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1
2 An act relating to the Florida Statutes; repealing ss.
3 119.071(5)(k), 216.181(11)(e), 267.0618, 311.101(7),
4 339.2818(8), 464.012(8), 466.00673, 1002.394(15), and
5 1003.4282(9), F.S., and amending ss. 316.306, 381.986,
6 and 383.14, F.S., to delete provisions which have
7 become inoperative by noncurrent repeal or expiration
8 and, pursuant to s. 11.242(5)(b) and (i), F.S., may be
9 omitted from the 2021 Florida Statutes only through a
10 reviser's bill duly enacted by the Legislature;
11 amending ss. 1002.3105 and 1003.5716, F.S., to conform
12 to the repeal of s. 1003.4282(9), F.S., by this act;
13 providing an effective date.
14

15 Be It Enacted by the Legislature of the State of Florida:
16

17 Section 1. Paragraph (k) of subsection (5) of section
18 119.071, Florida Statutes, is repealed.

19 Reviser's note.—The cited paragraph, which relates to an
20 exemption from s. 119.07(1) and s. 24(a), Art. I of the
21 State Constitution, for identification and location
22 information held by an agency if a servicemember submits a
23 specified request and statement to the agency, expired
24 pursuant to its own terms, effective October 2, 2020.

25 Section 2. Paragraph (e) of subsection (11) of section
26 216.181, Florida Statutes, is repealed.

27 Reviser's note.—The cited paragraph, which provides that, for
28 the 2019-2020 fiscal year only, the Legislative Budget
29 Commission may increase the amounts appropriated to the

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30 Department of Environmental Protection for fixed capital
31 outlay projects using funds provided from a specified
32 environmental mitigation trust, expired pursuant to its own
33 terms, effective July 1, 2020.

34 Section 3. Section 267.0618, Florida Statutes, is repealed.

35 Reviser's note.—The cited section, which relates to the Women's
36 Suffrage Centennial Commission, expired pursuant to its own
37 terms, effective December 31, 2020.

38 Section 4. Subsection (7) of section 311.101, Florida
39 Statutes, is repealed.

40 Reviser's note.—The cited subsection, which relates to at least
41 \$5 million per year being made available from the State
42 Transportation Trust Fund for the Intermodal Logistics
43 Center Infrastructure Support Program, expired pursuant to
44 its own terms, effective July 1, 2020.

45 Section 5. Paragraph (a) of subsection (3) of section
46 316.306, Florida Statutes, is amended to read:

47 316.306 School and work zones; prohibition on the use of a
48 wireless communications device in a handheld manner.—

49 (3)(a)1. A person may not operate a motor vehicle while
50 using a wireless communications device in a handheld manner in a
51 designated school crossing, school zone, or work zone area as
52 defined in s. 316.003(105). This subparagraph shall only be
53 applicable to work zone areas if construction personnel are
54 present or are operating equipment on the road or immediately
55 adjacent to the work zone area. For the purposes of this
56 paragraph, a motor vehicle that is stationary is not being
57 operated and is not subject to the prohibition in this
58 paragraph.

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59 ~~2.a. During the period from October 1, 2019, through~~
60 ~~December 31, 2019, a law enforcement officer may stop motor~~
61 ~~vehicles to issue verbal or written warnings to persons who are~~
62 ~~in violation of subparagraph 1. for the purposes of informing~~
63 ~~and educating such persons of this section. This sub-~~
64 ~~subparagraph shall stand repealed on October 1, 2020.~~

65 ~~b.~~ Effective January 1, 2020, a law enforcement officer may
66 stop motor vehicles and issue citations to persons who are
67 driving while using a wireless communications device in a
68 handheld manner in violation of subparagraph 1.

69 Reviser's note.—Amended to conform to the repeal of sub-
70 subparagraph 2.a. pursuant to its own terms, effective
71 October 1, 2020.

72 Section 6. Subsection (8) of section 339.2818, Florida
73 Statutes, is repealed.

74 Reviser's note.—The cited subsection, which provides that a
75 county or a municipality within a county designated in
76 Federal Emergency Management Agency disaster declaration
77 DR-4399 may compete for additional project funding, expired
78 pursuant to its own terms, effective July 1, 2020.

79 Section 7. Paragraph (a) of subsection (8) of section
80 381.986, Florida Statutes, is amended to read:

81 381.986 Medical use of marijuana.—

82 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

83 (a) The department shall license medical marijuana
84 treatment centers to ensure reasonable statewide accessibility
85 and availability as necessary for qualified patients registered
86 in the medical marijuana use registry and who are issued a
87 physician certification under this section.

