminals, transit lines and routes, separate
1644 lanes for the exclusive use of public transit services, transit
1645 stops (shelters and stations), office buildings or projects that
1646 include fixed-rail or transit terminals as part of the building,
1647 and projects which are transit oriented and designed to
1648 complement reasonably proximate planned or existing public
1649 facilities.

1650 (39) "Public facilities" means major capital improvements,
1651 including transportation, sanitary sewer, solid waste, drainage,
1652 potable water, educational, parks and recreational facilities.

1653 (40) "Public notice" means notice as required by s.
1654 125.66(2) for a county or by s. 166.041(3)(a) for a
1655 municipality. The public notice procedures required in this part
1656 are established as minimum public notice procedures.

1657 (41) "Regional planning agency" means the council created
1658 pursuant to chapter 186.

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1659 (42) "Seasonal population" means part-time inhabitants who
1660 use, or may be expected to use, public facilities or services,
1661 but are not residents and includes tourists, migrant
1662 farmworkers, and other short-term and long-term visitors.

1663 (43) "Sector plan" means the process authorized by s.
1664 163.3245 in which one or more local governments engage in long-
1665 term planning for a large area and address regional issues
1666 through adoption of detailed specific area plans within the
1667 planning area as a means of fostering innovative planning and
1668 development strategies, furthering the purposes of this part and
1669 part I of chapter 380, reducing overlapping data and analysis
1670 requirements, protecting regionally significant resources and
1671 facilities, and addressing extrajurisdictional impacts. The term
1672 includes an optional sector plan that was adopted before June 2,
1673 2011.

1674 (44) "State land planning agency" means the Department of
1675 Economic Opportunity.

1676 (45) "Structure" has the same meaning as in s. 380.031(19).

1677 (46) "Suitability" means the degree to which the existing
1678 characteristics and limitations of land and water are compatible
1679 with a proposed use or development.

1680 (47) "Transit-oriented development" means a project or
1681 projects, in areas identified in a local government
1682 comprehensive plan, that is or will be served by existing or
1683 planned transit service. These designated areas shall be
1684 compact, moderate to high density developments, of mixed-use
1685 character, interconnected with other land uses, bicycle and
1686 pedestrian friendly, and designed to support frequent transit
1687 service operating through, collectively or separately, rail,

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1688 fixed guideway, streetcar, or bus systems on dedicated
1689 facilities or available roadway connections.

1690 (48) "Transportation corridor management" means the
1691 coordination of the planning of designated future transportation
1692 corridors with land use planning within and adjacent to the
1693 corridor to promote orderly growth, to meet the concurrency
1694 requirements of this chapter, and to maintain the integrity of
1695 the corridor for transportation purposes.

1696 (49) "Urban infill" means the development of vacant parcels
1697 in otherwise built-up areas where public facilities such as
1698 sewer systems, roads, schools, and recreation areas are already
1699 in place and the average residential density is at least five
1700 dwelling units per acre, the average nonresidential intensity is
1701 at least a floor area ratio of 1.0 and vacant, developable land
1702 does not constitute more than 10 percent of the area.

1703 (50) "Urban redevelopment" means demolition and
1704 reconstruction or substantial renovation of existing buildings
1705 or infrastructure within urban infill areas, existing urban
1706 service areas, or community redevelopment areas created pursuant
1707 to part III.

1708 (51) "Urban service area" means areas identified in the
1709 comprehensive plan where public facilities and services,
1710 including, but not limited to, central water and sewer capacity
1711 and roads, are already in place or are identified in the capital
1712 improvements element. The term includes any areas identified in
1713 the comprehensive plan as urban service areas, regardless of
1714 local government limitation.

1715 (52) "Urban sprawl" means a development pattern
1716 characterized by low density, automobile-dependent development

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1717 with either a single use or multiple uses that are not
1718 functionally related, requiring the extension of public
1719 facilities and services in an inefficient manner, and failing to
1720 provide a clear separation between urban and rural uses.

1721 Reviser's note.—Section 21, ch. 2018-158, Laws of Florida, added
1722 a new subsection (31) to s. 163.3164 and redesignated
1723 existing subsections (31)-(51) as subsections (32)-(52) to
1724 conform to the addition of the new subsection, but did not
1725 publish the section number, catchline, and introductory
1726 paragraph of s. 163.3164. Absent affirmative evidence of
1727 legislative intent to repeal the section number, catchline,
1728 and introductory paragraph of the section, the section is
1729 reenacted to confirm the omission was not intended.

1730 Section 31. Paragraph (f) of subsection (6) of section
1731 163.3177, Florida Statutes, is amended to read:

1732 163.3177 Required and optional elements of comprehensive
1733 plan; studies and surveys.—

1734 (6) In addition to the requirements of subsections (1)-(5),
1735 the comprehensive plan shall include the following elements:

1736 (f)1. A housing element consisting of principles,
1737 guidelines, standards, and strategies to be followed in:

1738 a. The provision of housing for all current and anticipated
1739 future residents of the jurisdiction.

1740 b. The elimination of substandard dwelling conditions.

1741 c. The structural and aesthetic improvement of existing
1742 housing.

1743 d. The provision of adequate sites for future housing,
1744 including affordable workforce housing as defined in s.

1745 380.0651(1)(h) ~~380.0651(3)(h)~~, housing for low-income, very low-

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1746 income, and moderate-income families, mobile homes, and group
1747 home facilities and foster care facilities, with supporting
1748 infrastructure and public facilities. The element may include
1749 provisions that specifically address affordable housing for
1750 persons 60 years of age or older. Real property that is conveyed
1751 to a local government for affordable housing under this sub-
1752 subparagraph shall be disposed of by the local government
1753 pursuant to s. 125.379 or s. 166.0451.

1754 e. Provision for relocation housing and identification of
1755 historically significant and other housing for purposes of
1756 conservation, rehabilitation, or replacement.

1757 f. The formulation of housing implementation programs.

1758 g. The creation or preservation of affordable housing to
1759 minimize the need for additional local services and avoid the
1760 concentration of affordable housing units only in specific areas
1761 of the jurisdiction.

1762 2. The principles, guidelines, standards, and strategies of
1763 the housing element must be based on data and analysis prepared
1764 on housing needs, which shall include the number and
1765 distribution of dwelling units by type, tenure, age, rent,
1766 value, monthly cost of owner-occupied units, and rent or cost to
1767 income ratio, and shall show the number of dwelling units that
1768 are substandard. The data and analysis shall also include the
1769 methodology used to estimate the condition of housing, a
1770 projection of the anticipated number of households by size,
1771 income range, and age of residents derived from the population
1772 projections, and the minimum housing need of the current and
1773 anticipated future residents of the jurisdiction.

1774 3. The housing element must express principles, guidelines,

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1775 standards, and strategies that reflect, as needed, the creation
1776 and preservation of affordable housing for all current and
1777 anticipated future residents of the jurisdiction, elimination of
1778 substandard housing conditions, adequate sites, and distribution
1779 of housing for a range of incomes and types, including mobile
1780 and manufactured homes. The element must provide for specific
1781 programs and actions to partner with private and nonprofit
1782 sectors to address housing needs in the jurisdiction, streamline
1783 the permitting process, and minimize costs and delays for
1784 affordable housing, establish standards to address the quality
1785 of housing, stabilization of neighborhoods, and identification
1786 and improvement of historically significant housing.

1787 4. State and federal housing plans prepared on behalf of
1788 the local government must be consistent with the goals,
1789 objectives, and policies of the housing element. Local
1790 governments are encouraged to use job training, job creation,
1791 and economic solutions to address a portion of their affordable
1792 housing concerns.

1793 Reviser's note.—Amended to conform to the redesignation of s.

1794 380.0651(3)(h) as s. 380.0651(1)(h) by s. 3, ch. 2018-158,
1795 Laws of Florida.

1796 Section 32. Subsection (2) of section 193.4615, Florida
1797 Statutes, is amended to read:

1798 193.4615 Assessment of obsolete agricultural equipment.—

1799 ~~(2) This section shall take effect January 1, 2007.~~

1800 Reviser's note.—Amended to delete obsolete language.

1801 Section 33. Subsection (3) of section 196.075, Florida
1802 Statutes, is amended to read:

1803 196.075 Additional homestead exemption for persons 65 and

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1804 older.—

1805 (3) ~~Beginning January 1, 2001,~~ The \$20,000 income
1806 limitation shall be adjusted annually, on January 1, by the
1807 percentage change in the average cost-of-living index in the
1808 period January 1 through December 31 of the immediate prior year
1809 compared with the same period for the year prior to that. The
1810 index is the average of the monthly consumer-price-index figures
1811 for the stated 12-month period, relative to the United States as
1812 a whole, issued by the United States Department of Labor.

1813 Reviser's note.—Amended to delete obsolete language.

1814 Section 34. Paragraph (b) of subsection (4) of section
1815 196.1975, Florida Statutes, is amended to read:

1816 196.1975 Exemption for property used by nonprofit homes for
1817 the aged.—Nonprofit homes for the aged are exempt to the extent
1818 that they meet the following criteria:

1819 (4)

1820 (b) The maximum income limitations permitted in this
1821 subsection shall be adjusted, effective January 1, ~~1977,~~ and on
1822 each ~~succeeding~~ year, by the percentage change in the average
1823 cost-of-living index in the period January 1 through December 31
1824 of the immediate prior year compared with the same period for
1825 the year prior to that. The index is the average of the monthly
1826 consumer price index figures for the stated 12-month period,
1827 relative to the United States as a whole, issued by the United
1828 States Department of Labor.

1829 Reviser's note.—Amended to delete obsolete language.

1830 Section 35. Section 210.03, Florida Statutes, is amended to
1831 read:

1832 210.03 Prohibition against levying of cigarette taxes by

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1833 municipalities.—No municipality shall, ~~after July 1, 1972,~~ levy
1834 or collect any excise tax on cigarettes.

1835 Reviser's note.—Amended to delete obsolete language.

1836 Section 36. Paragraph (a) of subsection (4) of section
1837 216.136, Florida Statutes, is amended to read:

1838 216.136 Consensus estimating conferences; duties and
1839 principals.—

1840 (4) EDUCATION ESTIMATING CONFERENCE.—

1841 (a) The Education Estimating Conference shall develop such
1842 official information relating to the state public and private
1843 educational system, including forecasts of student enrollments,
1844 the national average of tuition and fees at public postsecondary
1845 educational institutions, the number of students qualified for
1846 state financial aid programs and for the William L. Boyd, IV,
1847 Effective Access to Student Education ~~Florida Resident Access~~
1848 Grant Program and the appropriation required to fund the full
1849 award amounts for each program, fixed capital outlay needs, and
1850 Florida Education Finance Program formula needs, as the
1851 conference determines is needed for the state planning and
1852 budgeting system. The conference's initial projections of
1853 enrollments in public schools shall be forwarded by the
1854 conference to each school district no later than 2 months prior
1855 to the start of the regular session of the Legislature. Each
1856 school district may, in writing, request adjustments to the
1857 initial projections. Any adjustment request shall be submitted
1858 to the conference no later than 1 month prior to the start of
1859 the regular session of the Legislature and shall be considered
1860 by the principals of the conference. A school district may amend
1861 its adjustment request, in writing, during the first 3 weeks of

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1862 the legislative session, and such amended adjustment request
1863 shall be considered by the principals of the conference. For any
1864 adjustment so requested, the district shall indicate and
1865 explain, using definitions adopted by the conference, the
1866 components of anticipated enrollment changes that correspond to
1867 continuation of current programs with workload changes; program
1868 improvement; program reduction or elimination; initiation of new
1869 programs; and any other information that may be needed by the
1870 Legislature. For public schools, the conference shall submit its
1871 full-time equivalent student consensus estimate to the
1872 Legislature no later than 1 month after the start of the regular
1873 session of the Legislature. No conference estimate may be
1874 changed without the agreement of the full conference.

1875 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
1876 Florida, which directed the Division of Law Revision and
1877 Information "to substitute the term 'Effective Access to
1878 Student Education Grant Program' for 'Florida Resident
1879 Access Grant Program' and the term 'Effective Access to
1880 Student Education grant' for 'Florida resident access
1881 grant' wherever those terms appear in the Florida
1882 Statutes."

1883 Section 37. Subsection (1) of section 218.135, Florida
1884 Statutes, is amended to read:

1885 218.135 Offset for tax loss associated with reductions in
1886 value of certain citrus fruit packing and processing equipment.—

1887 (1) For the 2018-2019 fiscal year, the Legislature shall
1888 appropriate moneys to offset the reductions in ad valorem tax
1889 revenue experienced by fiscally constrained counties, as defined
1890 in s. 218.67(1), which occur as a direct result of the

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1891 implementation of s. 193.4516. The moneys appropriated for this
1892 purpose shall be distributed in January 2019 among the fiscally
1893 constrained counties based on each county's proportion of the
1894 total reduction in ad valorem tax revenue resulting from the
1895 implementation of s. 193.4516.

1896 Reviser's note.—Amended to confirm the editorial insertion of
1897 the word "of" to improve clarity.

1898 Section 38. Section 218.401, Florida Statutes, is amended
1899 to read:

1900 218.401 Purpose.—It is the intent of this part to promote,
1901 through state assistance, the maximization of net interest
1902 earnings on invested surplus funds of local units of government,
1903 based on the principles ~~principals~~ of investor protection,
1904 mandated transparency, and proper governance, with the goal of
1905 reducing the need for imposing additional taxes.

1906 Reviser's note.—Amended to confirm the editorial substitution of
1907 the word "principles" for the word "principals" to conform
1908 to context.

1909 Section 39. Subsection (1) of section 220.11, Florida
1910 Statutes, is amended to read:

1911 220.11 Tax imposed.—

1912 (1) A tax measured by net income is hereby imposed on every
1913 taxpayer for each taxable year ~~commencing on or after January 1,~~
1914 ~~1972, and for each taxable year which begins before and ends~~
1915 ~~after January 1, 1972,~~ for the privilege of conducting business,
1916 earning or receiving income in this state, or being a resident
1917 or citizen of this state. Such tax shall be in addition to all
1918 other occupation, excise, privilege, and property taxes imposed
1919 by this state or by any political subdivision thereof, including

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1920 any municipality or other district, jurisdiction, or authority
1921 of this state.

1922 Reviser's note.—Amended to delete obsolete language.

1923 Section 40. Subsection (10) of section 243.20, Florida
1924 Statutes, is amended to read:

1925 243.20 Definitions.—The following terms, wherever used or
1926 referred to in this part shall have the following respective
1927 meanings, unless a different meaning clearly appears from the
1928 context:

1929 (10) "Loan in anticipation of tuition revenues" means a
1930 loan to a private institution for higher education under
1931 circumstances in which tuition revenues anticipated to be
1932 received by the institution in any budget year are estimated to
1933 be insufficient at any time during the budget year to pay the
1934 operating expenses or other obligations of the institution in
1935 accordance with the budget of the institution. The loans are
1936 permitted within guidelines adopted by the authority consistent
1937 with the provisions for similar loans undertaken by school
1938 districts under s. 1011.13, excluding provisions applicable to
1939 the limitations on borrowings relating to the levy of taxes and
1940 the adoption of budgets in accordance with law applicable solely
1941 to school districts. The Effective Access to Student Education
1942 ~~Florida resident access~~ grant shall not be considered tuition
1943 revenues for the purpose of calculating a loan to a private
1944 institution pursuant to the provision of this chapter.

1945 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
1946 Florida, which directed the Division of Law Revision and
1947 Information "to substitute the term 'Effective Access to
1948 Student Education Grant Program' for 'Florida Resident

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1949 Access Grant Program' and the term 'Effective Access to
1950 Student Education grant' for 'Florida resident access
1951 grant' wherever those terms appear in the Florida
1952 Statutes."

1953 Section 41. Paragraph (a) of subsection (7) of section
1954 259.105, Florida Statutes, is amended to read:

1955 259.105 The Florida Forever Act.—

1956 (7) (a) ~~Beginning~~ No later than July 1 annually ~~, 2001, and~~
1957 ~~every year thereafter~~, the Acquisition and Restoration Council
1958 shall accept applications from state agencies, local
1959 governments, nonprofit and for-profit organizations, private
1960 land trusts, and individuals for project proposals eligible for
1961 funding pursuant to paragraph (3) (b). The council shall evaluate
1962 the proposals received pursuant to this subsection to ensure
1963 that they meet at least one of the criteria under subsection
1964 (9).

1965 Reviser's note.—Amended to delete obsolete language.

1966 Section 42. Subsection (4) of section 282.705, Florida
1967 Statutes, is amended to read:

1968 282.705 Use of state SUNCOM Network by nonprofit
1969 corporations.—

1970 (4) Institutions qualified to participate in the William L.
1971 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
1972 ~~Access~~ Grant Program pursuant to s. 1009.89 are eligible to use
1973 the state SUNCOM Network, subject to the terms and conditions of
1974 the department. Such entities are not required to satisfy the
1975 other criteria of this section.

1976 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
1977 Florida, which directed the Division of Law Revision and

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1978 Information "to substitute the term 'Effective Access to
1979 Student Education Grant Program' for 'Florida Resident
1980 Access Grant Program' and the term 'Effective Access to
1981 Student Education grant' for 'Florida resident access
1982 grant' wherever those terms appear in the Florida
1983 Statutes."

1984 Section 43. Subsection (7) of section 288.9623, Florida
1985 Statutes, is amended to read:

1986 288.9623 Definitions.—As used in ss. 288.9621–288.96255,
1987 the term:

1988 (7) "Portfolio companies" means the companies that ~~who~~ are
1989 part of the Florida Technology Seed Capital Fund investment
1990 portfolio.

1991 Reviser's note.—Amended to confirm the editorial substitution of
1992 the word "that" for the word "who" to conform to context.

1993 Section 44. Subsection (9) of section 316.614, Florida
1994 Statutes, is amended to read:

1995 316.614 Safety belt usage.—

1996 (9) ~~By January 1, 2006,~~ Each law enforcement agency in this
1997 state shall adopt departmental policies to prohibit the practice
1998 of racial profiling. When a law enforcement officer issues a
1999 citation for a violation of this section, the law enforcement
2000 officer must record the race and ethnicity of the violator. All
2001 law enforcement agencies must maintain such information and
2002 forward the information to the department in a form and manner
2003 determined by the department. The department shall collect this
2004 information by jurisdiction and annually report the data to the
2005 Governor, the President of the Senate, and the Speaker of the
2006 House of Representatives. The report must show separate

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2007 statewide totals for the state's county sheriffs and municipal
2008 law enforcement agencies, state law enforcement agencies, and
2009 state university law enforcement agencies.

2010 Reviser's note.—Amended to delete obsolete language.

2011 Section 45. Subsection (4) of section 322.09, Florida
2012 Statutes, is amended to read:

2013 322.09 Application of minors; responsibility for negligence
2014 or misconduct of minor.—

2015 (4) Notwithstanding subsections (1) and (2), if a caregiver
2016 of a minor who is under the age of 18 years and is in out-of-
2017 home care as defined in s. 39.01(55) ~~39.01(49)~~, an authorized
2018 representative of a residential group home at which such a minor
2019 resides, the caseworker at the agency at which the state has
2020 placed the minor, or a guardian ad litem specifically authorized
2021 by the minor's caregiver to sign for a learner's driver license
2022 signs the minor's application for a learner's driver license,
2023 that caregiver, group home representative, caseworker, or
2024 guardian ad litem does not assume any obligation or become
2025 liable for any damages caused by the negligence or willful
2026 misconduct of the minor by reason of having signed the
2027 application. Before signing the application, the caseworker,
2028 authorized group home representative, or guardian ad litem shall
2029 notify the caregiver or other responsible party of his or her
2030 intent to sign and verify the application.

