

1 A reviser's bill to be entitled
 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 18 119.071, Florida Statutes, is repealed.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26 | 216.181, Florida Statutes, is repealed.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
 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
 35 | repealed.

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

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 40 | Statutes, is repealed.

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

46 | Section 5. Paragraph (a) of subsection (3) of section
 47 | 316.306, Florida Statutes, is amended to read:

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

50 | (3) (a) 1. A person may not operate a motor vehicle while

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

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65 ~~subparagraph shall stand repealed on October 1, 2020.~~

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

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

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

75 Reviser's note.—The cited subsection, which provides that a

76 county or a municipality within a county designated in
 77 Federal Emergency Management Agency disaster declaration
 78 DR-4399 may compete for additional project funding, expired
 79 pursuant to its own terms, effective July 1, 2020.

80 Section 7. Paragraph (a) of subsection (8) of section
 81 381.986, Florida Statutes, is amended to read:

82 381.986 Medical use of marijuana.—

83 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

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

89 1. As soon as practicable, but no later than July 3, 2017,
 90 the department shall license as a medical marijuana treatment
 91 center any entity that holds an active, unrestricted license to
 92 cultivate, process, transport, and dispense low-THC cannabis,
 93 medical cannabis, and cannabis delivery devices, under former s.
 94 381.986, Florida Statutes 2016, before July 1, 2017, and which
 95 meets the requirements of this section. In addition to the
 96 authority granted under this section, these entities are
 97 authorized to dispense low-THC cannabis, medical cannabis, and
 98 cannabis delivery devices ordered pursuant to former s. 381.986,
 99 Florida Statutes 2016, which were entered into the compassionate
 100 use registry before July 1, 2017, and are authorized to begin

101 dispensing marijuana under this section on July 3, 2017. The
102 department may grant variances from the representations made in
103 such an entity's original application for approval under former
104 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

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

108 a. As soon as practicable, but no later than August 1,
109 2017, the department shall license any applicant whose
110 application was reviewed, evaluated, and scored by the
111 department and which was denied a dispensing organization
112 license by the department under former s. 381.986, Florida
113 Statutes 2014; which had one or more administrative or judicial
114 challenges pending as of January 1, 2017, or had a final ranking
115 within one point of the highest final ranking in its region
116 under former s. 381.986, Florida Statutes 2014; which meets the
117 requirements of this section; and which provides documentation
118 to the department that it has the existing infrastructure and
119 technical and technological ability to begin cultivating
120 marijuana within 30 days after registration as a medical
121 marijuana treatment center.

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

126 | under this sub-subparagraph is exempt from the requirement of
127 | subparagraph (b)2.

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

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

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

150 | ~~5. Dispensing facilities are subject to the following~~

151 ~~requirements:~~

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

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

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

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

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

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

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

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

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

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

224
225 ~~If this subparagraph or its application to any person or~~

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

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

232 Section 8. Paragraph (a) of subsection (2) of section
233 383.14, Florida Statutes, is amended to read:

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

236 (2) RULES.—

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

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

242 2. Be tested for any condition included on the federal
243 Recommended Uniform Screening Panel which the council advises
244 the department should be included under the state's screening
245 program. After the council recommends that a condition be
246 included, the department shall submit a legislative budget
247 request to seek an appropriation to add testing of the condition
248 to the newborn screening program. The department shall expand
249 statewide screening of newborns to include screening for such
250 conditions within 18 months after the council renders such

251 advice, if a test approved by the United States Food and Drug
252 Administration or a test offered by an alternative vendor is
253 available. If such a test is not available within 18 months
254 after the council makes its recommendation, the department shall
255 implement such screening as soon as a test offered by the United
256 States Food and Drug Administration or by an alternative vendor
257 is available; and

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

261 ~~4. Notwithstanding subparagraph 2., be screened for spinal~~
262 ~~muscular atrophy following integration of such a test into the~~
263 ~~newborn screening testing panel. The department shall implement~~
264 ~~such screening using a test offered by the United States Food~~
265 ~~and Drug Administration or by an alternative vendor as soon as~~
266 ~~practicable after July 1, 2019, but no later than May 3, 2020.~~
267 ~~This subparagraph expires July 1, 2020.~~

268 Reviser's note.—Amended to conform to the expiration of
269 subparagraph 4. pursuant to its own terms, effective July
270 1, 2020.

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

273 Reviser's note.—The cited subsection, which relates to a
274 transition timeline and process for advanced registered
275 nurse practitioners or clinical nurse specialists to

276 convert a certificate in good standing to a license that
277 becomes effective on October 1, 2018, to practice as an
278 advanced practice registered nurse, expired pursuant to its
279 own terms, effective October 1, 2020.

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

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

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

290 Reviser's note.—The cited subsection, which relates to the
291 implementation schedule for the Family Empowerment
292 Scholarship Program for the 2019-2020 school year, expired
293 pursuant to its own terms, effective June 30, 2020.

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

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

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

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

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

310 Reviser's note.—Amended to conform to the repeal of s.
 311 1003.4282(9) by this act.

312 Section 14. Paragraph (b) of subsection (2) of section
 313 1003.5716, Florida Statutes, is amended to read:

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

319 (2) Beginning not later than the first IEP to be in effect
 320 when the student attains the age of 16, or younger if determined
 321 appropriate by the parent and the IEP team, the IEP must include
 322 the following statements that must be updated annually:

323 (b) A statement of intent to receive a standard high
 324 school diploma before the student attains the age of 22 and a
 325 description of how the student will fully meet the requirements

326 | in s. 1003.4282, including, but not limited to, a portfolio
327 | pursuant to s. 1003.4282(9)(b) ~~1003.4282(10)(b)~~ which meets the
328 | criteria specified in State Board of Education rule. The IEP
329 | must also specify the outcomes and additional benefits expected
330 | by the parent and the IEP team at the time of the student's
331 | graduation.

332 | Reviser's note.—Amended to conform to the repeal of s.

333 | 1003.4282(9) by this act.

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