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88 1. As soon as practicable, but no later than July 3, 2017,
89 the department shall license as a medical marijuana treatment
90 center any entity that holds an active, unrestricted license to
91 cultivate, process, transport, and dispense low-THC cannabis,
92 medical cannabis, and cannabis delivery devices, under former s.
93 381.986, Florida Statutes 2016, before July 1, 2017, and which
94 meets the requirements of this section. In addition to the
95 authority granted under this section, these entities are
96 authorized to dispense low-THC cannabis, medical cannabis, and
97 cannabis delivery devices ordered pursuant to former s. 381.986,
98 Florida Statutes 2016, which were entered into the compassionate
99 use registry before July 1, 2017, and are authorized to begin
100 dispensing marijuana under this section on July 3, 2017. The
101 department may grant variances from the representations made in
102 such an entity's original application for approval under former
103 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

104 2. The department shall license as medical marijuana
105 treatment centers 10 applicants that meet the requirements of
106 this section, under the following parameters:

107 a. As soon as practicable, but no later than August 1,
108 2017, the department shall license any applicant whose
109 application was reviewed, evaluated, and scored by the
110 department and which was denied a dispensing organization
111 license by the department under former s. 381.986, Florida
112 Statutes 2014; which had one or more administrative or judicial
113 challenges pending as of January 1, 2017, or had a final ranking
114 within one point of the highest final ranking in its region
115 under former s. 381.986, Florida Statutes 2014; which meets the
116 requirements of this section; and which provides documentation

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117 to the department that it has the existing infrastructure and
118 technical and technological ability to begin cultivating
119 marijuana within 30 days after registration as a medical
120 marijuana treatment center.

121 b. As soon as practicable, the department shall license one
122 applicant that is a recognized class member of *Pigford v.*
123 *Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers*
124 *Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed
125 under this sub-subparagraph is exempt from the requirement of
126 subparagraph (b)2.

127 c. As soon as practicable, but no later than October 3,
128 2017, the department shall license applicants that meet the
129 requirements of this section in sufficient numbers to result in
130 10 total licenses issued under this subparagraph, while
131 accounting for the number of licenses issued under sub-
132 subparagraphs a. and b.

133 3. For up to two of the licenses issued under subparagraph
134 2., the department shall give preference to applicants that
135 demonstrate in their applications that they own one or more
136 facilities that are, or were, used for the canning,
137 concentrating, or otherwise processing of citrus fruit or citrus
138 molasses and will use or convert the facility or facilities for
139 the processing of marijuana.

140 4. Within 6 months after the registration of 100,000 active
141 qualified patients in the medical marijuana use registry, the
142 department shall license four additional medical marijuana
143 treatment centers that meet the requirements of this section.
144 Thereafter, the department shall license four medical marijuana
145 treatment centers within 6 months after the registration of each

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146 additional 100,000 active qualified patients in the medical
147 marijuana use registry that meet the requirements of this
148 section.

149 ~~5. Dispensing facilities are subject to the following~~
150 ~~requirements:~~

151 ~~a. A medical marijuana treatment center may not establish~~
152 ~~or operate more than a statewide maximum of 25 dispensing~~
153 ~~facilities, unless the medical marijuana use registry reaches a~~
154 ~~total of 100,000 active registered qualified patients. When the~~
155 ~~medical marijuana use registry reaches 100,000 active registered~~
156 ~~qualified patients, and then upon each further instance of the~~
157 ~~total active registered qualified patients increasing by~~
158 ~~100,000, the statewide maximum number of dispensing facilities~~
159 ~~that each licensed medical marijuana treatment center may~~
160 ~~establish and operate increases by five.~~

161 ~~b. A medical marijuana treatment center may not establish~~
162 ~~more than the maximum number of dispensing facilities allowed in~~
163 ~~each of the Northwest, Northeast, Central, Southwest, and~~
164 ~~Southeast Regions. The department shall determine a medical~~
165 ~~marijuana treatment center's maximum number of dispensing~~
166 ~~facilities allowed in each region by calculating the percentage~~
167 ~~of the total statewide population contained within that region~~
168 ~~and multiplying that percentage by the medical marijuana~~
169 ~~treatment center's statewide maximum number of dispensing~~
170 ~~facilities established under sub-subparagraph a., rounded to the~~
171 ~~nearest whole number. The department shall ensure that such~~
172 ~~rounding does not cause a medical marijuana treatment center's~~
173 ~~total number of statewide dispensing facilities to exceed its~~
174 ~~statewide maximum. The department shall initially calculate the~~