2031 Reviser's note.—Amended to conform to the redesignation of s.
2032 39.01(49) as s. 39.01(55) by s. 1, ch. 2018-103, Laws of
2033 Florida.

2034 Section 46. Subsection (1) of section 328.76, Florida
2035 Statutes, is amended to read:

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2036 328.76 Marine Resources Conservation Trust Fund; vessel
2037 registration funds; appropriation and distribution.—

2038 (1) Except as otherwise specified in this subsection and
2039 less the amount equal to any administrative costs which shall be
2040 deposited in the Highway Safety Operating Trust Fund, in each
2041 fiscal year ~~beginning on or after July 1, 2001~~, all funds
2042 collected from the registration of vessels through the
2043 Department of Highway Safety and Motor Vehicles and the tax
2044 collectors of the state and funds transferred from the General
2045 Revenue Fund pursuant to s. 328.72(18), except for those funds
2046 designated as the county portion pursuant to s. 328.72(1), shall
2047 be deposited in the Marine Resources Conservation Trust Fund for
2048 recreational channel marking; public launching facilities; law
2049 enforcement and quality control programs; aquatic weed control;
2050 manatee protection, recovery, rescue, rehabilitation, and
2051 release; and marine mammal protection and recovery. The funds
2052 collected pursuant to s. 328.72(1) shall be transferred as
2053 follows:

2054 (a) In each fiscal year, an amount equal to \$1.50 for each
2055 commercial and recreational vessel registered in this state
2056 shall be transferred by the Department of Highway Safety and
2057 Motor Vehicles to the Save the Manatee Trust Fund and shall be
2058 used only for the purposes specified in s. 379.2431(4).

2059 (b) An amount equal to \$2 from each recreational vessel
2060 registration fee, except that for class A-1 vessels, shall be
2061 transferred by the Department of Highway Safety and Motor
2062 Vehicles to the Invasive Plant Control Trust Fund in the Fish
2063 and Wildlife Conservation Commission for aquatic weed research
2064 and control.

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2065 (c) An amount equal to 40 percent of the registration fees
2066 from commercial vessels shall be transferred by the Department
2067 of Highway Safety and Motor Vehicles to the Invasive Plant
2068 Control Trust Fund in the Fish and Wildlife Conservation
2069 Commission for aquatic plant research and control.

2070 (d) An amount equal to 40 percent of the registration fees
2071 from commercial vessels shall be transferred by the Department
2072 of Highway Safety and Motor Vehicles, on a monthly basis, to the
2073 General Inspection Trust Fund of the Department of Agriculture
2074 and Consumer Services. These funds shall be used for shellfish
2075 and aquaculture development and quality control programs.
2076 Reviser's note.—Amended to delete obsolete language.

2077 Section 47. Subsection (1) of section 348.0012, Florida
2078 Statutes, is amended to read:

2079 348.0012 Exemptions from applicability.—The Florida
2080 Expressway Authority Act does not apply:

2081 (1) In a county in which an expressway authority has been
2082 created pursuant to parts II-V ~~II-IX~~ of this chapter, except as
2083 expressly provided in this part; or

2084 Reviser's note.—Amended to conform to the consolidation or
2085 repeal of some of the parts comprising chapter 348.

2086 Section 48. Section 364.163, Florida Statutes, is amended
2087 to read:

2088 364.163 Network access services.—For purposes of this
2089 section, the term "network access service" is defined as any
2090 service provided by a local exchange telecommunications company
2091 to a telecommunications company certificated under this chapter
2092 or licensed by the Federal Communications Commission to access
2093 the local exchange telecommunications network, excluding local

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2094 interconnection, resale, or unbundling pursuant to s. 364.16.
2095 Each local exchange telecommunications company shall maintain
2096 tariffs with the commission containing the terms, conditions,
2097 and rates for each of its network access services. ~~The switched~~
2098 ~~network access service rates in effect immediately prior to July~~
2099 ~~1, 2007, shall be, and shall remain, capped at that level until~~
2100 ~~July 1, 2010.~~ An interexchange telecommunications company may
2101 not institute any intrastate connection fee or any similarly
2102 named fee.

2103 Reviser's note.—Amended to delete obsolete language.

2104 Section 49. Section 373.206, Florida Statutes, is amended
2105 to read:

2106 373.206 Artesian wells; flow regulated.—Every person, stock
2107 company, association, corporation, county, or municipality
2108 owning or controlling the real estate upon which is located a
2109 flowing artesian well in this state shall, ~~within 90 days after~~
2110 ~~June 15, 1953,~~ provide each such well with a valve capable of
2111 controlling the discharge from the well and shall keep the valve
2112 so adjusted that only a supply of water is available which is
2113 necessary for ordinary use by the owner, tenant, occupant, or
2114 person in control of the land for personal use and for
2115 conducting his or her business. Upon the determination by the
2116 Department of Environmental Protection or the appropriate water
2117 management district that the water in an artesian well is of
2118 such poor quality as to have an adverse impact upon an aquifer
2119 or other water body which serves as a source of public drinking
2120 water or which is likely to be such a source in the future, such
2121 well shall be plugged in accordance with department or
2122 appropriate water management district specifications for well

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2123 plugging.

2124 Reviser's note.—Amended to delete obsolete language.

2125 Section 50. Section 373.5905, Florida Statutes, is amended
2126 to read:

2127 373.5905 Reinstatement of payments in lieu of taxes;
2128 duration.—If a water management district has made a payment in
2129 lieu of taxes to a governmental entity and subsequently
2130 suspended such payment, ~~beginning July 1, 2009,~~ the water
2131 management district shall reinstate appropriate payments and
2132 continue the payments for as long as the county population
2133 remains below the population threshold pursuant to s.

2134 373.59(2)(a). This section does not authorize or provide for
2135 payments in arrears.

2136 Reviser's note.—Amended to delete obsolete language.

2137 Section 51. Paragraph (t) of subsection (2) of section
2138 380.0651, Florida Statutes, is amended to read:

2139 380.0651 Statewide guidelines, standards, and exemptions.—

2140 (2) STATUTORY EXEMPTIONS.—The following developments are
2141 exempt from s. 380.06:

2142 (t) Any proposed solid mineral mine and any proposed
2143 addition to, expansion of, or change to an existing solid
2144 mineral mine. A mine owner must, however, enter into a binding
2145 agreement with the Department of Transportation to mitigate
2146 impacts to strategic intermodal system facilities. Proposed
2147 changes to any previously approved solid mineral mine
2148 development-of-regional-impact development orders having vested
2149 rights are not subject to further review or approval as a
2150 development-of-regional-impact or notice-of-proposed-change
2151 review or approval pursuant to s. 380.06(7) ~~subsection (19),~~

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2152 except for those applications pending as of July 1, 2011, which
2153 are governed by s. 380.115(2). Notwithstanding this requirement,
2154 pursuant to s. 380.115(1), a previously approved solid mineral
2155 mine development-of-regional-impact development order continues
2156 to have vested rights and continues to be effective unless
2157 rescinded by the developer. All local government regulations of
2158 proposed solid mineral mines are applicable to any new solid
2159 mineral mine or to any proposed addition to, expansion of, or
2160 change to an existing solid mineral mine.

2161
2162 If a use is exempt from review pursuant to paragraphs (a)-(u),
2163 but will be part of a larger project that is subject to review
2164 pursuant to s. 380.06(12), the impact of the exempt use must be
2165 included in the review of the larger project, unless such exempt
2166 use involves a development that includes a landowner, tenant, or
2167 user that has entered into a funding agreement with the state
2168 land planning agency under the Innovation Incentive Program and
2169 the agreement contemplates a state award of at least \$50
2170 million.

2171 Reviser's note.—Amended to correct an erroneous reference.

2172 Section 380.0651 does not contain a subsection (19).
2173 Chapter 2018-158, Laws of Florida, extensively amended s.
2174 380.0651, as well as s. 380.06; portions of s. 380.06 were
2175 excised from that section and included in the amendment to
2176 s. 380.0651. Former s. 380.06(19), which related to
2177 substantial deviations of previous approved developments,
2178 became s. 380.06(7), relating to changes to proposed
2179 changes to a previously approved development.

2180 Section 52. Paragraph (a) of subsection (2) of section

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2181 381.0072, Florida Statutes, is amended to read:
2182 381.0072 Food service protection.—
2183 (2) DEFINITIONS.—As used in this section, the term:
2184 (a) “Culinary education program” means a program that:
2185 1. Educates enrolled students in the culinary arts,
2186 including the preparation, cooking, and presentation of food, or
2187 provides education and experience in culinary arts-related
2188 businesses;
2189 2. Is provided by:
2190 a. A state university as defined in s. 1000.21;
2191 b. A Florida College System institution as defined in s.
2192 1000.21;
2193 c. A career center as defined in s. 1001.44;
2194 d. A charter technical career center as defined in s.
2195 1002.34;
2196 e. A nonprofit independent college or university that is
2197 located and chartered in this state and accredited by the
2198 Commission on Colleges of the Southern Association of Colleges
2199 and Schools to grant baccalaureate degrees, that is under the
2200 jurisdiction of the Department of Education, and that is
2201 eligible to participate in the William L. Boyd, IV, Effective
2202 Access to Student Education ~~Florida Resident Access~~ Grant
2203 Program; or
2204 f. A nonpublic postsecondary educational institution
2205 licensed pursuant to part III of chapter 1005; and
2206 3. Is inspected by any state agency or agencies for
2207 compliance with sanitation standards.
2208 Reviser’s note.—Amended to conform to s. 25, ch. 2018-4, Laws of
2209 Florida, which directed the Division of Law Revision and

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2210 Information "to substitute the term 'Effective Access to
2211 Student Education Grant Program' for 'Florida Resident
2212 Access Grant Program' and the term 'Effective Access to
2213 Student Education grant' for 'Florida resident access
2214 grant' wherever those terms appear in the Florida
2215 Statutes."

2216 Section 53. Subsection (2) of section 381.984, Florida
2217 Statutes, is amended to read:

2218 381.984 Educational programs.—

2219 (2) PUBLIC INFORMATION INITIATIVE.—The Governor, in
2220 conjunction with the State Surgeon General or ~~and~~ his or her
2221 designee, shall sponsor a series of public service announcements
2222 on radio, on television, on the Internet, or in print media
2223 about the nature of lead-based-paint hazards, the importance of
2224 standards for lead poisoning prevention in properties, and the
2225 purposes and responsibilities set forth in this act. In
2226 developing and coordinating this public information initiative,
2227 the sponsors shall seek the participation and involvement of
2228 private industry organizations, including those involved in real
2229 estate, insurance, mortgage banking, or pediatrics.

2230 Reviser's note.—Amended to conform to context.

2231 Section 54. Paragraph (c) of subsection (3) and subsection
2232 (5) of section 383.3362, Florida Statutes, are amended to read:

2233 383.3362 Sudden Unexpected Infant Death.—

2234 (3) TRAINING.—

2235 (c) The Department of Health, in consultation with the
2236 Emergency Medical Services Advisory Council, the Firefighters
2237 Employment, Standards, and Training Council, the Child
2238 Protection Teams ~~child protection teams~~ established in the

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2239 Division of Children's Medical Services, and the Criminal
2240 Justice Standards and Training Commission, shall adopt and
2241 modify when necessary, by rule, curriculum that is ~~a~~ part of
2242 the Centers for Disease Control SUID Initiative which must be
2243 followed by law enforcement agencies in investigating cases
2244 involving sudden deaths of infants, and training in responding
2245 appropriately to the parents or caretakers who have requested
2246 assistance.

2247 (5) DEPARTMENT DUTIES RELATING TO SUDDEN UNEXPECTED INFANT
2248 DEATH (SUID).—The Department of Health, in consultation with the
2249 Child Protection Teams ~~child protection teams~~ established in the
2250 Division of Children's Medical Services, shall:

2251 (a) Collaborate with other agencies in the development and
2252 presentation of the SUID training programs for first responders,
2253 including those for emergency medical technicians and
2254 paramedics, firefighters, and law enforcement officers.

2255 (b) Maintain a database of statistics on reported SUID
2256 deaths and analyze the data as funds allow.

2257 (c) Serve as liaison and closely coordinate activities with
2258 the Florida SIDS Alliance.

2259 (d) Maintain a library reference list and materials about
2260 SUID for public dissemination.

2261 (e) Provide professional support to field staff.

2262 (f) Coordinate the activities of and promote a link between
2263 the fetal and infant mortality review committees of the local
2264 healthy start coalitions, the Florida SIDS Alliance, and other
2265 related support groups.

2266 Reviser's note.—Paragraph (3) (c) is amended to improve clarity.

2267 Paragraph (3) (c) and subsection (5) are amended to conform

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2268 to s. 32, ch. 2018-103, Laws of Florida, which directed the
2269 Division of Law Revision and Information to prepare a
2270 reviser's bill "to capitalize each word of the term 'child
2271 protection team' wherever it occurs in the Florida
2272 Statutes."

2273 Section 55. Paragraph (a) of subsection (2) and paragraph
2274 (a) of subsection (3) of section 383.402, Florida Statutes, are
2275 amended to read:

2276 383.402 Child abuse death review; State Child Abuse Death
2277 Review Committee; local child abuse death review committees.—

2278 (2) STATE CHILD ABUSE DEATH REVIEW COMMITTEE.—

2279 (a) *Membership*.—

2280 1. The State Child Abuse Death Review Committee is
2281 established within the Department of Health and shall consist of
2282 a representative of the Department of Health, appointed by the
2283 State Surgeon General, who shall serve as the state committee
2284 coordinator. The head of each of the following agencies or
2285 organizations shall also appoint a representative to the state
2286 committee:

2287 a. The Department of Legal Affairs.

2288 b. The Department of Children and Families.

2289 c. The Department of Law Enforcement.

2290 d. The Department of Education.

2291 e. The Florida Prosecuting Attorneys Association, Inc.

2292 f. The Florida Medical Examiners Commission, whose
2293 representative must be a forensic pathologist.

2294 2. In addition, the State Surgeon General shall appoint the
2295 following members to the state committee, based on
2296 recommendations from the Department of Health and the agencies

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2297 listed in subparagraph 1., and ensuring that the committee
2298 represents the regional, gender, and ethnic diversity of the
2299 state to the greatest extent possible:

2300 a. The Department of Health Statewide Child Protection Team
2301 Medical Director.

2302 b. A public health nurse.

2303 c. A mental health professional who treats children or
2304 adolescents.

2305 d. An employee of the Department of Children and Families
2306 who supervises family services counselors and who has at least 5
2307 years of experience in child protective investigations.

2308 e. The medical director of a Child Protection Team ~~child~~
2309 ~~protection team~~.

2310 f. A member of a child advocacy organization.

2311 g. A social worker who has experience in working with
2312 victims and perpetrators of child abuse.

2313 h. A person trained as a paraprofessional in patient
2314 resources who is employed in a child abuse prevention program.

2315 i. A law enforcement officer who has at least 5 years of
2316 experience in children's issues.

2317 j. A representative of the Florida Coalition Against
2318 Domestic Violence.

2319 k. A representative from a private provider of programs on
2320 preventing child abuse and neglect.

2321 l. A substance abuse treatment professional.

2322 3. The members of the state committee shall be appointed to
2323 staggered terms not to exceed 2 years each, as determined by the
2324 State Surgeon General. Members may be appointed to no more than
2325 three consecutive terms. The state committee shall elect a

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2326 chairperson from among its members to serve for a 2-year term,
2327 and the chairperson may appoint ad hoc committees as necessary
2328 to carry out the duties of the committee.

2329 4. Members of the state committee shall serve without
2330 compensation but may receive reimbursement for per diem and
2331 travel expenses incurred in the performance of their duties as
2332 provided in s. 112.061 and to the extent that funds are
2333 available.

2334 (3) LOCAL CHILD ABUSE DEATH REVIEW COMMITTEES.—At the
2335 direction of the State Surgeon General, a county or multicounty
2336 child abuse death review committee shall be convened and
2337 supported by the county health department directors in
2338 accordance with the protocols established by the State Child
2339 Abuse Death Review Committee.

2340 (a) *Membership.*—The local death review committees shall
2341 include, at a minimum, the following organizations'
2342 representatives, appointed by the county health department
2343 directors in consultation with those organizations:

- 2344 1. The state attorney's office.
- 2345 2. The medical examiner's office.
- 2346 3. The local Department of Children and Families child
2347 protective investigations unit.
- 2348 4. The Department of Health Child Protection Team ~~child~~
2349 ~~protection team~~.
- 2350 5. The community-based care lead agency.
- 2351 6. State, county, or local law enforcement agencies.
- 2352 7. The school district.
- 2353 8. A mental health treatment provider.
- 2354 9. A certified domestic violence center.

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2355 10. A substance abuse treatment provider.

2356 11. Any other members that are determined by guidelines
2357 developed by the State Child Abuse Death Review Committee.

2358

2359 To the extent possible, individuals from these organizations or
2360 entities who, in a professional capacity, dealt with a child
2361 whose death is verified as caused by abuse or neglect, or with
2362 the family of the child, shall attend any meetings where the
2363 child's case is reviewed. The members of a local committee shall
2364 be appointed to 2-year terms and may be reappointed. Members
2365 shall serve without compensation but may receive reimbursement
2366 for per diem and travel expenses incurred in the performance of
2367 their duties as provided in s. 112.061 and to the extent that
2368 funds are available.

2369 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
2370 of Florida, which directed the Division of Law Revision and
2371 Information to prepare a reviser's bill "to capitalize each
2372 word of the term 'child protection team' wherever it occurs
2373 in the Florida Statutes."

2374 Section 56. Subsection (2) of section 388.021, Florida
2375 Statutes, is amended to read:

2376 388.021 Creation of mosquito control districts.—

2377 (2) It is the legislative intent that those mosquito
2378 control districts established prior to July 1, 1980, pursuant to
2379 the petition process ~~formerly~~ contained in former s. 388.031,
2380 may continue to operate as outlined in this chapter. However, on
2381 and after that date, no mosquito control districts may be
2382 created except pursuant to s. 125.01.

2383 Reviser's note.—Amended to conform to the fact that s. 388.031

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2384 was repealed by s. 12, ch. 80-281, Laws of Florida.

2385 Section 57. Subsection (2) of section 391.026, Florida
2386 Statutes, is amended to read:

2387 391.026 Powers and duties of the department.—The department
2388 shall have the following powers, duties, and responsibilities:

2389 (2) To provide services to abused and neglected children
2390 through Child Protection Teams ~~child protection teams~~ pursuant
2391 to s. 39.303.

2392 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
2393 of Florida, which directed the Division of Law Revision and
2394 Information to prepare a reviser's bill "to capitalize each
2395 word of the term 'child protection team' wherever it occurs
2396 in the Florida Statutes."

2397 Section 58. Subsection (40) of section 393.063, Florida
2398 Statutes, is amended to read:

2399 393.063 Definitions.—For the purposes of this chapter, the
2400 term:

2401 (40) "Spina bifida" means ~~a person with~~ a medical diagnosis
2402 of spina bifida cystica or myelomeningocele.

