

1 A reviser's bill to be entitled
2 An act relating to the Florida Statutes; amending ss.
3 17.69, 30.61, 39.5035, 39.822, 39.8296, 50.051,
4 119.071, 121.051, 121.71, 154.506, 159.8053, 159.811,
5 175.032, 177.073, 193.703, 196.011, 196.1978,
6 215.55871, 280.051, 282.709, 284.51, 286.0113,
7 288.102, 288.987, 316.0083, 319.30, 320.08058, 322.27,
8 322.76, 330.41, 337.195, 341.302, 365.172, 373.250,
9 393.12, 394.468, 395.901, 397.68141, 403.031, 403.086,
10 403.121, 408.051, 409.909, 409.988, 420.606, 420.6241,
11 456.0145, 456.4501, 459.0075, 465.022, 466.016,
12 466.028, 466.0281, 493.6127, 516.15, 516.38, 517.131,
13 550.0351, 553.8991, 581.189, 605.0115, 607.0149,
14 624.27, 624.307, 624.413, 624.4213, 624.424, 624.470,
15 626.878, 627.410, 629.121, 648.25, 655.0591, 683.06,
16 709.2209, 715.105, 717.101, 717.1201, 718.111,
17 719.108, 720.303, 720.3033, 720.3075, 738.505,
18 812.141, 828.30, 921.0022, 938.10, 985.433, 1001.372,
19 1001.47, 1001.706, 1002.33, 1002.394, 1002.395,
20 1004.44, 1004.647, 1004.6499, 1004.64991, 1004.76,
21 1006.07, 1006.28, 1008.34, 1009.23, 1009.895,
22 1011.804, 1012.22, and 1012.55, F.S; reenacting and
23 amending s. 394.467, F.S.; reenacting ss. 569.31,
24 895.02(8), 1003.485, and 1012.315, F.S.; and repealing
25 s. 331.370, F.S.; deleting provisions that have

26 | expired, have become obsolete, have had their effect,
 27 | have served their purpose, or have been impliedly
 28 | repealed or superseded; replacing incorrect cross-
 29 | references and citations; correcting grammatical,
 30 | typographical, and like errors; removing
 31 | inconsistencies, redundancies, and unnecessary
 32 | repetition in the statutes; and improving the clarity
 33 | of the statutes and facilitating their correct
 34 | interpretation; providing an effective date.

35 |

36 | Be It Enacted by the Legislature of the State of Florida:

37 |

38 | **Section 1. Paragraph (b) of subsection (3) of section**
 39 | **17.69, Florida Statutes, is amended to read:**

40 | 17.69 Federal Tax Liaison.—

41 | (3) The Federal Tax Liaison may:

42 | (b) Direct taxpayers to the proper division or office
 43 | within the Internal Revenue Service in order to facilitate
 44 | timely resolution of ~~to~~ taxpayer issues.

45 | Reviser's note.—Amended to confirm an editorial substitution to
 46 | improve clarity.

47 | **Section 2. Subsection (2) of section 30.61, Florida**
 48 | **Statutes, is amended to read:**

49 | 30.61 Establishment of civilian oversight boards.—

50 | (2) The board must be composed of at least three and up to

51 seven members appointed by the sheriff, one of whom ~~which~~ shall
52 be a retired law enforcement officer.

53 Reviser's note.—Amended to confirm an editorial substitution to
54 conform to context.

55 **Section 3. Paragraph (c) of subsection (4) of section**
56 **39.5035, Florida Statutes, is amended to read:**

57 39.5035 Deceased parents; special procedures.—

58 (4) Notice of the date, time, and place of the
59 adjudicatory hearing and a copy of the petition must be served
60 on the following persons:

61 (c) The guardian ad litem for the child or the
62 representative of the Statewide Guardian ad Litem Office
63 ~~guardian ad litem program~~, if the office ~~program~~ has been
64 appointed.

65 Reviser's note.—Amended pursuant to the directive of the
66 Legislature in s. 61, ch. 2024-70, Laws of Florida, to the
67 Division of Law Revision to prepare a reviser's bill for
68 the 2025 Regular Session of the Legislature to change the
69 terms "Guardian ad Litem Program" and "State Guardian ad
70 Litem Program" throughout the Florida Statutes to
71 "Statewide Guardian ad Litem Office."

72 **Section 4. Paragraph (a) of subsection (2) of section**
73 **39.822, Florida Statutes, is amended to read:**

74 39.822 Appointment of guardian ad litem for abused,
75 abandoned, or neglected child.—

76 (2) (a) A guardian ad litem must:

77 1. Be present at all court hearings unless excused by the
78 court.