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175 ~~maximum number of dispensing facilities allowed in each region~~
176 ~~for each medical marijuana treatment center using county~~
177 ~~population estimates from the Florida Estimates of Population~~
178 ~~2016, as published by the Office of Economic and Demographic~~
179 ~~Research, and shall perform recalcuations following the~~
180 ~~official release of county population data resulting from each~~
181 ~~United States Decennial Census. For the purposes of this~~
182 ~~subparagraph:~~

183 ~~(I) The Northwest Region consists of Bay, Calhoun,~~
184 ~~Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson,~~
185 ~~Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla,~~
186 ~~Walton, and Washington Counties.~~

187 ~~(II) The Northeast Region consists of Alachua, Baker,~~
188 ~~Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist,~~
189 ~~Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns,~~
190 ~~Suwannee, and Union Counties.~~

191 ~~(III) The Central Region consists of Brevard, Citrus,~~
192 ~~Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco,~~
193 ~~Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia~~
194 ~~Counties.~~

195 ~~(IV) The Southwest Region consists of Charlotte, Collier,~~
196 ~~DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee,~~
197 ~~Okeechobee, and Sarasota Counties.~~

198 ~~(V) The Southeast Region consists of Broward, Miami-Dade,~~
199 ~~Martin, Monroe, and Palm Beach Counties.~~

200 ~~e. If a medical marijuana treatment center establishes a~~
201 ~~number of dispensing facilities within a region that is less~~
202 ~~than the number allowed for that region under sub-subparagraph~~
203 ~~b., the medical marijuana treatment center may sell one or more~~

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204 ~~of its unused dispensing facility slots to other licensed~~
205 ~~medical marijuana treatment centers. For each dispensing~~
206 ~~facility slot that a medical marijuana treatment center sells,~~
207 ~~that medical marijuana treatment center's statewide maximum~~
208 ~~number of dispensing facilities, as determined under sub-~~
209 ~~subparagraph a., is reduced by one. The statewide maximum number~~
210 ~~of dispensing facilities for a medical marijuana treatment~~
211 ~~center that purchases an unused dispensing facility slot is~~
212 ~~increased by one per slot purchased. Additionally, the sale of a~~
213 ~~dispensing facility slot shall reduce the seller's regional~~
214 ~~maximum and increase the purchaser's regional maximum number of~~
215 ~~dispensing facilities, as determined in sub-subparagraph b., by~~
216 ~~one for that region. For any slot purchased under this sub-~~
217 ~~subparagraph, the regional restriction applied to that slot's~~
218 ~~location under sub-subparagraph b. before the purchase shall~~
219 ~~remain in effect following the purchase. A medical marijuana~~
220 ~~treatment center that sells or purchases a dispensing facility~~
221 ~~slot must notify the department within 3 days of sale.~~

222 ~~d. This subparagraph shall expire on April 1, 2020.~~

223
224 ~~If this subparagraph or its application to any person or~~
225 ~~circumstance is held invalid, the invalidity does not affect~~
226 ~~other provisions or applications of this act which can be given~~
227 ~~effect without the invalid provision or application, and to this~~
228 ~~end, the provisions of this subparagraph are severable.~~

229 ~~Reviser's note.—Amended to conform to the repeal of subparagraph~~
230 ~~5. pursuant to its own terms, effective April 1, 2020.~~

231 ~~Section 8. Paragraph (a) of subsection (2) of section~~
232 ~~383.14, Florida Statutes, is amended to read:~~

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233 383.14 Screening for metabolic disorders, other hereditary
234 and congenital disorders, and environmental risk factors.—

235 (2) RULES.—

236 (a) After consultation with the Genetics and Newborn
237 Screening Advisory Council, the department shall adopt and
238 enforce rules requiring that every newborn in this state shall:

239 1. Before becoming 1 week of age, be subjected to a test
240 for phenylketonuria;

241 2. Be tested for any condition included on the federal
242 Recommended Uniform Screening Panel which the council advises
243 the department should be included under the state's screening
244 program. After the council recommends that a condition be
245 included, the department shall submit a legislative budget
246 request to seek an appropriation to add testing of the condition
247 to the newborn screening program. The department shall expand
248 statewide screening of newborns to include screening for such
249 conditions within 18 months after the council renders such
250 advice, if a test approved by the United States Food and Drug
251 Administration or a test offered by an alternative vendor is
252 available. If such a test is not available within 18 months
253 after the council makes its recommendation, the department shall
254 implement such screening as soon as a test offered by the United
255 States Food and Drug Administration or by an alternative vendor
256 is available; and