2403 Reviser's note.—Amended to improve clarity.

2404 Section 59. Subsection (2) of section 395.1023, Florida
2405 Statutes, is amended to read:

2406 395.1023 Child abuse and neglect cases; duties.—Each
2407 licensed facility shall adopt a protocol that, at a minimum,
2408 requires the facility to:

2409 (2) In any case involving suspected child abuse,
2410 abandonment, or neglect, designate, at the request of the
2411 department, a staff physician to act as a liaison between the
2412 hospital and the Department of Children and Families office

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2413 which is investigating the suspected abuse, abandonment, or
2414 neglect, and the Child Protection Team ~~child protection team~~, as
2415 defined in s. 39.01, when the case is referred to such a team.

2416
2417 Each general hospital and appropriate specialty hospital shall
2418 comply with the provisions of this section and shall notify the
2419 agency and the department of its compliance by sending a copy of
2420 its policy to the agency and the department as required by rule.
2421 The failure by a general hospital or appropriate specialty
2422 hospital to comply shall be punished by a fine not exceeding
2423 \$1,000, to be fixed, imposed, and collected by the agency. Each
2424 day in violation is considered a separate offense.

2425 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
2426 of Florida, which directed the Division of Law Revision and
2427 Information to prepare a reviser's bill "to capitalize each
2428 word of the term 'child protection team' wherever it occurs
2429 in the Florida Statutes."

2430 Section 60. Paragraph (h) of subsection (1) of section
2431 395.1055, Florida Statutes, is amended to read:

2432 395.1055 Rules and enforcement.—

2433 (1) The agency shall adopt rules pursuant to ss. 120.536(1)
2434 and 120.54 to implement the provisions of this part, which shall
2435 include reasonable and fair minimum standards for ensuring that:

2436 (h) Licensed facilities make available on their Internet
2437 websites, ~~no later than October 1, 2004~~, and in a hard copy
2438 format upon request, a description of and a link to the patient
2439 charge and performance outcome data collected from licensed
2440 facilities pursuant to s. 408.061.

2441 Reviser's note.—Amended to delete obsolete language.

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2442 Section 61. Paragraph (c) of subsection (3) of section
2443 395.4025, Florida Statutes, is amended to read:

2444 395.4025 Trauma centers; selection; quality assurance;
2445 records.—

2446 (3)

2447 (c) In order to be considered by the department,
2448 applications from those hospitals seeking selection as trauma
2449 centers, including those current verified trauma centers that
2450 seek a change or redesignation in approval status as a trauma
2451 center, must be received by the department no later than the
2452 close of business on April 1 of the year following submission of
2453 the letter of intent. The department shall conduct an initial
2454 review of each application for the purpose of determining
2455 whether the hospital's application is complete and ~~that~~ the
2456 hospital is capable of constructing and operating a trauma
2457 center that includes the critical elements required for a trauma
2458 center. This critical review must be based on trauma center
2459 standards and must include, but need not be limited to, a review
2460 as to whether the hospital is prepared to attain and operate
2461 with all of the following components before April 30 of the
2462 following year:

2463 1. Equipment and physical facilities necessary to provide
2464 trauma services.

2465 2. Personnel in sufficient numbers and with proper
2466 qualifications to provide trauma services.

2467 3. An effective quality assurance process.

2468 Reviser's note.—Amended to confirm the editorial deletion of the
2469 word "that" to improve clarity.

2470 Section 62. Subsection (1) of section 397.6760, Florida

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2471 Statutes, is amended to read:

2472 397.6760 Court records; confidentiality.—

2473 (1) All petitions for involuntary assessment and
2474 stabilization, court orders, and related records that are filed
2475 with or by a court under this part are confidential and exempt
2476 from s. 119.07(1) ~~119.071(1)~~ and s. 24(a), Art. I of the State
2477 Constitution. Pleadings and other documents made confidential
2478 and exempt by this section may be disclosed by the clerk of the
2479 court, upon request, to any of the following:

2480 (a) The petitioner.

2481 (b) The petitioner's attorney.

2482 (c) The respondent.

2483 (d) The respondent's attorney.

2484 (e) The respondent's guardian or guardian advocate, if
2485 applicable.

2486 (f) In the case of a minor respondent, the respondent's
2487 parent, guardian, legal custodian, or guardian advocate.

2488 (g) The respondent's treating health care practitioner.

2489 (h) The respondent's health care surrogate or proxy.

2490 (i) The Department of Children and Families, without
2491 charge.

2492 (j) The Department of Corrections, without charge, if the
2493 respondent is committed or is to be returned to the custody of
2494 the Department of Corrections from the Department of Children
2495 and Families.

2496 (k) A person or entity authorized to view records upon a
2497 court order for good cause. In determining if there is good
2498 cause for the disclosure of records, the court must weigh the
2499 person or entity's need for the information against potential

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2500 harm to the respondent from the disclosure.
2501 Reviser's note.—Amended to correct an apparent error. Section
2502 119.07(1) requires that persons in custody of public
2503 records shall permit inspection and copying of such
2504 records. Section 119.071(1) relates to exemptions from
2505 inspection or copying of public records relating to agency
2506 administration.

2507 Section 63. Paragraph (c) of subsection (3) of section
2508 400.235, Florida Statutes, is amended to read:

2509 400.235 Nursing home quality and licensure status; Gold
2510 Seal Program.—

2511 (3)

2512 (c) Recommendations to the panel for designation of a
2513 nursing facility as a Gold Seal facility may be received by the
2514 panel ~~after January 1, 2000~~. The activities of the panel shall
2515 be supported by staff of the Department of Elderly Affairs and
2516 the Agency for Health Care Administration.

2517 Reviser's note.—Amended to delete obsolete language.

2518 Section 64. Paragraph (g) of subsection (2) of section
2519 400.471, Florida Statutes, is amended to read:

2520 400.471 Application for license; fee.—

2521 (2) In addition to the requirements of part II of chapter
2522 408, the initial applicant, the applicant for a change of
2523 ownership, and the applicant for the addition of skilled care
2524 services must file with the application satisfactory proof that
2525 the home health agency is in compliance with this part and
2526 applicable rules, including:

2527 (g) In the case of an application for initial licensure, an
2528 application for a change of ownership, or an application for the

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2529 addition of skilled care services, documentation of
2530 accreditation, or an application for accreditation, from an
2531 accrediting organization that is recognized by the agency as
2532 having standards comparable to those required by this part and
2533 part II of chapter 408. A home health agency that does not
2534 provide skilled care is exempt from this paragraph.
2535 Notwithstanding s. 408.806, an initial applicant must provide
2536 proof of accreditation that is not conditional or provisional
2537 and a survey demonstrating compliance with the requirements of
2538 this part, part II of chapter 408, and applicable rules from an
2539 accrediting organization that is recognized by the agency as
2540 having standards comparable to those required by this part and
2541 part II of chapter 408 within 120 days after the date of the
2542 agency's receipt of the application for licensure. Such
2543 accreditation must be continuously maintained by the home health
2544 agency to maintain licensure. The agency shall accept, in lieu
2545 of its own periodic licensure survey, the submission of the
2546 survey of an accrediting organization that is recognized by the
2547 agency if the accreditation of the licensed home health agency
2548 is not provisional and if the licensed home health agency
2549 authorizes release ~~releases~~ of, and the agency receives the
2550 report of, the accrediting organization.
2551 Reviser's note.—Amended to improve clarity.

2552 Section 65. Paragraph (h) of subsection (1) of section
2553 400.4785, Florida Statutes, is amended to read:

2554 400.4785 Patients with Alzheimer's disease or other related
2555 disorders; staff training requirements; certain disclosures.—

2556 (1) A home health agency must provide the following staff
2557 training:

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2558 ~~(h) An employee who is hired on or after July 1, 2005, must~~
2559 ~~complete the training required by this section.~~

2560 Reviser's note.—Amended to delete obsolete language. The
2561 remaining portion of subsection (1) specifies training
2562 completion requirements for home health agency staff.

2563 Section 66. Subsection (2) of section 400.991, Florida
2564 Statutes, is amended to read:

2565 400.991 License requirements; background screenings;
2566 prohibitions.—

2567 ~~(2) The initial clinic license application shall be filed~~
2568 ~~with the agency by all clinics, as defined in s. 400.9905, on or~~
2569 ~~before July 1, 2004.~~

2570 Reviser's note.—Amended to delete obsolete language.

2571 Section 67. Section 401.024, Florida Statutes, is amended
2572 to read:

2573 401.024 System approval. ~~From July 1, 1973,~~ No emergency
2574 medical telecommunications system shall be established or
2575 present systems expanded without prior approval of the
2576 Department of Management Services.

2577 Reviser's note.—Amended to delete obsolete language.

2578 Section 68. Paragraph (g) of subsection (2) and subsection
2579 (3) of section 402.305, Florida Statutes, are amended to read:

2580 402.305 Licensing standards; child care facilities.—

2581 (2) PERSONNEL.—Minimum standards for child care personnel
2582 shall include minimum requirements as to:

2583 (g) ~~By January 1, 2000,~~ A credential for child care
2584 facility directors. ~~By January 1, 2004,~~ The credential shall be
2585 a required minimum standard for licensing.

2586 (3) MINIMUM STAFF CREDENTIALS. ~~By July 1, 1996,~~ For every

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2587 20 children in a licensed child care facility, if the facility
2588 operates 8 hours or more per week, one of the child care
2589 personnel in the facility must have:

2590 (a) A child development associate credential;

2591 (b) A child care professional credential, unless the
2592 department determines that such child care professional
2593 credential is not equivalent to or greater than a child
2594 development associate credential; or

2595 (c) A credential that is equivalent to or greater than the
2596 credential required in paragraph (a) or paragraph (b).

2597

2598 The department shall establish by rule those hours of operation,
2599 such as during rest periods and transitional periods, when this
2600 subsection does not apply.

2601 Reviser's note.—Amended to delete obsolete language.

2602 Section 69. Paragraph (c) of subsection (1) of section
2603 402.310, Florida Statutes, is amended to read:

2604 402.310 Disciplinary actions; hearings upon denial,
2605 suspension, or revocation of license or registration;
2606 administrative fines.—

2607 (1)

2608 (c) The department shall adopt rules to:

2609 1. Establish the grounds under which the department may
2610 deny, suspend, or revoke a license or registration or place a
2611 licensee or registrant on probation status for violations of ss.
2612 402.301-402.319.

2613 2. Establish a uniform system of procedures to impose
2614 disciplinary sanctions for violations of ss. 402.301-402.319.

2615 The uniform system of procedures must provide for the consistent

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2616 application of disciplinary actions across districts and a
2617 progressively increasing level of penalties from predisciplinary
2618 actions, such as efforts to assist licensees or registrants to
2619 correct the statutory or regulatory violations, and to severe
2620 disciplinary sanctions for actions that jeopardize the health
2621 and safety of children, such as for the deliberate misuse of
2622 medications. ~~The department shall implement this subparagraph on~~
2623 ~~January 1, 2007, and the implementation is not contingent upon a~~
2624 ~~specific appropriation.~~

2625 Reviser's note.—Amended to delete obsolete language.

2626 Section 70. Paragraph (b) of subsection (5) of section
2627 402.56, Florida Statutes, is amended to read:

2628 402.56 Children's cabinet; organization; responsibilities;
2629 annual report.—

2630 (5) DUTIES AND RESPONSIBILITIES.—The Children and Youth
2631 Cabinet shall:

2632 (b) ~~Develop, no later than December 31, 2007,~~ a strategic
2633 plan to achieve the goals of the shared and cohesive vision. The
2634 plan shall be centered upon a long-term commitment to children
2635 and youth issues and align all public resources to serve
2636 children and youth and their families in a manner that supports
2637 the healthy growth and development of children. The plan shall
2638 prepare the children and youth to be responsible citizens and
2639 productive members of the workforce. The plan shall include a
2640 continuum of services that will benefit children from prenatal
2641 care through services for youth in transition to adulthood.

2642 Reviser's note.—Amended to delete obsolete language.

2643 Section 71. Subsection (8) of section 403.861, Florida
2644 Statutes, is amended to read:

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2645 403.861 Department; powers and duties.—The department shall
2646 have the power and the duty to carry out the provisions and
2647 purposes of this act and, for this purpose, to:

2648 (8) Initiate rulemaking ~~no later than July 1, 2008,~~ to
2649 increase each drinking water permit application fee authorized
2650 under s. 403.087(6) and this part and adopted by rule to ensure
2651 that such fees are increased to reflect, at a minimum, any
2652 upward adjustment in the Consumer Price Index compiled by the
2653 United States Department of Labor, or similar inflation
2654 indicator, since the original fee was established or most
2655 recently revised.

2656 (a) The department shall establish by rule the inflation
2657 index to be used for this purpose. The department shall review
2658 the drinking water permit application fees authorized under s.
2659 403.087(6) and this part at least once every 5 years and shall
2660 adjust the fees upward, as necessary, within the established fee
2661 caps to reflect changes in the Consumer Price Index or similar
2662 inflation indicator. In the event of deflation, the department
2663 shall consult with the Executive Office of the Governor and the
2664 Legislature to determine whether downward fee adjustments are
2665 appropriate based on the current budget and appropriation
2666 considerations. The department shall also review the drinking
2667 water operation license fees established pursuant to paragraph
2668 (7) (b) at least once every 5 years to adopt, as necessary, the
2669 same inflationary adjustments provided for in this subsection.

2670 (b) ~~Effective July 1, 2008,~~ The minimum fee amount shall be
2671 the minimum fee prescribed in this section, and such fee amount
2672 shall remain in effect until the effective date of fees adopted
2673 by rule by the department.

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2674 Reviser's note.—Amended to delete obsolete language.

2675 Section 72. Paragraph (e) of subsection (3) of section
2676 408.036, Florida Statutes, is amended to read:

2677 408.036 Projects subject to review; exemptions.—

2678 (3) EXEMPTIONS.—Upon request, the following projects are
2679 subject to exemption from the provisions of subsection (1):

2680 (e) For the addition of nursing home beds licensed under
2681 chapter 400 in a number not exceeding 30 total beds or 25
2682 percent of the number of beds licensed in the facility being
2683 replaced under paragraph (2) (b), paragraph (2) (c), or paragraph
2684 (m) ~~(p)~~, whichever is less.

2685 Reviser's note.—Amended to confirm the editorial substitution of
2686 a reference to paragraph (m) for a reference to paragraph
2687 (p) to conform to the redesignation of paragraphs by s. 61,
2688 ch. 2018-24, Laws of Florida. Paragraph (m) relates to
2689 replacement nursing home beds; paragraph (p) relates to
2690 beds in state developmental disabilities centers.

2691 Section 73. Subsection (25) of section 408.802, Florida
2692 Statutes, is amended to read:

2693 408.802 Applicability.—The provisions of this part apply to
2694 the provision of services that require licensure as defined in
2695 this part and to the following entities licensed, registered, or
2696 certified by the agency, as described in chapters 112, 383, 390,
2697 394, 395, 400, 429, 440, 483, and 765:

2698 (25) Multiphasic health testing centers, as provided under
2699 part I ~~II~~ of chapter 483.

2700 Reviser's note.—Amended to conform to the redesignation of part
2701 II of chapter 483 as part I pursuant to the repeal of
2702 former part I of that chapter by s. 97, ch. 2018-24, Laws

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2703 of Florida.

2704 Section 74. Subsection (24) of section 408.820, Florida
2705 Statutes, is amended to read:

2706 408.820 Exemptions.—Except as prescribed in authorizing
2707 statutes, the following exemptions shall apply to specified
2708 requirements of this part:

2709 (24) Multiphasic health testing centers, as provided under
2710 part I ~~II~~ of chapter 483, are exempt from s. 408.810(5)-(10).
2711 Reviser's note.—Amended to conform to the redesignation of part
2712 II of chapter 483 as part I pursuant to the repeal of
2713 former part I of that chapter by s. 97, ch. 2018-24, Laws
2714 of Florida.

2715 Section 75. Paragraph (d) of subsection (2) and paragraph
2716 (f) of subsection (3) of section 409.017, Florida Statutes, are
2717 amended to read:

2718 409.017 Revenue Maximization Act; legislative intent;
2719 revenue maximization program.—

2720 (2) LEGISLATIVE INTENT.—

2721 (d) Except for funds expended pursuant to Title XIX of the
2722 Social Security Act, it is the intent of the Legislature that
2723 certified local funding for federal matching programs not
2724 supplant or replace state funds. ~~Beginning July 1, 2004,~~ Any
2725 state funds supplanted or replaced with local tax revenues for
2726 Title XIX funds shall be expressly approved in the General
2727 Appropriations Act or by the Legislative Budget Commission
2728 pursuant to chapter 216.

2729 (3) REVENUE MAXIMIZATION PROGRAM.—

2730 (f) Each agency, as applicable, shall work with local
2731 political subdivisions to modify any state plans and to seek and

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2732 implement any federal waivers necessary to implement this
2733 section. If such modifications or waivers require the approval
2734 of the Legislature, the agency, as applicable, shall draft such
2735 legislation and present it to the President of the Senate and
2736 the Speaker of the House of Representatives and to the
2737 respective committee chairs of the Senate and the House of
2738 Representatives by January 1, ~~2004, and,~~ as applicable, annually
2739 thereafter.

2740 Reviser's note.—Amended to delete obsolete language.

2741 Section 76. Paragraph (c) of subsection (4) of section
2742 409.145, Florida Statutes, is amended to read:

2743 409.145 Care of children; quality parenting; "reasonable
2744 and prudent parent" standard.—The child welfare system of the
2745 department shall operate as a coordinated community-based system
2746 of care which empowers all caregivers for children in foster
2747 care to provide quality parenting, including approving or
2748 disapproving a child's participation in activities based on the
2749 caregiver's assessment using the "reasonable and prudent parent"
2750 standard.

2751 (4) FOSTER CARE ROOM AND BOARD RATES.—

2752 (c) Effective July 1, 2019, foster parents of level I
2753 family foster homes, as defined in ~~under~~ s. 409.175(5) (a) shall
2754 receive a room and board rate of \$333.

2755 Reviser's note.—Amended to confirm the editorial deletion of the
2756 word "under" to improve clarity.

2757 Section 77. Paragraphs (g), (q), and (w) of subsection (2)
2758 of section 409.815, Florida Statutes, are amended to read:

2759 409.815 Health benefits coverage; limitations.—

2760 (2) BENCHMARK BENEFITS.—In order for health benefits

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2761 coverage to qualify for premium assistance payments for an
2762 eligible child under ss. 409.810-409.821, the health benefits
2763 coverage, except for coverage under Medicaid and Medikids, must
2764 include the following minimum benefits, as medically necessary.

2765 (g) *Behavioral health services.*—

2766 1. Mental health benefits include:

2767 a. Inpatient services, limited to 30 inpatient days per
2768 contract year for psychiatric admissions, or residential
2769 services in facilities licensed under s. 394.875(6) or s.
2770 395.003 in lieu of inpatient psychiatric admissions; however, a
2771 minimum of 10 of the 30 days shall be available only for
2772 inpatient psychiatric services if authorized by a physician; and

2773 b. Outpatient services, including outpatient visits for
2774 psychological or psychiatric evaluation, diagnosis, and
2775 treatment by a licensed mental health professional, limited to
2776 40 outpatient visits each contract year.

2777 2. Substance abuse services include:

2778 a. Inpatient services, limited to 7 inpatient days per
2779 contract year for medical detoxification only and 30 days of
2780 residential services; and

2781 b. Outpatient services, including evaluation, diagnosis,
2782 and treatment by a licensed practitioner, limited to 40
2783 outpatient visits per contract year.