79 2. Investigate issues related to the best interest of the
80 child who is the subject of the appointment, review all
81 disposition recommendations and changes in placement, and,
82 unless excused by the court, file written reports and
83 recommendations in accordance with general law.

84 3. Represent the child until the court's jurisdiction over
85 the child terminates or until excused by the court.

86 4. Advocate for the child's participation in the
87 proceedings and ~~to~~ report the child's preferences to the court,
88 to the extent the child has the ability and desire to express
89 his or her preferences.

90 5. Perform other duties that are consistent with the scope
91 of the appointment.

92 Reviser's note.—Amended to confirm an editorial deletion to
93 improve clarity.

94 **Section 5. Paragraph (b) of subsection (2) of section**
95 **39.8296, Florida Statutes, is amended to read:**

96 39.8296 Statewide Guardian ad Litem Office; legislative
97 findings and intent; creation; appointment of executive
98 director; duties of office.—

99 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
100 Statewide Guardian ad Litem Office within the Justice

101 Administrative Commission. The Justice Administrative Commission
102 shall provide administrative support and service to the office
103 to the extent requested by the executive director within the
104 available resources of the commission. The Statewide Guardian ad
105 Litem Office is not subject to control, supervision, or
106 direction by the Justice Administrative Commission in the
107 performance of its duties, but the employees of the office are
108 governed by the classification plan and salary and benefits plan
109 approved by the Justice Administrative Commission.

110 (b) The Statewide Guardian ad Litem Office shall, within
111 available resources, have oversight responsibilities for and
112 provide technical assistance to all guardian ad litem and
113 attorney ad litem offices located within the judicial circuits.

114 1. The office shall identify the resources required to
115 implement methods of collecting, reporting, and tracking
116 reliable and consistent case data.

117 2. The office shall review the current guardian ad litem
118 offices in Florida and other states.

119 3. The office, in consultation with local guardian ad
120 litem offices, shall develop statewide performance measures and
121 standards.

122 4. The office shall develop and maintain a guardian ad
123 litem training program, which must be updated regularly.

124 5. The office shall review the various methods of funding
125 guardian ad litem offices, maximize the use of those funding

126 sources to the extent possible, and review the kinds of services
127 being provided by circuit guardian ad litem offices.

128 6. The office shall determine the feasibility or
129 desirability of new concepts of organization, administration,
130 financing, or service delivery designed to preserve the civil
131 and constitutional rights and fulfill other needs of dependent
132 children.

133 7. The office shall ensure that each child has an attorney
134 assigned to his or her case and, within available resources, is
135 represented using multidisciplinary teams that may include
136 volunteers, pro bono attorneys, social workers, and mentors.

137 8. The office shall provide oversight and technical
138 assistance to attorneys ad litem, including, but not limited to,
139 all of the following:

140 a. Development of ~~Develop~~ an attorney ad litem training
141 program in collaboration with dependency court stakeholders,
142 including, but not limited to, dependency judges,
143 representatives from legal aid providing attorney ad litem
144 representation, and an attorney ad litem appointed from a
145 registry maintained by the chief judge. The training program
146 must be updated regularly with or without convening the
147 stakeholders group.

148 b. Offering ~~Offer~~ consultation and technical assistance to
149 chief judges in maintaining attorney registries for the
150 selection of attorneys ad litem.

151 c. Assistance ~~Assist~~ with recruitment, training, and
152 mentoring of attorneys ad litem as needed.

153 9. In an effort to promote normalcy and establish trust
154 between a guardian ad litem and a child alleged to be abused,
155 abandoned, or neglected under this chapter, a guardian ad litem
156 may transport a child. However, a guardian ad litem may not be
157 required by a guardian ad litem circuit office or ordered by a
158 court to transport a child.

159 10. The office shall submit to the Governor, the President
160 of the Senate, the Speaker of the House of Representatives, and
161 the Chief Justice of the Supreme Court an interim report
162 describing the progress of the office in meeting the goals as
163 described in this section. The office shall submit to the
164 Governor, the President of the Senate, the Speaker of the House
165 of Representatives, and the Chief Justice of the Supreme Court a
166 proposed plan including alternatives for meeting the state's
167 guardian ad litem and attorney ad litem needs. This plan may
168 include recommendations for less than the entire state, may
169 include a phase-in system, and shall include estimates of the
170 cost of each of the alternatives. Each year the office shall
171 provide a status report and provide further recommendations to
172 address the need for guardian ad litem representation and
173 related issues.