257 3. At the appropriate age, be tested for such other
258 metabolic diseases and hereditary or congenital disorders as the
259 department may deem necessary from time to time. ; ~~and~~

260 ~~4. Notwithstanding subparagraph 2., be screened for spinal~~
261 ~~museular atrophy following integration of such a test into the~~

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262 ~~newborn screening testing panel. The department shall implement~~
263 ~~such screening using a test offered by the United States Food~~
264 ~~and Drug Administration or by an alternative vendor as soon as~~
265 ~~practicable after July 1, 2019, but no later than May 3, 2020.~~
266 ~~This subparagraph expires July 1, 2020.~~

267 Reviser's note.—Amended to conform to the expiration of
268 subparagraph 4. pursuant to its own terms, effective July
269 1, 2020.

270 Section 9. Subsection (8) of section 464.012, Florida
271 Statutes, is repealed.

272 Reviser's note.—The cited subsection, which relates to a
273 transition timeline and process for advanced registered
274 nurse practitioners or clinical nurse specialists to
275 convert a certificate in good standing to a license that
276 becomes effective on October 1, 2018, to practice as an
277 advanced practice registered nurse, expired pursuant to its
278 own terms, effective October 1, 2020.

279 Section 10. Section 466.00673, Florida Statutes, is
280 repealed.

281 Reviser's note.—The cited section, which relates to the repeal
282 of ss. 466.0067-466.00673, relating to health access dental
283 licenses, was repealed pursuant to its own terms, effective
284 January 1, 2020; the remaining sections in the range of
285 repealed sections were revived by ch. 2020-47, Laws of
286 Florida.

287 Section 11. Subsection (15) of section 1002.394, Florida
288 Statutes, is repealed.

289 Reviser's note.—The cited subsection, which relates to the
290 implementation schedule for the Family Empowerment

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291 Scholarship Program for the 2019-2020 school year, expired
292 pursuant to its own terms, effective June 30, 2020.

293 Section 12. Subsection (9) of section 1003.4282, Florida
294 Statutes, is repealed.

295 Reviser's note.—The cited subsection, which relates to cohort
296 transition to new graduation requirements, was repealed
297 pursuant to its own terms, effective July 1, 2020.

298 Section 13. Subsection (5) of section 1002.3105, Florida
299 Statutes, is amended to read:

300 1002.3105 Academically Challenging Curriculum to Enhance
301 Learning (ACCEL) options.—

302 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who
303 meets the applicable grade 9 cohort graduation requirements of
304 s. 1003.4282(3)(a)-(e) ~~or s. 1003.4282(9)(a)1.-5., (b)1.-5.,~~
305 ~~(c)1.-5., or (d)1.-5.,~~ earns three credits in electives, and
306 earns a cumulative grade point average (GPA) of 2.0 on a 4.0
307 scale shall be awarded a standard high school diploma in a form
308 prescribed by the State Board of Education.

309 Reviser's note.—Amended to conform to the repeal of s.
310 1003.4282(9) by this act.

311 Section 14. Paragraph (b) of subsection (2) of section
312 1003.5716, Florida Statutes, is amended to read:

313 1003.5716 Transition to postsecondary education and career
314 opportunities.—All students with disabilities who are 3 years of
315 age to 21 years of age have the right to a free, appropriate
316 public education. As used in this section, the term "IEP" means
317 individual education plan.

318 (2) Beginning not later than the first IEP to be in effect
319 when the student attains the age of 16, or younger if determined

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320 appropriate by the parent and the IEP team, the IEP must include
321 the following statements that must be updated annually:

322 (b) A statement of intent to receive a standard high school
323 diploma before the student attains the age of 22 and a
324 description of how the student will fully meet the requirements
325 in s. 1003.4282, including, but not limited to, a portfolio
326 pursuant to s. 1003.4282(9)(b) ~~1003.4282(10)(b)~~ which meets the
327 criteria specified in State Board of Education rule. The IEP
328 must also specify the outcomes and additional benefits expected
329 by the parent and the IEP team at the time of the student's
330 graduation.

331 Reviser's note.—Amended to conform to the repeal of s.
332 1003.4282(9) by this act.

333 Section 15. This act shall take effect on the 60th day
334 after adjournment sine die of the session of the Legislature in
335 which enacted.