2784

2785 ~~Effective October 1, 2009,~~ Covered services include inpatient
2786 and outpatient services for mental and nervous disorders as
2787 defined in the most recent edition of the Diagnostic and
2788 Statistical Manual of Mental Disorders published by the American
2789 Psychiatric Association. Such benefits include psychological or

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2790 psychiatric evaluation, diagnosis, and treatment by a licensed
2791 mental health professional and inpatient, outpatient, and
2792 residential treatment of substance abuse disorders. Any benefit
2793 limitations, including duration of services, number of visits,
2794 or number of days for hospitalization or residential services,
2795 shall not be any less favorable than those for physical
2796 illnesses generally. The program may also implement appropriate
2797 financial incentives, peer review, utilization requirements, and
2798 other methods used for the management of benefits provided for
2799 other medical conditions in order to reduce service costs and
2800 utilization without compromising quality of care.

2801 (q) *Dental services.* ~~Effective October 1, 2009,~~ Dental
2802 services shall be covered as required under federal law and may
2803 also include those dental benefits provided to children by the
2804 Florida Medicaid program under s. 409.906(6).

2805 (w) *Reimbursement of federally qualified health centers and*
2806 *rural health clinics.* ~~Effective October 1, 2009,~~ Payments for
2807 services provided to enrollees by federally qualified health
2808 centers and rural health clinics under this section shall be
2809 reimbursed using the Medicaid Prospective Payment System as
2810 provided for under s. 2107(e)(1)(D) of the Social Security Act.
2811 If such services are paid for by health insurers or health care
2812 providers under contract with the Florida Healthy Kids
2813 Corporation, such entities are responsible for this payment. The
2814 agency may seek any available federal grants to assist with this
2815 transition.

2816 Reviser's note.—Amended to delete obsolete language.

2817 Section 78. Subsection (2) of section 409.9083, Florida
2818 Statutes, is amended to read:

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2819 409.9083 Quality assessment on privately operated
2820 intermediate care facilities for the developmentally disabled;
2821 exemptions; purpose; federal approval required; remedies.—
2822 (2) ~~Effective October 1, 2009,~~ There is imposed upon each
2823 intermediate care facility for the developmentally disabled a
2824 quality assessment. The aggregated amount of assessments for all
2825 ICF/DDs in a given year shall be an amount not exceeding the
2826 maximum percentage allowed under federal law of the total
2827 aggregate net patient service revenue of assessed facilities.
2828 The agency shall calculate the quality assessment rate annually
2829 on a per-resident-day basis as reported by the facilities. The
2830 per-resident-day assessment rate shall be uniform. Each facility
2831 shall report monthly to the agency its total number of resident
2832 days and shall remit an amount equal to the assessment rate
2833 times the reported number of days. The agency shall collect, and
2834 each facility shall pay, the quality assessment each month. The
2835 agency shall collect the assessment from facility providers no
2836 later than the 15th of the next succeeding calendar month. The
2837 agency shall notify providers of the quality assessment rate and
2838 provide a standardized form to complete and submit with
2839 payments. The collection of the quality assessment shall
2840 commence no sooner than 15 days after the agency's initial
2841 payment to the facilities that implement the increased Medicaid
2842 rates containing the elements prescribed in subsection (3) and
2843 monthly thereafter. Intermediate care facilities for the
2844 developmentally disabled may increase their rates to incorporate
2845 the assessment but may not create a separate line-item charge
2846 for the purpose of passing through the assessment to residents.
2847 Reviser's note.—Amended to delete obsolete language.

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2848 Section 79. Paragraph (b) of subsection (1) and paragraph
2849 (c) of subsection (2) of section 440.45, Florida Statutes, are
2850 amended to read:

2851 440.45 Office of the Judges of Compensation Claims.—

2852 (1)

2853 (b) ~~Effective October 1, 2001,~~ The position of Deputy Chief
2854 Judge of Compensation Claims is created.

2855 (2)

2856 (c) Each judge of compensation claims shall be appointed
2857 for a term of 4 years, but during the term of office may be
2858 removed by the Governor for cause. Prior to the expiration of a
2859 judge's term of office, the statewide nominating commission
2860 shall review the judge's conduct and determine whether the
2861 judge's performance is satisfactory. ~~Effective July 1, 2002,~~ In
2862 determining whether a judge's performance is satisfactory, the
2863 commission shall consider the extent to which the judge has met
2864 the requirements of this chapter, including, but not limited to,
2865 the requirements of ss. 440.25(1) and (4)(a)-(e), 440.34(2), and
2866 440.442. If the judge's performance is deemed satisfactory, the
2867 commission shall report its finding to the Governor no later
2868 than 6 months prior to the expiration of the judge's term of
2869 office. The Governor shall review the commission's report and
2870 may reappoint the judge for an additional 4-year term. If the
2871 Governor does not reappoint the judge, the Governor shall inform
2872 the commission. The judge shall remain in office until the
2873 Governor has appointed a successor judge in accordance with
2874 paragraphs (a) and (b). If a vacancy occurs during a judge's
2875 unexpired term, the statewide nominating commission does not
2876 find the judge's performance is satisfactory, or the Governor

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2877 does not reappoint the judge, the Governor shall appoint a
2878 successor judge for a term of 4 years in accordance with
2879 paragraph (b).

2880 Reviser's note.—Amended to delete obsolete language.

2881 Section 80. Section 455.2286, Florida Statutes, is amended
2882 to read:

2883 455.2286 Automated information system. ~~By November 1, 2001,~~
2884 The department shall implement an automated information system
2885 for all certificateholders and registrants under part XII of
2886 chapter 468, chapter 471, chapter 481, or chapter 489. The
2887 system shall provide instant notification to local building
2888 departments and other interested parties regarding the status of
2889 the certification or registration. The provision of such
2890 information shall consist, at a minimum, of an indication of
2891 whether the certification or registration is active, of any
2892 current failure to meet the terms of any final action by a
2893 licensing authority, of any ongoing disciplinary cases that are
2894 subject to public disclosure, whether there are any outstanding
2895 fines, and of the reporting of any material violations pursuant
2896 to s. 553.781. The system shall also retain information
2897 developed by the department and local governments on individuals
2898 found to be practicing or contracting without holding the
2899 applicable license, certification, or registration required by
2900 law. The system may be Internet-based.

2901 Reviser's note.—Amended to delete obsolete language.

2902 Section 81. Paragraph (c) of subsection (3) of section
2903 458.348, Florida Statutes, is amended to read:

2904 458.348 Formal supervisory relationships, standing orders,
2905 and established protocols; notice; standards.—

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2906 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—A
2907 physician who supervises an advanced practice registered nurse
2908 or physician assistant at a medical office other than the
2909 physician's primary practice location, where the advanced
2910 practice registered nurse or physician assistant is not under
2911 the onsite supervision of a supervising physician, must comply
2912 with the standards set forth in this subsection. For the purpose
2913 of this subsection, a physician's "primary practice location"
2914 means the address reflected on the physician's profile published
2915 pursuant to s. 456.041.

2916 (c) A physician who supervises an advanced practice
2917 registered nurse or physician assistant at a medical office
2918 other than the physician's primary practice location, where the
2919 advanced practice registered nurse or physician assistant is not
2920 under the onsite supervision of a supervising physician and the
2921 services offered at the office are primarily dermatologic or
2922 skin care services, which include aesthetic skin care services
2923 other than plastic surgery, must comply with the standards
2924 listed in subparagraphs 1.-4. Notwithstanding s.
2925 458.347(4)(e)6., a physician supervising a physician assistant
2926 pursuant to this paragraph may not be required to review and
2927 cosign charts or medical records prepared by such physician
2928 assistant.

2929 1. The physician shall submit to the board the addresses of
2930 all offices where he or she is supervising an advanced practice
2931 registered nurse or a physician's assistant which are not the
2932 physician's primary practice location.

2933 2. The physician must be board certified or board eligible
2934 in dermatology or plastic surgery as recognized by the board

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2935 pursuant to s. 458.3312.

2936 3. All such offices that are not the physician's primary
2937 place of practice must be within 25 miles of the physician's
2938 primary place of practice or in a county that is contiguous to
2939 the county of the physician's primary place of practice.
2940 However, the distance between any of the offices may not exceed
2941 75 miles.

2942 4. The physician may supervise only one office other than
2943 the physician's primary place of practice ~~except that until July~~
2944 ~~1, 2011, the physician may supervise up to two medical offices~~
2945 ~~other than the physician's primary place of practice if the~~
2946 ~~addresses of the offices are submitted to the board before July~~
2947 ~~1, 2006. Effective July 1, 2011, the physician may supervise~~
2948 ~~only one office other than the physician's primary place of~~
2949 ~~practice, regardless of when the addresses of the offices were~~
2950 ~~submitted to the board.~~

2951 Reviser's note.—Amended to delete obsolete language.

2952 Section 82. Paragraph (c) of subsection (3) of section
2953 459.025, Florida Statutes, is amended to read:

2954 459.025 Formal supervisory relationships, standing orders,
2955 and established protocols; notice; standards.—

2956 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—

2957 An osteopathic physician who supervises an advanced practice
2958 registered nurse or physician assistant at a medical office
2959 other than the osteopathic physician's primary practice
2960 location, where the advanced practice registered nurse or
2961 physician assistant is not under the onsite supervision of a
2962 supervising osteopathic physician, must comply with the
2963 standards set forth in this subsection. For the purpose of this

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2964 subsection, an osteopathic physician's "primary practice
2965 location" means the address reflected on the physician's profile
2966 published pursuant to s. 456.041.

2967 (c) An osteopathic physician who supervises an advanced
2968 practice registered nurse or physician assistant at a medical
2969 office other than the osteopathic physician's primary practice
2970 location, where the advanced practice registered nurse or
2971 physician assistant is not under the onsite supervision of a
2972 supervising osteopathic physician and the services offered at
2973 the office are primarily dermatologic or skin care services,
2974 which include aesthetic skin care services other than plastic
2975 surgery, must comply with the standards listed in subparagraphs
2976 1.-4. Notwithstanding s. 459.022(4)(e)6., an osteopathic
2977 physician supervising a physician assistant pursuant to this
2978 paragraph may not be required to review and cosign charts or
2979 medical records prepared by such physician assistant.

2980 1. The osteopathic physician shall submit to the Board of
2981 Osteopathic Medicine the addresses of all offices where he or
2982 she is supervising or has a protocol with an advanced practice
2983 registered nurse or a physician assistant which are not the
2984 osteopathic physician's primary practice location.

2985 2. The osteopathic physician must be board certified or
2986 board eligible in dermatology or plastic surgery as recognized
2987 by the Board of Osteopathic Medicine pursuant to s. 459.0152.

2988 3. All such offices that are not the osteopathic
2989 physician's primary place of practice must be within 25 miles of
2990 the osteopathic physician's primary place of practice or in a
2991 county that is contiguous to the county of the osteopathic
2992 physician's primary place of practice. However, the distance

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2993 between any of the offices may not exceed 75 miles.

2994 4. The osteopathic physician may supervise only one office
2995 other than the osteopathic physician's primary place of practice
2996 ~~except that until July 1, 2011, the osteopathic physician may~~
2997 ~~supervise up to two medical offices other than the osteopathic~~
2998 ~~physician's primary place of practice if the addresses of the~~
2999 ~~offices are submitted to the Board of Osteopathic Medicine~~
3000 ~~before July 1, 2006. Effective July 1, 2011, the osteopathic~~
3001 ~~physician may supervise only one office other than the~~
3002 ~~osteopathic physician's primary place of practice, regardless of~~
3003 ~~when the addresses of the offices were submitted to the Board of~~
3004 ~~Osteopathic Medicine.~~

3005 Reviser's note.—Amended to delete obsolete language.

3006 Section 83. Subsections (1) and (2) of section 459.026,
3007 Florida Statutes, are amended to read:

3008 459.026 Reports of adverse incidents in office practice
3009 settings.—

3010 (1) Any adverse incident that occurs ~~on or after January 1,~~
3011 ~~2000,~~ in any office maintained by an osteopathic physician for
3012 the practice of osteopathic medicine which is not licensed under
3013 chapter 395 must be reported to the department in accordance
3014 with the provisions of this section.

3015 (2) Any osteopathic physician or other licensee under this
3016 chapter practicing in this state must notify the department if
3017 the osteopathic physician or licensee was involved in an adverse
3018 incident that occurred ~~on or after January 1, 2000,~~ in any
3019 office maintained by an osteopathic physician for the practice
3020 of osteopathic medicine which is not licensed under chapter 395.

3021 Reviser's note.—Amended to delete obsolete language.

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3022 Section 84. Subsection (2) of section 468.432, Florida
3023 Statutes, is amended to read:

3024 468.432 Licensure of community association managers and
3025 community association management firms; exceptions.—

3026 (2) ~~As of January 1, 2009,~~ A community association
3027 management firm or other similar organization responsible for
3028 the management of more than 10 units or a budget of \$100,000 or
3029 greater shall not engage or hold itself out to the public as
3030 being able to engage in the business of community association
3031 management in this state unless it is licensed by the department
3032 as a community association management firm in accordance with
3033 the provisions of this part.

3034 (a) A community association management firm or other
3035 similar organization desiring to be licensed as a community
3036 association management firm shall apply to the department on a
3037 form approved by the department, together with the application
3038 and licensure fees required by s. 468.435(1)(a) and (c). Each
3039 community association management firm applying for licensure
3040 under this subsection must be actively registered and authorized
3041 to do business in this state.

3042 (b) Each applicant shall designate on its application a
3043 licensed community association manager who shall be required to
3044 respond to all inquiries from and investigations by the
3045 department or division.

3046 (c) Each licensed community association management firm
3047 shall notify the department within 30 days after any change of
3048 information contained in the application upon which licensure is
3049 based.

3050 (d) Community association management firm licenses shall

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3051 expire on September 30 of odd-numbered years and shall be
3052 renewed every 2 years. An application for renewal shall be
3053 accompanied by the renewal fee as required by s. 468.435(1)(d).

3054 (e) The department shall license each applicant whom the
3055 department certifies as meeting the requirements of this
3056 subsection.

3057 (f) If the license of at least one individual active
3058 community association manager member is not in force, the
3059 license of the community association management firm or other
3060 similar organization is canceled automatically during that time.

3061 (g) Any community association management firm or other
3062 similar organization agrees by being licensed that it will
3063 employ only licensed persons in the direct provision of
3064 community association management services as described in s.
3065 468.431(3).

3066 Reviser's note.—Amended to delete obsolete language.

3067 Section 85. Subsection (9) of section 480.033, Florida
3068 Statutes, is amended to read:

3069 480.033 Definitions.—As used in this act:

3070 (9) "Board-approved massage school" means a facility that
3071 meets minimum standards for training and curriculum as
3072 determined by rule of the board and that is licensed by the
3073 Department of Education pursuant to chapter 1005 or the
3074 equivalent licensing authority of another state or is within the
3075 public school system of this state or a college or university
3076 that is eligible to participate in the William L. Boyd, IV,
3077 Effective Access to Student Education ~~Florida Resident Access~~
3078 Grant Program.

3079 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of

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3080 Florida, which directed the Division of Law Revision and
3081 Information "to substitute the term 'Effective Access to
3082 Student Education Grant Program' for 'Florida Resident
3083 Access Grant Program' and the term 'Effective Access to
3084 Student Education grant' for 'Florida resident access
3085 grant' wherever those terms appear in the Florida
3086 Statutes."

3087 Section 86. Subsection (7) of section 483.285, Florida
3088 Statutes, is amended to read:

3089 483.285 Application of part; exemptions.—This part applies
3090 to all multiphasic health testing centers within the state, but
3091 does not apply to:

3092 ~~(7) A clinical laboratory registered under part I.~~
3093 Reviser's note.—Amended to delete language relating to former
3094 part I of chapter 483, which was repealed by s. 97, ch.
3095 2018-24, Laws of Florida.

3096 Section 87. Paragraph (n) of subsection (1) of section
3097 491.012, Florida Statutes, is amended to read:

3098 491.012 Violations; penalty; injunction.—

3099 (1) It is unlawful and a violation of this chapter for any
3100 person to:

3101 (n) ~~Effective October 1, 2000,~~ Practice juvenile sexual
3102 offender therapy in this state, as the practice is defined in s.
3103 491.0144, for compensation, unless the person holds an active
3104 license issued under this chapter and meets the requirements to
3105 practice juvenile sexual offender therapy. An unlicensed person
3106 may be employed by a program operated by or under contract with
3107 the Department of Juvenile Justice or the Department of Children
3108 and Families if the program employs a professional who is

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3109 licensed under chapter 458, chapter 459, s. 490.0145, or s.
3110 491.0144 who manages or supervises the treatment services.
3111 Reviser's note.—Amended to delete obsolete language.

3112 Section 88. Subsection (4) of section 501.011, Florida
3113 Statutes, is amended to read:

3114 501.011 Credit cards; unsolicited delivery or mailing
3115 prohibited.—

3116 (4) No credit card bearer shall be liable for the
3117 unauthorized use of any credit card issued on an unsolicited
3118 basis, ~~after July 5, 1970.~~

3119 Reviser's note.—Amended to delete obsolete language.

3120 Section 89. Subsection (9) of section 527.0201, Florida
3121 Statutes, is amended to read:

3122 527.0201 Qualifiers; master qualifiers; examinations.—

3123 (9) If a duplicate license or duplicate qualifier or master
3124 qualifier registration certificate is requested by the licensee,
3125 a fee of \$10 must be received before issuance of the duplicate
3126 license or certificate.

3127 Reviser's note.—Amended to confirm the editorial insertion of
3128 the word "or" to improve clarity.

3129 Section 90. Subsection (9) of section 560.109, Florida
3130 Statutes, is amended to read:

3131 560.109 Examinations and investigations.—The office may
3132 conduct examinations and investigations, within or outside this
3133 state to determine whether a person has violated any provision
3134 of this chapter and related rules, or of any practice or conduct
3135 that creates the likelihood of material loss, insolvency, or
3136 dissipation of the assets of a money services business or
3137 otherwise materially prejudices the interests of their

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3138 customers.

3139 ~~(9) The office shall prepare and submit an annual report to~~
3140 ~~the President of the Senate and the Speaker of the House of~~
3141 ~~Representatives beginning January 1, 2009, through January 1,~~
3142 ~~2014, which includes:~~

3143 ~~(a) The total number of examinations and investigations~~
3144 ~~that resulted in a referral to a state or federal agency and the~~
3145 ~~disposition of each of those referrals by agency.~~

3146 ~~(b) The total number of initial referrals received from~~
3147 ~~another state or federal agency, the total number of~~
3148 ~~examinations and investigations opened as a result of referrals,~~
3149 ~~and the disposition of each of those cases.~~

3150 ~~(c) The number of examinations or investigations undertaken~~
3151 ~~by the office which were not the result of a referral from~~
3152 ~~another state agency or a federal agency.~~

3153 ~~(d) The total amount of fines assessed and collected by the~~
3154 ~~office as a result of an examination or investigation of~~
3155 ~~activities regulated under parts II and III of this chapter.~~

3156 Reviser's note.—Amended to delete obsolete language.

3157 Section 91. Subsection (5) of section 578.08, Florida
3158 Statutes, is amended to read:

3159 578.08 Registrations.—

3160 (5) When packet seed is sold, offered for sale, or exposed
3161 for sale, the company that ~~who~~ packs seed for retail sale must
3162 register and pay fees as provided under subsection (1).

3163 Reviser's note.—Amended to confirm the editorial substitution of
3164 the word "that" for the word "who" to conform to context.

3165 Section 92. Paragraph (f) of subsection (2) of section
3166 578.11, Florida Statutes, is amended to read:

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3167 578.11 Duties, authority, and rules of the department.—

3168 (2) The department is authorized to:

3169 (f) Make commercial tests of seed and ~~to~~ fix and collect
3170 charges for such tests.

3171 Reviser's note.—Amended to confirm the editorial deletion of the
3172 word "to" to improve clarity.

3173 Section 93. Paragraphs (d) and (e) of subsection (2) of
3174 section 578.13, Florida Statutes, are amended to read:

3175 578.13 Prohibitions.—

3176 (2) It shall be unlawful for a person within this state to:

3177 (d) Fail to comply with a stop-sale order or ~~to~~ move,
3178 handle, or dispose of any lot of seed, or tags attached to such
3179 seed, held under a "stop-sale" order, except with express
3180 permission of the department and for the purpose specified by
3181 the department.

3182 (e) Label, advertise, or otherwise represent seed subject
3183 to this chapter to be certified seed or any class thereof,
3184 including classes such as "registered seed," "foundation seed,"
3185 "breeder seed" or similar representations, unless:

3186 1. A seed certifying agency determines that such seed
3187 conformed to standards of purity and identity ~~identify~~ as to the
3188 kind, variety, or species and, if appropriate, subspecies and
3189 the seed certifying agency also determines that tree or shrub
3190 seed was found to be of the origin and elevation claimed, in
3191 compliance with the rules and regulations of such agency
3192 pertaining to such seed; and

3193 2. The seed bears an official label issued for such seed by
3194 a seed certifying agency certifying that the seed is of a
3195 specified class and specified to the kind, variety, or species

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3196 and, if appropriate, subspecies.

3197 Reviser's note.—Paragraph (2) (d) is amended to confirm the
3198 editorial deletion of the word "to" to improve clarity.

3199 Paragraph (2) (e) is amended to confirm the editorial
3200 substitution of the word "identity" for the word "identify"
3201 to conform to context.

3202 Section 94. Paragraphs (b) and (g) of subsection (1) of
3203 section 590.02, Florida Statutes, are amended to read:

3204 590.02 Florida Forest Service; powers, authority, and
3205 duties; liability; building structures; Withlacoochee Training
3206 Center.—

3207 (1) The Florida Forest Service has the following powers,
3208 authority, and duties to:

3209 (b) Prevent, detect, and suppress wildfires wherever they
3210 may occur on public or private land in this state and ~~to~~ do all
3211 things necessary in the exercise of such powers, authority, and
3212 duties;

3213 (g) Provide fire management services and emergency response
3214 assistance and ~~to~~ set and charge reasonable fees for performance
3215 of those services. Moneys collected from such fees shall be
3216 deposited into the Incidental Trust Fund of the Florida Forest
3217 Service;

3218 Reviser's note.—Amended to confirm the editorial deletions of
3219 the word "to" to improve clarity.

3220 Section 95. Paragraph (a) of subsection (8) of section
3221 624.509, Florida Statutes, is amended to read:

3222 624.509 Premium tax; rate and computation.—

3223 (8) The premium tax authorized by this section may not be
3224 imposed on:

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3225 (a) Any portion of the title insurance premium, as defined
3226 in s. 627.7711, retained by a title insurance agent or agency.
3227 ~~It is the intent of the Legislature that this exemption be~~
3228 ~~contingent on title insurers adding employees to their payroll.~~
3229 ~~This paragraph expires December 31, 2017, unless the Department~~
3230 ~~of Economic Opportunity determines that title insurers holding a~~
3231 ~~valid certificate of authority as of July 1, 2014, have added,~~
3232 ~~in aggregate, at least 600 Florida-based full-time equivalent~~
3233 ~~positions above those existing on July 1, 2014, including~~
3234 ~~positions obtained from a temporary employment agency or~~
3235 ~~employee leasing company or through a union agreement or~~
3236 ~~coemployment under a professional employer organization~~
3237 ~~agreement by July 1, 2017. For purposes of this paragraph, the~~
3238 ~~term "full-time equivalent position" means a position in which~~
3239 ~~the employee works an average of at least 36 hours per week each~~
3240 ~~month.~~

3241 ~~1. The Department of Economic Opportunity may verify~~
3242 ~~information provided by title insurers concerning additional~~
3243 ~~positions created with any appropriate agency or authority,~~
3244 ~~including the Department of Revenue.~~

3245 ~~2. To facilitate verification of additional positions~~
3246 ~~created by title insurers, the Department of Economic~~
3247 ~~Opportunity may provide a list of employees holding additional~~
3248 ~~positions created by title insurers to any appropriate agency or~~
3249 ~~authority, including the Department of Revenue.~~

3250 ~~3. The Department of Economic Opportunity shall submit such~~
3251 ~~determination to the President of the Senate, the Speaker of the~~
3252 ~~House of Representatives, and the Department of Revenue by~~
3253 ~~October 1, 2017.~~

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3254 Reviser's note.—Amended to conform to the fact that the
3255 Department of Economic Opportunity certified by letter to
3256 the President of the Senate and the Speaker of the House of
3257 Representatives that the title insurance taxable premium
3258 reduction will not expire on December 31, 2017, per the
3259 Department of Revenue's Tax Information Publication No.
3260 17B8-02, issued October 20, 2017.

3261 Section 96. Subsection (2) of section 627.40951, Florida
3262 Statutes, is amended to read:

3263 627.40951 Standard personal lines residential insurance
3264 policy.—

3265 ~~(2) The Chief Financial Officer shall appoint an advisory~~
3266 ~~committee composed of two representatives of insurers currently~~
3267 ~~selling personal lines residential property insurance coverage,~~
3268 ~~two representatives of property and casualty agents, two~~
3269 ~~representatives of consumers, two representatives of the~~
3270 ~~Commissioner of Insurance Regulation, and the Insurance Consumer~~
3271 ~~Advocate or her or his designee. The Chief Financial Officer or~~
3272 ~~her or his designee shall serve as chair of the committee. The~~
3273 ~~committee shall develop policy language for coverage that~~
3274 ~~represents general industry standards in the market for~~
3275 ~~comprehensive coverage under personal lines residential~~
3276 ~~insurance policies and shall develop a checklist to be used with~~
3277 ~~each type of personal lines residential property insurance~~
3278 ~~policy. The committee shall review policies and related forms~~
3279 ~~written by Insurance Services Office, Inc. The committee shall~~
3280 ~~file a report containing its recommendations to the President of~~
3281 ~~the Senate and the Speaker of the House of Representatives by~~
3282 ~~January 15, 2006. No insurer shall be required to offer the~~

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3283 ~~standard policy unless required by further act of the~~
3284 ~~Legislature.~~

3285 Reviser's note.—Amended to conform to the fact that the advisory
3286 committee no longer exists.

3287 Section 97. Section 627.746, Florida Statutes, is amended
3288 to read:

3289 627.746 Coverage for minors who have a learner's driver
3290 license; additional premium prohibited.—An insurer that issues
3291 an insurance policy on a private passenger motor vehicle to a
3292 named insured who is a caregiver of a minor who is under the age
3293 of 18 years and is in out-of-home care as defined in s.

3294 39.01(55) ~~39.01(49)~~ may not charge an additional premium for
3295 coverage of the minor while the minor is operating the insured
3296 vehicle, for the period of time that the minor has a learner's
3297 driver license, until such time as the minor obtains a driver
3298 license.

3299 Reviser's note.—Amended to conform to the redesignation of
3300 subsections in s. 39.01 by s. 1, ch. 2018-103, Laws of
3301 Florida. Section 39.01(55) defines the term "out-of-home"
3302 for placement purposes; subsection (49) defines the term
3303 "necessary medical treatment."

3304 Section 98. Subsection (9) of section 634.436, Florida
3305 Statutes, is amended to read:

3306 634.436 Unfair methods of competition and unfair or
3307 deceptive acts or practices defined.—The following methods,
3308 acts, or practices are defined as unfair methods of competition
3309 and unfair or deceptive acts or practices:

3310 (9) FAILURE TO PROVIDE TERMS AND CONDITIONS PRIOR TO SALE.—
3311 Failing to provide a consumer with a complete sample copy of the

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3312 terms and conditions of the service warranty ~~prior to~~ before the
3313 time of sale upon a request for the same by the consumer. A
3314 service warranty association may comply with this subsection by
3315 providing the consumer with a sample copy of the terms and
3316 conditions of the warranty contract or by directing the consumer
3317 to a website that displays a complete sample of the terms and
3318 conditions of the contract.

3319 Reviser's note.—Amended to improve clarity.

3320 Section 99. Paragraph (b) of subsection (2) of section
3321 641.3107, Florida Statutes, is amended to read:

3322 641.3107 Delivery of contract; definitions.—

3323 (2) As used in s. 627.421, the term:

3324 (b) "Insured" includes a subscriber or, in the case of a
3325 group health maintenance contract, ~~to~~ the employer or other
3326 person who will hold the contract on behalf of the subscriber
3327 group.

3328 Reviser's note.—Amended to confirm the editorial deletion of the
3329 word "to" to improve clarity.

3330 Section 100. Paragraph (b) of subsection (3) of section
3331 641.511, Florida Statutes, is amended to read:

3332 641.511 Subscriber grievance reporting and resolution
3333 requirements.—

3334 (3) Each organization's grievance procedure, as required
3335 under subsection (1), must include, at a minimum:

3336 (b) The names of the appropriate employees or a list of
3337 grievance departments that are responsible for implementing the
3338 organization's grievance procedure. The list must include the
3339 address and the toll-free telephone number of each grievance
3340 department, and the address of the agency and its toll-free

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3341 telephone hotline number, ~~and the address of the Subscriber~~
3342 ~~Assistance Program and its toll-free telephone number.~~

3343 Reviser's note.—Amended to conform to the repeal of s. 408.7056,
3344 which established the Subscriber Assistance Program, by s.
3345 67, ch. 2018-24, Laws of Florida.

3346 Section 101. Subsection (1) of section 655.825, Florida
3347 Statutes, is amended to read:

3348 655.825 Deposits in trust; applicability of s. 655.82 in
3349 place of former s. 655.81.—

3350 (1) Because deposits in trust are also accounts with a pay-
3351 on-death designation as described in s. 655.82, it is the intent
3352 of the Legislature that the provisions of s. 655.82 shall apply
3353 to and govern deposits in trust. References to former s. 655.81
3354 in any depository agreement shall be interpreted after the
3355 effective date of this act as references to s. 655.82.

3356 Reviser's note.—Amended to confirm the editorial insertion of
3357 the word "former" to conform to the repeal of s. 655.81 by
3358 s. 20, ch. 2001-243, Laws of Florida.

3359 Section 102. Subsection (2) of section 718.121, Florida
3360 Statutes, is amended to read:

3361 718.121 Liens.—

3362 (2) Labor performed on or materials furnished to a unit
3363 shall not be the basis for the filing of a lien pursuant to part
3364 I of chapter 713, the Construction Lien Law, against the unit or
3365 condominium parcel of any unit owner not expressly consenting to
3366 or requesting the labor or materials. Labor performed on or
3367 materials furnished for the installation of an electronic
3368 vehicle charging station pursuant to s. 718.113(8) may not be
3369 the basis for filing a lien under part I of chapter 713 against

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3370 the association, but such a lien may be filed against the unit
3371 owner. Labor performed on or materials furnished to the common
3372 elements are not the basis for a lien on the common elements,
3373 but if authorized by the association, the labor or materials are
3374 deemed to be performed or furnished with the express consent of
3375 each unit owner and may be the basis for the filing of a lien
3376 against all condominium parcels in the proportions for which the
3377 owners are liable for common expenses.

3378 Reviser's note.—Amended to confirm the editorial insertion of
3379 the word "be" to improve clarity.

3380 Section 103. Subsection (4) of section 736.0403, Florida
3381 Statutes, is amended to read:

3382 736.0403 Trusts created in other jurisdictions; formalities
3383 required for revocable trusts.—

3384 (4) Paragraph (2)(b) applies to trusts created on or after
3385 the effective date of this code. Former s. 737.111, as in effect
3386 prior to the effective date of this code, continues to apply to
3387 trusts created before the effective date of this code.

3388 Reviser's note.—Amended to confirm the editorial insertion of
3389 the word "Former" to conform to the repeal of s. 737.111 by
3390 s. 48, ch. 2006-217, Laws of Florida.

3391 Section 104. Subsection (2) of section 825.101, Florida
3392 Statutes, is amended to read:

3393 825.101 Definitions.—As used in this chapter:

3394 (2) "Caregiver" means a person who has been entrusted with
3395 or has assumed responsibility for the care or the property of an
3396 elderly person or disabled adult. "Caregiver" includes, but is
3397 not limited to, relatives, court-appointed or voluntary
3398 guardians, adult household members, neighbors, health care

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3399 providers, and employees and volunteers of facilities as defined
3400 in subsection (7) ~~(6)~~.

3401 Reviser's note.—Amended to conform to the redesignation of
3402 subsections in s. 825.101 by s. 1, ch. 2018-100, Laws of
3403 Florida. Subsection (7) defines the word "facility";
3404 subsection (6) defines the word "exploitation."

3405 Section 105. Paragraph (a) of subsection (6) of section
3406 893.055, Florida Statutes, is amended to read:

3407 893.055 Prescription drug monitoring program.—

3408 (6) The department may enter into one or more reciprocal
3409 agreements or contracts to share prescription drug monitoring
3410 information with other states, districts, or territories if the
3411 prescription drug monitoring programs of such other states,
3412 districts, or territories are compatible with the Florida
3413 program.

3414 (a) In determining compatibility, the department shall
3415 consider:

3416 1. The safeguards for privacy of patient records and the
3417 success of the program in protecting patient privacy.

3418 2. The persons authorized to view the data collected by the
3419 program. Comparable entities and licensed health care
3420 practitioners in other states, districts, or territories of the
3421 United States; law enforcement agencies; the Attorney General's
3422 Medicaid Fraud Control Unit; medical regulatory boards; and, as
3423 needed, management staff who ~~that~~ have similar duties as
3424 management staff who work with the prescription drug monitoring
3425 program as authorized in s. 893.0551 are authorized access upon
3426 approval by the department.

3427 3. The schedules of the controlled substances that are

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3428 monitored by the program.

3429 4. The data reported to or included in the program's
3430 system.

3431 5. Any implementing criteria deemed essential for a
3432 thorough comparison.

3433 6. The costs and benefits to the state of sharing
3434 prescription information.

3435 Reviser's note.—Amended to confirm the editorial substitution of
3436 the word "who" for the word "that" to conform to context.

3437 Section 106. Subsection (6) of section 893.0551, Florida
3438 Statutes, is amended to read:

3439 893.0551 Public records exemption for the prescription drug
3440 monitoring program.—

3441 (6) An agency or person who obtains any information
3442 pursuant to this section must maintain the confidential and
3443 exempt status of that information and may not disclose such
3444 information unless authorized by law. Information shared with a
3445 state attorney pursuant to paragraph (3) (e) or paragraph (3) (f)
3446 ~~or paragraph (3) (h)~~ may be released only in response to a
3447 discovery demand if such information is directly related to the
3448 criminal case for which the information was requested. Unrelated
3449 information may be released only upon an order of a court of
3450 competent jurisdiction.

3451 Reviser's note.—Amended to correct an apparent error and conform
3452 to context. Prior to the amendment of s. 893.0551 by s. 11,
3453 ch. 2018-13, Laws of Florida, the reference was to
3454 "paragraph (3) (a) or paragraph (3) (c)." Pursuant to the
3455 amendment, former paragraph (3) (a) is now paragraph (3) (e),
3456 and former paragraph (3) (c) is now paragraph (3) (f).

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3457 Section 107. Subsection (7) of section 893.13, Florida
3458 Statutes, is reenacted to read:
3459 893.13 Prohibited acts; penalties.—
3460 (7) (a) A person may not:
3461 1. Distribute or dispense a controlled substance in
3462 violation of this chapter.
3463 2. Refuse or fail to make, keep, or furnish any record,
3464 notification, order form, statement, invoice, or information
3465 required under this chapter.
3466 3. Refuse entry into any premises for any inspection or
3467 refuse to allow any inspection authorized by this chapter.
3468 4. Distribute a controlled substance named or described in
3469 s. 893.03(1) or (2) except pursuant to an order form as required
3470 by s. 893.06.
3471 5. Keep or maintain any store, shop, warehouse, dwelling,
3472 building, vehicle, boat, aircraft, or other structure or place
3473 which is resorted to by persons using controlled substances in
3474 violation of this chapter for the purpose of using these
3475 substances, or which is used for keeping or selling them in
3476 violation of this chapter.
3477 6. Use to his or her own personal advantage, or reveal, any
3478 information obtained in enforcement of this chapter except in a
3479 prosecution or administrative hearing for a violation of this
3480 chapter.
3481 7. Possess a prescription form unless it has been signed by
3482 the practitioner whose name appears printed thereon and
3483 completed. This subparagraph does not apply if the person in
3484 possession of the form is the practitioner whose name appears
3485 printed thereon, an agent or employee of that practitioner, a

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3486 pharmacist, or a supplier of prescription forms who is
3487 authorized by that practitioner to possess those forms.

3488 8. Withhold information from a practitioner from whom the
3489 person seeks to obtain a controlled substance or a prescription
3490 for a controlled substance that the person making the request
3491 has received a controlled substance or a prescription for a
3492 controlled substance of like therapeutic use from another
3493 practitioner within the previous 30 days.

3494 9. Acquire or obtain, or attempt to acquire or obtain,
3495 possession of a controlled substance by misrepresentation,
3496 fraud, forgery, deception, or subterfuge.

3497 10. Affix any false or forged label to a package or
3498 receptacle containing a controlled substance.

3499 11. Furnish false or fraudulent material information in, or
3500 omit any material information from, any report or other document
3501 required to be kept or filed under this chapter or any record
3502 required to be kept by this chapter.

3503 12. Store anhydrous ammonia in a container that is not
3504 approved by the United States Department of Transportation to
3505 hold anhydrous ammonia or is not constructed in accordance with
3506 sound engineering, agricultural, or commercial practices.

3507 13. With the intent to obtain a controlled substance or
3508 combination of controlled substances that are not medically
3509 necessary for the person or an amount of a controlled substance
3510 or substances that is not medically necessary for the person,
3511 obtain or attempt to obtain from a practitioner a controlled
3512 substance or a prescription for a controlled substance by
3513 misrepresentation, fraud, forgery, deception, subterfuge, or
3514 concealment of a material fact. For purposes of this

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3515 subparagraph, a material fact includes whether the person has an
3516 existing prescription for a controlled substance issued for the
3517 same period of time by another practitioner or as described in
3518 subparagraph 8.

3519 (b) A health care practitioner, with the intent to provide
3520 a controlled substance or combination of controlled substances
3521 that are not medically necessary to his or her patient or an
3522 amount of controlled substances that is not medically necessary
3523 for his or her patient, may not provide a controlled substance
3524 or a prescription for a controlled substance by
3525 misrepresentation, fraud, forgery, deception, subterfuge, or
3526 concealment of a material fact. For purposes of this paragraph,
3527 a material fact includes whether the patient has an existing
3528 prescription for a controlled substance issued for the same
3529 period of time by another practitioner or as described in
3530 subparagraph (a)8.

3531 (c) A person who violates subparagraphs (a)1.-6. commits a
3532 misdemeanor of the first degree, punishable as provided in s.
3533 775.082 or s. 775.083, except that, upon a second or subsequent
3534 violation, the person commits a felony of the third degree,
3535 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3536 (d) A person who violates subparagraphs (a)7.-12. commits a
3537 felony of the third degree, punishable as provided in s.
3538 775.082, s. 775.083, or s. 775.084.

3539 (e) A person or health care practitioner who violates the
3540 provisions of subparagraph (a)13. or paragraph (b) commits a
3541 felony of the second degree, punishable as provided in s.
3542 775.082, s. 775.083, or s. 775.084, if any controlled substance
3543 that is the subject of the offense is listed in Schedule II,

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3544 Schedule III, or Schedule IV.
3545 Reviser's note.—Section 12, ch. 2018-13, Laws of Florida,
3546 purported to amend subsection (7), but did not publish
3547 paragraphs (a)-(d). Absent affirmative evidence of
3548 legislative intent to repeal the omitted paragraphs,
3549 subsection (7) is reenacted to confirm the omission was not
3550 intended.

3551 Section 108. Paragraphs (r) and (y) of subsection (2) and
3552 paragraph (a) of subsection (3) of section 900.05, Florida
3553 Statutes, are amended to read:

3554 900.05 Criminal justice data collection.—

3555 (2) DEFINITIONS.—As used in this section, the term:

3556 (r) "Gain-time credit earned" means a credit of time
3557 awarded to an inmate in a county detention facility in
3558 accordance with s. 951.21 ~~951.22~~ or a state correctional
3559 institution or facility in accordance with s. 944.275.

3560 (y) "Sexual offender flag" means an indication that a
3561 defendant is required to register as a sexual predator as
3562 defined in s. 775.21 or as a sexual offender as defined in s.
3563 943.0435.

3564 (3) DATA COLLECTION AND REPORTING.—Beginning January 1,
3565 2019, an entity required to collect data in accordance with this
3566 subsection shall collect the specified data required of the
3567 entity on a biweekly basis. Each entity shall report the data
3568 collected in accordance with this subsection to the Department
3569 of Law Enforcement on a monthly basis.

3570 (a) *Clerk of the court*.—Each clerk of court shall collect
3571 the following data for each criminal case:

3572 1. Case number.

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- 3573 2. Date that the alleged offense occurred.
- 3574 3. County in which the offense is alleged to have occurred.
- 3575 4. Date the defendant is taken into physical custody by a
3576 law enforcement agency or is issued a notice to appear on a
3577 criminal charge, if such date is different from the date the
3578 offense is alleged to have occurred.
- 3579 5. Date that the criminal prosecution of a defendant is
3580 formally initiated through the filing, with the clerk of the
3581 court, of an information by the state attorney or an indictment
3582 issued by a grand jury.
- 3583 6. Arraignment date.
- 3584 7. Attorney assignment date.
- 3585 8. Attorney withdrawal date.
- 3586 9. Case status.
- 3587 10. Disposition date.
- 3588 11. Information related to each defendant, including:
- 3589 a. Identifying information, including name, date of birth,
3590 age, race or ethnicity, and gender.
- 3591 b. Zip code of primary residence.
- 3592 c. Primary language.
- 3593 d. Citizenship.
- 3594 e. Immigration status, if applicable.
- 3595 f. Whether the defendant has been found by a court to be
3596 indigent pursuant to s. 27.52.
- 3597 12. Information related to the formal charges filed against
3598 the defendant, including:
- 3599 a. Charge description.
- 3600 b. Charge modifier, if applicable.
- 3601 c. Drug type for each drug charge, if known.

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3602 d. Qualification for a flag designation as defined in this
3603 section, including a domestic violence flag, gang affiliation
3604 flag, sexual offender flag, habitual offender flag, or pretrial
3605 release violation flag.

3606 13. Information related to bail or bond and pretrial
3607 release determinations, including the dates of any such
3608 determinations:

3609 a. Pretrial release determination made at a first
3610 appearance hearing that occurs within 24 hours of arrest,
3611 including all monetary and nonmonetary conditions of release.

3612 b. Modification of bail or bond conditions made by a court
3613 having jurisdiction to try the defendant or, in the absence of
3614 the judge of the trial court, by the circuit court, including
3615 modifications to any monetary and nonmonetary conditions of
3616 release.

3617 c. Cash bail or bond payment, including whether the
3618 defendant utilized a bond agent to post a surety bond.

3619 d. Date defendant is released on bail, bond, or pretrial
3620 release.

3621 e. Bail or bond revocation due to a new offense, a failure
3622 to appear, or a violation of the terms of bail or bond, if
3623 applicable.

3624 14. Information related to court dates and dates of motions
3625 and appearances, including:

3626 a. Date of any court appearance and the type of proceeding
3627 scheduled for each date reported.

3628 b. Date of any failure to appear in court, if applicable.

3629 c. Judicial transfer date, if applicable.

3630 d. Trial date.

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- 3631 e. Date that a defendant files a notice to participate in
3632 discovery.
- 3633 f. Speedy trial motion and hearing dates, if applicable.
- 3634 g. Dismissal motion and hearing dates, if applicable.
- 3635 15. Defense attorney type.
- 3636 16. Information related to sentencing, including:
- 3637 a. Date that a court enters a sentence against a defendant.
- 3638 b. Charge sentenced to, including charge sequence number,
3639 charge description, statute, type, and charge class severity.
- 3640 c. Sentence type and length imposed by the court,
3641 including, but not limited to, the total duration of
3642 imprisonment in a county detention facility or state
3643 correctional institution or facility, and conditions of
3644 probation or community control supervision.
- 3645 d. Amount of time served in custody by the defendant
3646 related to the reported criminal case that is credited at the
3647 time of disposition of the case to reduce the actual length of
3648 time the defendant will serve on the term of imprisonment that
3649 is ordered by the court at disposition.
- 3650 e. Total amount of court fees imposed by the court at the
3651 disposition of the case.
- 3652 f. Outstanding balance of the defendant's court fees
3653 imposed by the court at disposition of the case.
- 3654 g. Total amount of fines imposed by the court at the
3655 disposition of the case.
- 3656 h. Outstanding balance of the defendant's fines imposed by
3657 the court at disposition of the case.
- 3658 i. Restitution amount ordered, including the amount
3659 collected by the court and the amount paid to the victim, if

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3660 applicable.

3661 j. Digitized sentencing scoresheet prepared in accordance
3662 with s. 921.0024.

3663 17. The number of judges or magistrates, or their
3664 equivalents, hearing cases in circuit or county criminal
3665 divisions of the circuit court. Judges or magistrates, or their
3666 equivalents, who solely hear appellate cases from the county
3667 criminal division are not to be reported under this
3668 subparagraph.

3669 Reviser's note.—Paragraph (2) (r) is amended to correct an
3670 erroneous cross-reference. Section 951.21 relates to gain-
3671 time for good conduct for county prisoners; s. 951.22
3672 relates to articles of contraband in county detention
3673 facilities. Paragraph (2) (y) is amended to confirm the
3674 editorial insertion of the word "is" to improve clarity.
3675 Paragraph (3) (a) is amended to confirm the editorial
3676 insertion of the word "of" to improve clarity.

3677 Section 109. Paragraph (c) of subsection (1) of section
3678 934.255, Florida Statutes, is amended to read:

3679 934.255 Subpoenas in investigations of sexual offenses.—

3680 (1) As used in this section, the term:

3681 (c) "Sexual abuse of a child" means a criminal offense
3682 based on any conduct described in s. 39.01(77) ~~39.01(71)~~.

3683 Reviser's note.—Amended to conform to the redesignation of
3684 subsections within s. 39.01 by s. 1, ch. 2018-103, Laws of
3685 Florida. Section 39.01(77) defines the term "sexual abuse
3686 of a child"; s. 39.01(71) defines the term "protective
3687 supervision."

3688 Section 110. Paragraph (a) of subsection (2) of section

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3689 943.0585, Florida Statutes, is amended to read:
3690 943.0585 Court-ordered expunction of criminal history
3691 records.—The courts of this state have jurisdiction over their
3692 own procedures, including the maintenance, expunction, and
3693 correction of judicial records containing criminal history
3694 information to the extent such procedures are not inconsistent
3695 with the conditions, responsibilities, and duties established by
3696 this section. Any court of competent jurisdiction may order a
3697 criminal justice agency to expunge the criminal history record
3698 of a minor or an adult who complies with the requirements of
3699 this section. The court shall not order a criminal justice
3700 agency to expunge a criminal history record until the person
3701 seeking to expunge a criminal history record has applied for and
3702 received a certificate of eligibility for expunction pursuant to
3703 subsection (2) or subsection (5). A criminal history record that
3704 relates to a violation of s. 393.135, s. 394.4593, s. 787.025,
3705 chapter 794, former s. 796.03, s. 800.04, s. 810.14, s. 817.034,
3706 s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135,
3707 s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in
3708 s. 907.041, or any violation specified as a predicate offense
3709 for registration as a sexual predator pursuant to s. 775.21,
3710 without regard to whether that offense alone is sufficient to
3711 require such registration, or for registration as a sexual
3712 offender pursuant to s. 943.0435, may not be expunged, without
3713 regard to whether adjudication was withheld, if the defendant
3714 was found guilty of or pled guilty or nolo contendere to the
3715 offense, or if the defendant, as a minor, was found to have
3716 committed, or pled guilty or nolo contendere to committing, the
3717 offense as a delinquent act. The court may only order expunction

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3718 of a criminal history record pertaining to one arrest or one
3719 incident of alleged criminal activity, except as provided in
3720 this section. The court may, at its sole discretion, order the
3721 expunction of a criminal history record pertaining to more than
3722 one arrest if the additional arrests directly relate to the
3723 original arrest. If the court intends to order the expunction of
3724 records pertaining to such additional arrests, such intent must
3725 be specified in the order. A criminal justice agency may not
3726 expunge any record pertaining to such additional arrests if the
3727 order to expunge does not articulate the intention of the court
3728 to expunge a record pertaining to more than one arrest. This
3729 section does not prevent the court from ordering the expunction
3730 of only a portion of a criminal history record pertaining to one
3731 arrest or one incident of alleged criminal activity.

3732 Notwithstanding any law to the contrary, a criminal justice
3733 agency may comply with laws, court orders, and official requests
3734 of other jurisdictions relating to expunction, correction, or
3735 confidential handling of criminal history records or information
3736 derived therefrom. This section does not confer any right to the
3737 expunction of any criminal history record, and any request for
3738 expunction of a criminal history record may be denied at the
3739 sole discretion of the court.

3740 (2) CERTIFICATE OF ELIGIBILITY FOR EXPUNCTION.—Prior to
3741 petitioning the court to expunge a criminal history record, a
3742 person seeking to expunge a criminal history record shall apply
3743 to the department for a certificate of eligibility for
3744 expunction. The department shall, by rule adopted pursuant to
3745 chapter 120, establish procedures pertaining to the application
3746 for and issuance of certificates of eligibility for expunction.

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3747 A certificate of eligibility for expunction is valid for 12
3748 months after the date stamped on the certificate when issued by
3749 the department. After that time, the petitioner must reapply to
3750 the department for a new certificate of eligibility. Eligibility
3751 for a renewed certification of eligibility must be based on the
3752 status of the applicant and the law in effect at the time of the
3753 renewal application. The department shall issue a certificate of
3754 eligibility for expunction to a person who is the subject of a
3755 criminal history record if that person:

3756 (a) Has obtained, and submitted to the department, a
3757 written, certified statement from the appropriate state attorney
3758 or statewide prosecutor which indicates:

3759 1. That an indictment, information, or other charging
3760 document was not filed or issued in the case.

3761 2. That an indictment, information, or other charging
3762 document, if filed or issued in the case, was dismissed or nolle
3763 prosequi by the state attorney or statewide prosecutor, or was
3764 dismissed by a court of competent jurisdiction, ~~or~~ that a
3765 judgment of acquittal was rendered by a judge, or that a verdict
3766 of not guilty was rendered by a judge or jury.

3767 3. That the criminal history record does not relate to a
3768 violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794,
3769 former s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025,
3770 s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145,
3771 s. 893.135, s. 916.1075, a violation enumerated in s. 907.041,
3772 or any violation specified as a predicate offense for
3773 registration as a sexual predator pursuant to s. 775.21, without
3774 regard to whether that offense alone is sufficient to require
3775 such registration, or for registration as a sexual offender

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3776 pursuant to s. 943.0435, where the defendant was found guilty
3777 of, or pled guilty or nolo contendere to any such offense, or
3778 that the defendant, as a minor, was found to have committed, or
3779 pled guilty or nolo contendere to committing, such an offense as
3780 a delinquent act, without regard to whether adjudication was
3781 withheld.

3782 Reviser's note.—Amended to confirm the editorial deletion of the
3783 comma and restoration of the word "or" after the words
3784 "state attorney or statewide prosecutor" and the editorial
3785 deletion of the word "or" after the words "court of
3786 competent jurisdiction" to improve clarity.

3787 Section 111. Subsection (4) of section 943.1758, Florida
3788 Statutes, is amended to read:

3789 943.1758 Curriculum revision for diverse populations;
3790 skills training.—

3791 (4) ~~By October 1, 2001,~~ The instruction in the subject of
3792 interpersonal skills relating to diverse populations shall
3793 consist of a module developed by the commission on the topic of
3794 discriminatory profiling.

3795 Reviser's note.—Amended to delete obsolete language.

3796 Section 112. Subsection (1) of section 944.115, Florida
3797 Statutes, is amended to read:

3798 944.115 Smoking prohibited inside state correctional
3799 facilities.—

3800 (1) The purpose of this section is to protect the health,
3801 comfort, and environment of employees of the Department of
3802 Corrections, employees of privately operated correctional
3803 facilities, and inmates by prohibiting inmates from using
3804 tobacco products inside any office or building within state

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3805 correctional facilities, and by ensuring that employees and
3806 visitors do not use tobacco products inside any office or
3807 building within state correctional facilities. Scientific
3808 evidence links the use of tobacco products with numerous
3809 significant health risks. The use of tobacco products by
3810 inmates, employees, or visitors is contrary to efforts by the
3811 Department of Corrections to reduce the cost of inmate health
3812 care and to limit unnecessary litigation. The Department of
3813 Corrections and the private vendors operating correctional
3814 facilities shall make smoking-cessation assistance available to
3815 inmates in order to implement this section. ~~The Department of~~
3816 ~~Corrections and the private vendors operating correctional~~
3817 ~~facilities shall implement this section as soon as possible, and~~
3818 ~~all provisions of this section must be fully implemented by~~
3819 ~~January 1, 2000.~~

3820 Reviser's note.—Amended to delete obsolete language.

3821 Section 113. Subsection (10) of section 985.48, Florida
3822 Statutes, is amended to read:

3823 985.48 Juvenile sexual offender commitment programs; sexual
3824 abuse intervention networks.—

3825 (10) A Child Protection Team ~~child protection team~~ or the
3826 state attorney in any judicial circuit may establish a sexual
3827 abuse intervention network to assist in identifying,
3828 investigating, prosecuting, treating, and preventing sexual
3829 abuse with special emphasis on juvenile sexual offenders and
3830 victims of sexual abuse.

3831 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
3832 of Florida, which directed the Division of Law Revision and
3833 Information to prepare a reviser's bill "to capitalize each

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3834 word of the term 'child protection team' wherever it occurs
3835 in the Florida Statutes."

3836 Section 114. Paragraph (c) of subsection (8) of section
3837 1002.33, Florida Statutes, is amended to read:

3838 1002.33 Charter schools.—

3839 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

3840 (c) A charter may be terminated immediately if the sponsor
3841 sets forth in writing the particular facts and circumstances
3842 indicating that an immediate and serious danger to the health,
3843 safety, or welfare of the charter school's students exists. The
3844 sponsor's determination is subject to the procedures set forth
3845 in paragraph ~~paragraphs~~ (b) ~~and (e)~~, except that the hearing may
3846 take place after the charter has been terminated. The sponsor
3847 shall notify in writing the charter school's governing board,
3848 the charter school principal, and the department if a charter is
3849 terminated immediately. The sponsor shall clearly identify the
3850 specific issues that resulted in the immediate termination and
3851 provide evidence of prior notification of issues resulting in
3852 the immediate termination when appropriate. Upon receiving
3853 written notice from the sponsor, the charter school's governing
3854 board has 10 calendar days to request a hearing. A requested
3855 hearing must be expedited and the final order must be issued
3856 within 60 days after the date of request. The sponsor shall
3857 assume operation of the charter school throughout the pendency
3858 of the hearing under paragraph ~~paragraphs~~ (b) ~~and (e)~~ unless the
3859 continued operation of the charter school would materially
3860 threaten the health, safety, or welfare of the students. Failure
3861 by the sponsor to assume and continue operation of the charter
3862 school shall result in the awarding of reasonable costs and

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3863 attorney's fees to the charter school if the charter school
3864 prevails on appeal.

3865 Reviser's note.—Amended to delete references to former paragraph
3866 (c), which was amended and merged into paragraph (b) by s.
3867 9, ch. 2018-6, Laws of Florida.

3868 Section 115. Subsection (1) of section 1002.36, Florida
3869 Statutes, is amended to read:

3870 1002.36 Florida School for the Deaf and the Blind.—

3871 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
3872 the Blind, located in St. Johns County, is a state-supported
3873 residential public school for hearing-impaired and visually
3874 impaired students in preschool through 12th grade. The school is
3875 a component of the delivery of public education within Florida's
3876 K-20 education system and shall be funded through the Department
3877 of Education. The school shall provide educational programs and
3878 support services appropriate to meet the education and related
3879 evaluation and counseling needs of hearing-impaired and visually
3880 impaired students in the state who meet enrollment criteria.

3881 Unless otherwise provided by law, the school shall comply with
3882 all laws and rules applicable to state agencies. Education
3883 services may be provided on an outreach basis for sensory-
3884 impaired children ages 0 through 5 years and to district school
3885 boards upon request. Graduates of the Florida School for the
3886 Deaf and the Blind shall be eligible for the William L. Boyd,
3887 IV, Effective Access to Student Education ~~Florida Resident~~
3888 ~~Access~~ Grant Program as provided in s. 1009.89.

3889 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
3890 Florida, which directed the Division of Law Revision and
3891 Information "to substitute the term 'Effective Access to

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3892 Student Education Grant Program' for 'Florida Resident
3893 Access Grant Program' and the term 'Effective Access to
3894 Student Education grant' for 'Florida resident access
3895 grant' wherever those terms appear in the Florida
3896 Statutes."

3897 Section 116. Paragraph (f) of subsection (2) of section
3898 1002.385, Florida Statutes, is amended to read:

3899 1002.385 The Gardiner Scholarship.—

3900 (2) DEFINITIONS.—As used in this section, the term:

3901 (f) "Eligible postsecondary educational institution" means
3902 a Florida College System institution; a state university; a
3903 school district technical center; a school district adult
3904 general education center; an independent college or university
3905 that is eligible to participate in the William L. Boyd, IV,
3906 Effective Access to Student Education ~~Florida Resident Access~~
3907 Grant Program under s. 1009.89; or an accredited independent
3908 postsecondary educational institution, as defined in s. 1005.02,
3909 which is licensed to operate in the state pursuant to
3910 requirements specified in part III of chapter 1005.

3911 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
3912 Florida, which directed the Division of Law Revision and
3913 Information "to substitute the term 'Effective Access to
3914 Student Education Grant Program' for 'Florida Resident
3915 Access Grant Program' and the term 'Effective Access to
3916 Student Education grant' for 'Florida resident access
3917 grant' wherever those terms appear in the Florida
3918 Statutes."

3919 Section 117. Paragraph (f) of subsection (2), paragraph (p)
3920 of subsection (6), and paragraph (i) of subsection (15) of

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3921 section 1002.395, Florida Statutes, are amended to read:
3922 1002.395 Florida Tax Credit Scholarship Program.—
3923 (2) DEFINITIONS.—As used in this section, the term:
3924 (f) “Eligible nonprofit scholarship-funding organization”
3925 means a state university; or an independent college or
3926 university that is eligible to participate in the William L.
3927 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
3928 ~~Access~~ Grant Program, located and chartered in this state, is
3929 not for profit, and is accredited by the Commission on Colleges
3930 of the Southern Association of Colleges and Schools; or is a
3931 charitable organization that:
3932 1. Is exempt from federal income tax pursuant to s.
3933 501(c)(3) of the Internal Revenue Code;
3934 2. Is a Florida entity formed under chapter 605, chapter
3935 607, or chapter 617 and whose principal office is located in the
3936 state; and
3937 3. Complies with subsections (6) and (15).
3938 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
3939 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
3940 organization:
3941 (p) Must maintain the surety bond or letter of credit
3942 required by subsection (15). The amount of the surety bond or
3943 letter of credit may be adjusted quarterly to equal the actual
3944 amount of undisbursed funds based upon submission by the
3945 organization of a statement from a certified public accountant
3946 verifying the amount of undisbursed funds. The requirements of
3947 this paragraph are waived if the cost of acquiring a surety bond
3948 or letter of credit exceeds the average 10-year cost of
3949 acquiring a surety bond or letter of credit by 200 percent. The

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3950 requirements of this paragraph are waived for a state
3951 university; or an independent college or university which is
3952 eligible to participate in the William L. Boyd, IV, Effective
3953 Access to Student Education Florida Resident Access Grant
3954 Program, located and chartered in this state, is not for profit,
3955 and is accredited by the Commission on Colleges of the Southern
3956 Association of Colleges and Schools.

3957
3958 Information and documentation provided to the Department of
3959 Education and the Auditor General relating to the identity of a
3960 taxpayer that provides an eligible contribution under this
3961 section shall remain confidential at all times in accordance
3962 with s. 213.053.

3963 (15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
3964 APPLICATION.—In order to participate in the scholarship program
3965 created under this section, a charitable organization that seeks
3966 to be a nonprofit scholarship-funding organization must submit
3967 an application for initial approval or renewal to the Office of
3968 Independent Education and Parental Choice no later than
3969 September 1 of each year before the school year for which the
3970 organization intends to offer scholarships.

3971 (i) A state university; or an independent college or
3972 university which is eligible to participate in the William L.
3973 Boyd, IV, Effective Access to Student Education Florida Resident
3974 Access Grant Program, located and chartered in this state, is
3975 not for profit, and is accredited by the Commission on Colleges
3976 of the Southern Association of Colleges and Schools, is exempt
3977 from the initial or renewal application process, but must file a
3978 registration notice with the Department of Education to be an

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3979 eligible nonprofit scholarship-funding organization. The State
3980 Board of Education shall adopt rules that identify the procedure
3981 for filing the registration notice with the department. The
3982 rules must identify appropriate reporting requirements for
3983 fiscal, programmatic, and performance accountability purposes
3984 consistent with this section, but shall not exceed the
3985 requirements for eligible nonprofit scholarship-funding
3986 organizations for charitable organizations. ~~A nonprofit~~
3987 ~~scholarship-funding organization that becomes eligible pursuant~~
3988 ~~to this paragraph may begin providing scholarships to~~
3989 ~~participating students in the 2015-2016 school year.~~

3990 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
3991 Florida, which directed the Division of Law Revision and
3992 Information "to substitute the term 'Effective Access to
3993 Student Education Grant Program' for 'Florida Resident
3994 Access Grant Program' and the term 'Effective Access to
3995 Student Education grant' for 'Florida resident access
3996 grant' wherever those terms appear in the Florida
3997 Statutes." Paragraph (15)(i) is also amended to delete
3998 obsolete language.

3999 Section 118. Paragraph (k) of subsection (2) and paragraph
4000 (a) of subsection (5) of section 1002.82, Florida Statutes, are
4001 amended to read:

4002 1002.82 Office of Early Learning; powers and duties.—

4003 (2) The office shall:

4004 (k) Identify observation-based child assessments that are
4005 valid, reliable, and developmentally appropriate for use at
4006 least three times a year. The assessments must:

4007 1. Provide interval level and criterion-referenced data

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4008 that measures equivalent levels of growth across the core
4009 domains of early childhood development and that can be used for
4010 determining developmentally appropriate learning gains.

4011 2. Measure progress in the performance standards adopted
4012 pursuant to paragraph (j).

4013 3. Provide for appropriate accommodations for children with
4014 disabilities and English language learners and be administered
4015 by qualified individuals, consistent with the developer's
4016 instructions.

4017 4. Coordinate with the performance standards adopted by the
4018 department under s. 1002.67(1) for the Voluntary Prekindergarten
4019 Education Program.

4020 5. Provide data in a format for use in the single statewide
4021 information system to meet the requirements of paragraph (p)
4022 ~~(q)~~.

4023 (5) By January 1 of each year, the office shall annually
4024 publish on its website a report of its activities conducted
4025 under this section. The report must include a summary of the
4026 coalitions' annual reports, a statewide summary, and the
4027 following:

4028 (a) An analysis of early learning activities throughout the
4029 state, including the school readiness program and the Voluntary
4030 Prekindergarten Education Program.

4031 1. The total and average number of children served in the
4032 school readiness program, enumerated by age, eligibility
4033 priority category, and coalition, and the total number of
4034 children served in the Voluntary Prekindergarten Education
4035 Program.

4036 2. A summary of expenditures by coalition, by fund source,

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4037 including a breakdown by coalition of the percentage of
4038 expenditures for administrative activities, quality activities,
4039 nondirect services, and direct services for children.

4040 3. A description of the office's and each coalition's
4041 expenditures by fund source for the quality and enhancement
4042 activities described in s. 1002.89(6) (b).

4043 4. A summary of annual findings and collections related to
4044 provider fraud and parent fraud.

4045 5. Data regarding the coalitions' delivery of early
4046 learning programs.

4047 6. The total number of children disenrolled statewide and
4048 the reason for disenrollment.

4049 7. The total number of providers by provider type.

4050 8. The number of school readiness program providers who
4051 have completed the program assessment required under paragraph
4052 (2) (n); the number of providers who have not met the minimum
4053 threshold for contracting established under ~~to~~ paragraph (2) (n);
4054 and the number of providers that have an active improvement plan
4055 based on the results of the program assessment under paragraph
4056 (2) (n).

4057 9. The total number of provider contracts revoked and the
4058 reasons for revocation.

4059 Reviser's note.—Paragraph (2) (k) is amended to confirm the
4060 editorial substitution of a reference to paragraph (p) for
4061 a reference to paragraph (q) to correct an erroneous cross-
4062 reference to paragraph (q) added by s. 2, ch. 2018-136,
4063 Laws of Florida. Paragraph (p) relates to establishment of
4064 a single statewide information system for coalitions;
4065 paragraph (q) relates to adoption of standardized

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4066 monitoring procedures for coalition use. Paragraph (5) (a)
4067 is amended to confirm the editorial deletion of the word
4068 "to" to improve clarity.

4069 Section 119. Subsection (8) of section 1004.085, Florida
4070 Statutes, is amended to read:

4071 1004.085 Textbook and instructional materials
4072 affordability.—

4073 (8) The board of trustees of each Florida College System
4074 institution and state university shall report, by September 30
4075 of each year, ~~beginning in 2016,~~ to the Chancellor of the
4076 Florida College System or the Chancellor of the State University
4077 System, as applicable, the textbook and instructional materials
4078 selection process for general education courses with a wide cost
4079 variance identified pursuant to subsection (4) and high-
4080 enrollment courses; specific initiatives of the institution
4081 designed to reduce the costs of textbooks and instructional
4082 materials; policies implemented in accordance with subsection
4083 (6); the number of courses and course sections that were not
4084 able to meet the textbook and instructional materials posting
4085 deadline for the previous academic year; and any additional
4086 information determined by the chancellors. By November 1 of each
4087 year, ~~beginning in 2016,~~ each chancellor shall provide a summary
4088 of the information provided by institutions to the State Board
4089 of Education and the Board of Governors, as applicable.

4090 Reviser's note.—Amended to delete obsolete language.

4091 Section 120. Paragraph (c) of subsection (3) of section
4092 1004.097, Florida Statutes, is amended to read:

4093 1004.097 Free expression on campus.—

4094 (3) RIGHT TO FREE-SPEECH ACTIVITIES.—

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4095 (c) Outdoor areas of campus are considered traditional
4096 public forums for individuals, organizations, and guest
4097 speakers. A public institution of higher education may create
4098 and enforce restrictions that are reasonable and content-neutral
4099 on time, place, and manner of expression and that are narrowly
4100 tailored to a significant institutional interest. Restrictions
4101 must be clear and published and must ~~and~~ provide for ample
4102 alternative means of expression.

4103 Reviser's note.—Amended to confirm the editorial deletion of the
4104 word "and" to improve clarity.

4105 Section 121. Paragraph (c) of subsection (3) of section
4106 1004.6495, Florida Statutes, is amended to read:

4107 1004.6495 Florida Postsecondary Comprehensive Transition
4108 Program and Florida Center for Students with Unique Abilities.—

4109 (3) DEFINITIONS.—As used in this section, the term:

4110 (c) "Eligible institution" means a state university; a
4111 Florida College System institution; a career center; a charter
4112 technical career center; or an independent college or university
4113 that is located and chartered in this state, is not for profit,
4114 is accredited by the Commission on Colleges of the Southern
4115 Association of Colleges and Schools, and is eligible to
4116 participate in the William L. Boyd, IV, Effective Access to
4117 Student Education ~~Florida Resident Access~~ Grant Program.

4118 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4119 Florida, which directed the Division of Law Revision and
4120 Information "to substitute the term 'Effective Access to
4121 Student Education Grant Program' for 'Florida Resident
4122 Access Grant Program' and the term 'Effective Access to
4123 Student Education grant' for 'Florida resident access

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4124 grant' wherever those terms appear in the Florida
4125 Statutes."

4126 Section 122. Paragraph (d) of subsection (1) of section
4127 1005.03, Florida Statutes, is amended to read:

4128 1005.03 Designation "college" or "university."—

4129 (1) The use of the designation "college" or "university" in
4130 combination with any series of letters, numbers, or words is
4131 restricted in this state to colleges or universities as defined
4132 in s. 1005.02 that offer degrees as defined in s. 1005.02 and
4133 fall into at least one of the following categories:

4134 (d) A college that is under the jurisdiction of the
4135 Department of Education, eligible to participate in the William
4136 L. Boyd, IV, Effective Access to Student Education Florida
4137 ~~Resident Access~~ Grant Program and that is a nonprofit
4138 independent college or university located and chartered in this
4139 state and accredited by the Commission on Colleges of the
4140 Southern Association of Colleges and Schools to grant
4141 baccalaureate degrees.

4142 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4143 Florida, which directed the Division of Law Revision and
4144 Information "to substitute the term 'Effective Access to
4145 Student Education Grant Program' for 'Florida Resident
4146 Access Grant Program' and the term 'Effective Access to
4147 Student Education grant' for 'Florida resident access
4148 grant' wherever those terms appear in the Florida
4149 Statutes."

4150 Section 123. Paragraph (c) of subsection (1) of section
4151 1005.06, Florida Statutes, is amended to read:

4152 1005.06 Institutions not under the jurisdiction or purview

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4153 of the commission.—

4154 (1) Except as otherwise provided in law, the following
4155 institutions are not under the jurisdiction or purview of the
4156 commission and are not required to obtain licensure:

4157 (c) Any institution that is under the jurisdiction of the
4158 Department of Education, eligible to participate in the William
4159 L. Boyd, IV, Effective Access to Student Education Florida
4160 ~~Resident Access~~ Grant Program and that is a nonprofit
4161 independent college or university located and chartered in this
4162 state and accredited by the Commission on Colleges of the
4163 Southern Association of Colleges and Schools to grant
4164 baccalaureate degrees.

4165 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4166 Florida, which directed the Division of Law Revision and
4167 Information "to substitute the term 'Effective Access to
4168 Student Education Grant Program' for 'Florida Resident
4169 Access Grant Program' and the term 'Effective Access to
4170 Student Education grant' for 'Florida resident access
4171 grant' wherever those terms appear in the Florida
4172 Statutes."

4173 Section 124. Subsection (3) of section 1006.061, Florida
4174 Statutes, is amended to read:

4175 1006.061 Child abuse, abandonment, and neglect policy.—Each
4176 district school board, charter school, and private school that
4177 accepts scholarship students who participate in a state
4178 scholarship program under chapter 1002 shall:

4179 (3) Require the principal of the charter school or private
4180 school, or the district school superintendent, or the
4181 superintendent's designee, at the request of the Department of

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4182 Children and Families, to act as a liaison to the Department of
4183 Children and Families and the Child Protection Team ~~child~~
4184 ~~protection team~~, as defined in s. 39.01, when in a case of
4185 suspected child abuse, abandonment, or neglect or an unlawful
4186 sexual offense involving a child the case is referred to such a
4187 team; except that this does not relieve or restrict the
4188 Department of Children and Families from discharging its duty
4189 and responsibility under the law to investigate and report every
4190 suspected or actual case of child abuse, abandonment, or neglect
4191 or unlawful sexual offense involving a child.

4192
4193 The Department of Education shall develop, and publish on the
4194 department's Internet website, sample notices suitable for
4195 posting in accordance with subsections (1), (2), and (4).

4196 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
4197 of Florida, which directed the Division of Law Revision and
4198 Information to prepare a reviser's bill "to capitalize each
4199 word of the term 'child protection team' wherever it occurs
4200 in the Florida Statutes."

4201 Section 125. Section 1006.12, Florida Statutes, is
4202 reenacted and amended to read:

4203 1006.12 Safe-school officers at each public school.—For the
4204 protection and safety of school personnel, property, students,
4205 and visitors, each district school board and school district
4206 superintendent shall partner with law enforcement agencies to
4207 establish or assign one or more safe-school officers at each
4208 school facility within the district by implementing any
4209 combination of the following options which best meets the needs
4210 of the school district:

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4211 (1) Establish school resource officer programs, through a
4212 cooperative agreement with law enforcement agencies.

4213 (a) School resource officers shall undergo criminal
4214 background checks, drug testing, and a psychological evaluation
4215 and be certified law enforcement officers, as defined in s.
4216 943.10(1), who are employed by a law enforcement agency as
4217 defined in s. 943.10(4). The powers and duties of a law
4218 enforcement officer shall continue throughout the employee's
4219 tenure as a school resource officer.

4220 (b) School resource officers shall abide by district school
4221 board policies and shall consult with and coordinate activities
4222 through the school principal, but shall be responsible to the
4223 law enforcement agency in all matters relating to employment,
4224 subject to agreements between a district school board and a law
4225 enforcement agency. Activities conducted by the school resource
4226 officer which are part of the regular instructional program of
4227 the school shall be under the direction of the school principal.

4228 (c) Complete mental health crisis intervention training
4229 using a curriculum developed by a national organization with
4230 expertise in mental health crisis intervention. The training
4231 shall improve officers' knowledge and skills as first responders
4232 to incidents involving students with emotional disturbance or
4233 mental illness, including de-escalation skills to ensure student
4234 and officer safety.

4235 (2) Commission one or more school safety officers for the
4236 protection and safety of school personnel, property, and
4237 students within the school district. The district school
4238 superintendent may recommend, and the district school board may
4239 appoint, one or more school safety officers.

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4240 (a) School safety officers shall undergo criminal
4241 background checks, drug testing, and a psychological evaluation
4242 and be law enforcement officers, as defined in s. 943.10(1),
4243 certified under the provisions of chapter 943 and employed by
4244 either a law enforcement agency or by the district school board.
4245 If the officer is employed by the district school board, the
4246 district school board is the employing agency for purposes of
4247 chapter 943, and must comply with the provisions of that
4248 chapter.

4249 (b) A school safety officer has and shall exercise the
4250 power to make arrests for violations of law on district school
4251 board property and to arrest persons, whether on or off such
4252 property, who violate any law on such property under the same
4253 conditions that deputy sheriffs are authorized to make arrests.
4254 A school safety officer has the authority to carry weapons when
4255 performing his or her official duties.

4256 (c) A district school board may enter into mutual aid
4257 agreements with one or more law enforcement agencies as provided
4258 in chapter 23. A school safety officer's salary may be paid
4259 jointly by the district school board and the law enforcement
4260 agency, as mutually agreed to.

4261 (3) At the school district's discretion, participate in the
4262 Coach Aaron Feis Guardian Program ~~school marshal program~~ if such
4263 program is established pursuant to s. 30.15, to meet the
4264 requirement of establishing a safe-school officer.

4265 (4) Any information that would identify whether a
4266 particular individual has been appointed as a safe-school
4267 officer pursuant to this section held by a law enforcement
4268 agency, school district, or charter school is exempt from s.

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4269 119.07(1) and s. 24(a), Art. I of the State Constitution. This
4270 subsection is subject to the Open Government Sunset Review Act
4271 in accordance with s. 119.15 and shall stand repealed on October
4272 2, 2023, unless reviewed and saved from repeal through
4273 reenactment by the Legislature.

4274 Reviser's note.—Section 3, ch. 2018-1, Laws of Florida, added
4275 subsection (4) to s. 1006.12 as it was amended by s. 26,
4276 ch. 2018-3, Laws of Florida, but did not publish the
4277 introductory paragraph to the section added by s. 26, ch.
4278 2018-3. Absent affirmative legislative intent to repeal the
4279 introductory paragraph of s. 1006.12, the section is
4280 reenacted to confirm the omission was not intended.
4281 Subsection (3) is amended to conform to s. 6, ch. 2018-3,
4282 which directed the Division of Law Revision and Information
4283 "to change references from 'school marshal program' to
4284 'Coach Aaron Feis Guardian Program' and references from
4285 'school marshal' to 'school guardian' wherever those terms
4286 appear in this act."

4287 Section 126. Subsection (6) of section 1007.24, Florida
4288 Statutes, is amended to read:

4289 1007.24 Statewide course numbering system.—

4290 (6) Nonpublic colleges and schools that are fully
4291 accredited by a regional or national accrediting agency
4292 recognized by the United States Department of Education and are
4293 either eligible to participate in the William L. Boyd, IV,
4294 Effective Access to Student Education ~~Florida resident access~~
4295 grant or have been issued a regular license pursuant to s.
4296 1005.31, may participate in the statewide course numbering
4297 system pursuant to this section. Participating colleges and

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4298 schools shall bear the costs associated with inclusion in the
4299 system and shall meet the terms and conditions for institutional
4300 participation in the system. The department shall adopt a fee
4301 schedule that includes the expenses incurred through data
4302 processing, faculty task force travel and per diem, and staff
4303 and clerical support time. Such fee schedule may differentiate
4304 between the costs associated with initial course inclusion in
4305 the system and costs associated with subsequent course
4306 maintenance in the system. Decisions regarding initial course
4307 inclusion and subsequent course maintenance must be made within
4308 360 days after submission of the required materials and fees by
4309 the institution. The Department of Education may select a date
4310 by which colleges must submit requests for new courses to be
4311 included, and may delay review of courses submitted after that
4312 date until the next year's cycle. Any college that currently
4313 participates in the system, and that participated in the system
4314 prior to July 1, 1986, shall not be required to pay the costs
4315 associated with initial course inclusion in the system. Fees
4316 collected for participation in the statewide course numbering
4317 system pursuant to the provisions of this section shall be
4318 deposited in the Institutional Assessment Trust Fund. Any
4319 nonpublic, nonprofit college or university that is eligible to
4320 participate in the statewide course numbering system shall not
4321 be required to pay the costs associated with participation in
4322 the system. No college or school shall record student
4323 transcripts or document courses offered by the college or school
4324 in accordance with this subsection unless the college or school
4325 is actually participating in the system pursuant to rules of the
4326 State Board of Education. Any college or school deemed to be in

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4327 violation of this section shall be subject to the provisions of
4328 s. 1005.38.

4329 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4330 Florida, which directed the Division of Law Revision and
4331 Information "to substitute the term 'Effective Access to
4332 Student Education Grant Program' for 'Florida Resident
4333 Access Grant Program' and the term 'Effective Access to
4334 Student Education grant' for 'Florida resident access
4335 grant' wherever those terms appear in the Florida
4336 Statutes."

4337 Section 127. Subsection (5) of section 1007.273, Florida
4338 Statutes, is amended to read:

4339 1007.273 Collegiate high school program.—

4340 (5) In addition to executing a contract with the local
4341 Florida College System institution under this section, a
4342 district school board may execute a contract to establish a
4343 collegiate high school program with a state university or an
4344 institution that is eligible to participate in the William L.
4345 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
4346 ~~Access~~ Grant Program, that is a nonprofit independent college or
4347 university located and chartered in this state, and that is
4348 accredited by the Commission on Colleges of the Southern
4349 Association of Colleges and Schools to grant baccalaureate
4350 degrees. Such university or institution must meet the
4351 requirements specified under subsections (3) and (4).

4352 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4353 Florida, which directed the Division of Law Revision and
4354 Information "to substitute the term 'Effective Access to
4355 Student Education Grant Program' for 'Florida Resident

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4356 Access Grant Program' and the term 'Effective Access to
4357 Student Education grant' for 'Florida resident access
4358 grant' wherever those terms appear in the Florida
4359 Statutes."

4360 Section 128. Paragraph (b) of subsection (3) of section
4361 1008.31, Florida Statutes, is amended to read:

4362 1008.31 Florida's K-20 education performance accountability
4363 system; legislative intent; mission, goals, and systemwide
4364 measures; data quality improvements.—

4365 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4366 data required to implement education performance accountability
4367 measures in state and federal law, the Commissioner of Education
4368 shall initiate and maintain strategies to improve data quality
4369 and timeliness. The Board of Governors shall make available to
4370 the department all data within the State University Database
4371 System to be integrated into the K-20 data warehouse. The
4372 commissioner shall have unlimited access to such data for the
4373 purposes of conducting studies, reporting annual and
4374 longitudinal student outcomes, and improving college readiness
4375 and articulation. All public educational institutions shall
4376 annually provide data from the prior year to the K-20 data
4377 warehouse in a format based on data elements identified by the
4378 commissioner.

4379 (b) Colleges and universities eligible to participate in
4380 the William L. Boyd, IV, Effective Access to Student Education
4381 ~~Florida Resident Access~~ Grant Program shall annually report
4382 student-level data from the prior year for each student who
4383 receives state funds in a format prescribed by the Department of
4384 Education. At a minimum, data from the prior year must include

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4385 retention rates, transfer rates, completion rates, graduation
4386 rates, employment and placement rates, and earnings of
4387 graduates. ~~By December 31, 2013, the colleges and universities~~
4388 ~~described in this paragraph shall report the data for the 2012-~~
4389 ~~2013 academic year to the department.~~ By October 1 of each year
4390 thereafter, the colleges and universities described in this
4391 paragraph shall report the data to the department.

4392 Reviser's note.—Amended to delete obsolete language and to
4393 conform to s. 25, ch. 2018-4, Laws of Florida, which
4394 directed the Division of Law Revision and Information "to
4395 substitute the term 'Effective Access to Student Education
4396 Grant Program' for 'Florida Resident Access Grant Program'
4397 and the term 'Effective Access to Student Education grant'
4398 for 'Florida resident access grant' wherever those terms
4399 appear in the Florida Statutes."

4400 Section 129. Subsections (1), (2), (3), (4), and (5) of
4401 section 1009.89, Florida Statutes, are amended to read:

4402 1009.89 The William L. Boyd, IV, Effective Access to
4403 Student Education ~~Florida resident access~~ grants.—

4404 (1) The Legislature finds and declares that independent
4405 nonprofit colleges and universities eligible to participate in
4406 the William L. Boyd, IV, Effective Access to Student Education
4407 ~~Florida Resident Access~~ Grant Program are an integral part of
4408 the higher education system in this state and that a significant
4409 number of state residents choose this form of higher education.
4410 The Legislature further finds that a strong and viable system of
4411 independent nonprofit colleges and universities reduces the tax
4412 burden on the citizens of the state. Because the William L.
4413 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~

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4414 ~~Access~~ Grant Program is not related to a student's financial
4415 need or other criteria upon which financial aid programs are
4416 based, it is the intent of the Legislature that the William L.
4417 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
4418 ~~Access~~ Grant Program not be considered a financial aid program
4419 but rather a tuition assistance program for its citizens.

4420 (2) The William L. Boyd, IV, Effective Access to Student
4421 Education ~~Florida Resident~~ ~~Access~~ Grant Program shall be
4422 administered by the Department of Education. The State Board of
4423 Education shall adopt rules for the administration of the
4424 program.

4425 (3) The department shall issue through the program a
4426 William L. Boyd, IV, Effective Access to Student Education
4427 ~~Florida resident~~ ~~access~~ grant to any full-time degree-seeking
4428 undergraduate student registered at an independent nonprofit
4429 college or university which is located in and chartered by the
4430 state; which is accredited by the Commission on Colleges of the
4431 Southern Association of Colleges and Schools; which grants
4432 baccalaureate degrees; which is not a state university or
4433 Florida College System institution; and which has a secular
4434 purpose, so long as the receipt of state aid by students at the
4435 institution would not have the primary effect of advancing or
4436 impeding religion or result in an excessive entanglement between
4437 the state and any religious sect. Any independent college or
4438 university that was eligible to receive tuition vouchers on
4439 January 1, 1989, and which continues to meet the criteria under
4440 which its eligibility was established, shall remain eligible to
4441 receive William L. Boyd, IV, Effective Access to Student
4442 Education ~~Florida resident~~ ~~access~~ grant payments.

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4443 (4) A person is eligible to receive such William L. Boyd,
4444 IV, Effective Access to Student Education ~~Florida resident~~
4445 ~~access~~ grant if:

4446 (a) He or she meets the general requirements, including
4447 residency, for student eligibility as provided in s. 1009.40,
4448 except as otherwise provided in this section; and

4449 (b)1. He or she is enrolled as a full-time undergraduate
4450 student at an eligible college or university;

4451 2. He or she is not enrolled in a program of study leading
4452 to a degree in theology or divinity; and

4453 3. He or she is making satisfactory academic progress as
4454 defined by the college or university in which he or she is
4455 enrolled.

4456 (5) (a) Funding for the William L. Boyd, IV, Effective
4457 Access to Student Education ~~Florida Resident Access~~ Grant
4458 Program for eligible institutions shall be as provided in the
4459 General Appropriations Act. The William L. Boyd, IV, Effective
4460 Access to Student Education ~~Florida resident access~~ grant may be
4461 paid on a prorated basis in advance of the registration period.
4462 The department shall make such payments to the college or
4463 university in which the student is enrolled for credit to the
4464 student's account for payment of tuition and fees. Institutions
4465 shall certify to the department the amount of funds disbursed to
4466 each student and shall remit to the department any undisbursed
4467 advances or refunds within 60 days of the end of regular
4468 registration. A student is not eligible to receive the award for
4469 more than 9 semesters or 14 quarters, except as otherwise
4470 provided in s. 1009.40(3).

4471 (b) If the combined amount of the William L. Boyd, IV,

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4472 Effective Access to Student Education ~~Florida resident access~~
4473 grant issued pursuant to this act and all other scholarships and
4474 grants for tuition or fees exceeds the amount charged to the
4475 student for tuition and fees, the department shall reduce the
4476 William L. Boyd, IV, Effective Access to Student Education
4477 ~~Florida resident access~~ grant issued pursuant to this act by an
4478 amount equal to such excess.

4479 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4480 Florida, which directed the Division of Law Revision and
4481 Information "to substitute the term 'Effective Access to
4482 Student Education Grant Program' for 'Florida Resident
4483 Access Grant Program' and the term 'Effective Access to
4484 Student Education grant' for 'Florida resident access
4485 grant' wherever those terms appear in the Florida
4486 Statutes."

4487 Section 130. Subsections (2) and (5) of section 1011.69,
4488 Florida Statutes, are amended to read:

4489 1011.69 Equity in School-Level Funding Act.—

4490 (2) ~~Beginning in the 2003-2004 fiscal year,~~ District school
4491 boards shall allocate to schools within the district an average
4492 of 90 percent of the funds generated by all schools and
4493 guarantee that each school receives at least 80 percent, except
4494 schools participating in the Principal Autonomy ~~Pilot~~ Program
4495 Initiative under s. 1011.6202 are guaranteed to receive at least
4496 90 percent, of the funds generated by that school based upon the
4497 Florida Education Finance Program as provided in s. 1011.62 and
4498 the General Appropriations Act, including gross state and local
4499 funds, discretionary lottery funds, and funds from the school
4500 district's current operating discretionary millage levy. Total

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4501 funding for each school shall be recalculated during the year to
4502 reflect the revised calculations under the Florida Education
4503 Finance Program by the state and the actual weighted full-time
4504 equivalent students reported by the school during the full-time
4505 equivalent student survey periods designated by the Commissioner
4506 of Education. If the district school board is providing programs
4507 or services to students funded by federal funds, any eligible
4508 students enrolled in the schools in the district shall be
4509 provided federal funds.

4510 (5) After providing Title I, Part A, Basic funds to schools
4511 above the 75 percent poverty threshold, which may include high
4512 schools above the 50 percent threshold as permitted by federal
4513 law, school districts shall provide any remaining Title I, Part
4514 A, Basic funds directly to all eligible schools as provided in
4515 this subsection. For purposes of this subsection, an eligible
4516 school is a school that is eligible to receive Title I funds,
4517 including a charter school. The threshold for identifying
4518 eligible schools may not exceed the threshold established by a
4519 school district for the 2016-2017 school year or the statewide
4520 percentage of economically disadvantaged students, as determined
4521 annually.

4522 (a) Prior to the allocation of Title I funds to eligible
4523 schools, a school district may withhold funds only as follows:

4524 1. One percent for parent involvement, in addition to the
4525 one percent the district must reserve under federal law for
4526 allocations to eligible schools for parent involvement;

4527 2. A necessary and reasonable amount for administration
4528 which includes the district's indirect cost rate, not to exceed
4529 a total of 10 percent;

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4530 3. A reasonable and necessary amount to provide:
4531 a. Homeless programs;
4532 b. Delinquent and neglected programs;
4533 c. Prekindergarten programs and activities;
4534 d. Private school equitable services; and
4535 e. Transportation for foster care children to their school
4536 of origin or choice programs; and
4537 4. A necessary and reasonable amount, not to exceed 1
4538 percent, for eligible schools to provide educational services in
4539 accordance with the approved Title I plan.
4540 Reviser's note.—Subsection (2) is amended to delete obsolete
4541 language and to conform to the renaming of the Principal
4542 Autonomy Pilot Program Initiative created in s. 1011.6202
4543 as the Principal Autonomy Program Initiative by s. 30, ch.
4544 2018-6, Laws of Florida. Paragraph (5)(a) is amended to
4545 confirm the editorial restoration of the word "and" to
4546 improve clarity.
4547 Section 131. Subsection (1) of section 1011.71, Florida
4548 Statutes, is amended to read:
4549 1011.71 District school tax.—
4550 (1) If the district school tax is not provided in the
4551 General Appropriations Act or the substantive bill implementing
4552 the General Appropriations Act, each district school board
4553 desiring to participate in the state allocation of funds for
4554 current operation as prescribed by s. 1011.62(18) ~~1011.62(16)~~
4555 shall levy on the taxable value for school purposes of the
4556 district, exclusive of millage voted under s. 9(b) or s. 12,
4557 Art. VII of the State Constitution, a millage rate not to exceed
4558 the amount certified by the commissioner as the minimum millage

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4559 rate necessary to provide the district required local effort for
4560 the current year, pursuant to s. 1011.62(4)(a)1. In addition to
4561 the required local effort millage levy, each district school
4562 board may levy a nonvoted current operating discretionary
4563 millage. The Legislature shall prescribe annually in the
4564 appropriations act the maximum amount of millage a district may
4565 levy.

4566 Reviser's note.—Amended to confirm the editorial substitution of
4567 a reference to s. 1011.62(18) for a reference to s.
4568 1011.62(16) in s. 1011.71(1), as amended by s. 110, ch.
4569 2018-110, Laws of Florida, to conform to the addition of a
4570 new subsection (16) to s. 1011.62 by s. 29, ch. 2018-3,
4571 Laws of Florida, and a new subsection (16), editorially
4572 redesignated as subsection (17), by s. 4, ch. 2018-10, Laws
4573 of Florida.

4574 Section 132. Paragraph (b) of subsection (2) and paragraph
4575 (a) of subsection (5) of section 1012.2315, Florida Statutes,
4576 are amended to read:

4577 1012.2315 Assignment of teachers.—

4578 (2) ASSIGNMENT TO SCHOOLS GRADED "D" or "F".—

4579 (b)1. ~~Beginning July 1, 2014,~~ A school district may assign
4580 an individual newly hired as instructional personnel to a school
4581 that has earned a grade of "F" in the previous year or any
4582 combination of three consecutive grades of "D" or "F" in the
4583 previous 3 years pursuant to s. 1008.34 if the individual:

4584 a. Has received an effective rating or highly effective
4585 rating in the immediate prior year's performance evaluation
4586 pursuant s. 1012.34;

4587 b. Has successfully completed or is enrolled in a teacher

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4588 preparation program pursuant to s. 1004.04, s. 1004.85, or s.
4589 1012.56, or a teacher preparation program specified in State
4590 Board of Education rule, is provided with high quality mentoring
4591 during the first 2 years of employment, holds a certificate
4592 issued pursuant to s. 1012.56, and holds a probationary contract
4593 pursuant to s. 1012.335(2)(a); or

4594 c. Holds a probationary contract pursuant to s.
4595 1012.335(2)(a), holds a certificate issued pursuant to s.
4596 1012.56, and has successful teaching experience, and if, in the
4597 judgment of the school principal, students would benefit from
4598 the placement of that individual.

4599 2. As used in this paragraph, the term "mentoring" includes
4600 the use of student achievement data combined with at least
4601 monthly observations to improve the educator's effectiveness in
4602 improving student outcomes. Mentoring may be provided by a
4603 school district, a teacher preparation program approved pursuant
4604 to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher
4605 preparation program specified in State Board of Education rule.

4606
4607 Each school district shall annually certify to the Commissioner
4608 of Education that the requirements in this subsection have been
4609 met. If the commissioner determines that a school district is
4610 not in compliance with this subsection, the State Board of
4611 Education shall be notified and shall take action pursuant to s.
4612 1008.32 in the next regularly scheduled meeting to require
4613 compliance.

4614 (5) REPORT.—

4615 (a) By July 1, ~~2012~~, the Department of Education shall
4616 annually report on its website, in a manner that is accessible

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4617 to the public, the performance rating data reported by district
4618 school boards under s. 1012.34. The report must include the
4619 percentage of classroom teachers, instructional personnel, and
4620 school administrators receiving each performance rating
4621 aggregated by school district and by school.

4622 Reviser's note.—Amended to delete obsolete language.

4623 Section 133. Subsection (4) of section 1012.584, Florida
4624 Statutes, is amended to read:

4625 1012.584 Continuing education and inservice training for
4626 youth mental health awareness and assistance.—

4627 (4) Each school district shall notify all school personnel
4628 who have received training pursuant to this section of mental
4629 health services that are available in the school district, and
4630 the individual to contact if a student needs services. The term
4631 "mental health services" includes, but is not limited to,
4632 community mental health services, health care providers, and
4633 services provided under ss. 1006.04 and 1011.62(16) ~~1011.62(17)~~.

4634 Reviser's note.—Amended to correct an erroneous reference.

4635 Section 1011.62(16) relates to the mental health assistance
4636 allocation; subsection (17) relates to the funding
4637 compression allocation.

4638 Section 134. Subsection (1) of section 1013.62, Florida
4639 Statutes, is amended to read:

4640 1013.62 Charter schools capital outlay funding.—

4641 (1) For the 2018-2019 fiscal year, charter school capital
4642 outlay funding shall consist of state funds appropriated in the
4643 2018-2019 General Appropriations Act. Beginning in fiscal year
4644 2019-2020, charter school capital outlay funding shall consist
4645 of state funds when such funds are appropriated in the General

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4646 Appropriations Act and revenue resulting from the discretionary
4647 millage authorized in s. 1011.71(2) if the amount of state funds
4648 appropriated for charter school capital outlay in any fiscal
4649 year is less than the average charter school capital outlay
4650 funds per unweighted full-time equivalent student for the 2018-
4651 2019 fiscal year, multiplied by the estimated number of charter
4652 school students for the applicable fiscal year, and adjusted by
4653 changes in the Consumer Price Index issued by the United States
4654 Department of Labor from the previous fiscal year. Nothing in ~~is~~
4655 this subsection prohibits a school district from distributing to
4656 charter schools funds resulting from the discretionary millage
4657 authorized in s. 1011.71(2).

4658 (a) To be eligible to receive capital outlay funds, a
4659 charter school must:

4660 1.a. Have been in operation for 2 or more years;

4661 b. Be governed by a governing board established in the
4662 state for 2 or more years which operates both charter schools
4663 and conversion charter schools within the state;

4664 c. Be an expanded feeder chain of a charter school within
4665 the same school district that is currently receiving charter
4666 school capital outlay funds;

4667 d. Have been accredited by a regional accrediting
4668 association as defined by State Board of Education rule; or

4669 e. Serve students in facilities that are provided by a
4670 business partner for a charter school-in-the-workplace pursuant
4671 to s. 1002.33(15)(b).

4672 2. Have an annual audit that does not reveal any of the
4673 financial emergency conditions provided in s. 218.503(1) for the
4674 most recent fiscal year for which such audit results are

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4675 available.

4676 3. Have satisfactory student achievement based on state
4677 accountability standards applicable to the charter school.

4678 4. Have received final approval from its sponsor pursuant
4679 to s. 1002.33 for operation during that fiscal year.

4680 5. Serve students in facilities that are not provided by
4681 the charter school's sponsor.

4682 (b) A charter school is not eligible to receive capital
4683 outlay funds if it was created by the conversion of a public
4684 school and operates in facilities provided by the charter
4685 school's sponsor for a nominal fee, or at no charge, or if it is
4686 directly or indirectly operated by the school district.

4687 Reviser's note.—Amended to confirm the editorial substitution of
4688 the word "in" for the word "is" to improve clarity.

4689 Section 135. This act shall take effect on the 60th day
4690 after adjournment sine die of the session of the Legislature in
4691 which enacted.