174 Reviser's note.—Amended to improve structure.

175 **Section 6. Section 50.051, Florida Statutes, is amended to**

176 **read:**

177 50.051 Proof of publication; form of uniform affidavit.—
 178 The printed form upon which all such affidavits establishing
 179 proof of publication are to be executed shall be substantially
 180 as follows:

181
 182 NAME OF COUNTY

183
 184 STATE OF FLORIDA

185
 186 COUNTY OF÷

187 Before the undersigned authority personally appeared,
 188 who on oath says that he or she is of County, Florida;
 189 that the attached copy of advertisement, being a in the
 190 matter of in the Court, was published on the publicly
 191 accessible website of County, Florida, or in a newspaper by
 192 print in the issues of on ...(date)....

193 Affiant further says that the website or newspaper complies
 194 with all legal requirements for publication in chapter 50,
 195 Florida Statutes.

196
 197 Sworn to and subscribed before me this day of,
 198 ...(year)..., by, who is personally known to me or who has
 199 produced ...(type of identification)... as identification.

200

201 ... (Signature of Notary Public)...

202

203 ... (Print, Type, or Stamp Commissioned Name of Notary Public)...

204

205 ... (Notary Public)...

206 Reviser's note.—Amended to conform to general style in forms.

207 **Section 7. Paragraph (e) of subsection (3) of section**

208 **119.071, Florida Statutes, is amended to read:**

209 119.071 General exemptions from inspection or copying of
210 public records.—

211 (3) SECURITY AND FIRESAFETY.—

212 (e)1.a. Building plans, blueprints, schematic drawings,
213 and diagrams, including draft, preliminary, and final formats,
214 which depict the structural elements of 911, E911, or public
215 safety radio communication system infrastructure, including
216 towers, antennas ~~antennae~~, equipment or facilities used to
217 provide 911, E911, or public safety radio communication
218 services, or other 911, E911, or public safety radio
219 communication structures or facilities owned and operated by an
220 agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the
221 State Constitution.

222 b. Geographical maps indicating the actual or proposed
223 locations of 911, E911, or public safety radio communication
224 system infrastructure, including towers, antennas ~~antennae~~,
225 equipment or facilities used to provide 911, E911, or public

226 safety radio services, or other 911, E911, or public safety
227 radio communication structures or facilities owned and operated
228 by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I
229 of the State Constitution.

230 2. This exemption applies to building plans, blueprints,
231 schematic drawings, and diagrams, including draft, preliminary,
232 and final formats, which depict the structural elements of 911,
233 E911, or public safety radio communication system infrastructure
234 or other 911, E911, or public safety radio communication
235 structures or facilities owned and operated by an agency, and
236 geographical maps indicating actual or proposed locations of
237 911, E911, or public safety radio communication system
238 infrastructure or other 911, E911, or public safety radio
239 communication structures or facilities owned and operated by an
240 agency, before, on, or after the effective date of this act.

241 3. Information made exempt by this paragraph may be
242 disclosed:

243 a. To another governmental entity if disclosure is
244 necessary for the receiving entity to perform its duties and
245 responsibilities;

246 b. To a licensed architect, engineer, or contractor who is
247 performing work on or related to the 911, E911, or public safety
248 radio communication system infrastructure, including towers,
249 antennas ~~antennae~~, equipment or facilities used to provide 911,
250 E911, or public safety radio communication services, or other

251 911, E911, or public safety radio communication structures or
252 facilities owned and operated by an agency; or

253 c. Upon a showing of good cause before a court of
254 competent jurisdiction.

255 4. The entities or persons receiving such information must
256 maintain the exempt status of the information.

257 5. For purposes of this paragraph, the term "public safety
258 radio" is defined as the means of communication between and
259 among 911 public safety answering points, dispatchers, and first
260 responder agencies using those portions of the radio frequency
261 spectrum designated by the Federal Communications Commission
262 under 47 C.F.R. part 90 for public safety purposes.

263 6. This paragraph is subject to the Open Government Sunset
264 Review Act in accordance with s. 119.15 and shall stand repealed
265 on October 2, 2025, unless reviewed and saved from repeal
266 through reenactment by the Legislature.

267 Reviser's note.—Amended to conform to the general usage of
268 "antennas" when referencing transducers and "antennae" when
269 referencing insect parts.

270 **Section 8. Paragraph (a) of subsection (2) of section**
271 **121.051, Florida Statutes, is amended to read:**

272 121.051 Participation in the system.—

273 (2) OPTIONAL PARTICIPATION.—

274 (a)1. Any officer or employee who is a member of an
275 existing system, except any officer or employee of any nonprofit

276 professional association or corporation, may elect, if eligible,
277 to become a member of this system at any time between April 15,
278 1971, and June 1, 1971, inclusive, by notifying his or her
279 employer in writing of the desire to transfer membership from
280 the existing system to this system. Any officer or employee who
281 was a member of an existing system on December 1, 1970, and who
282 did not elect to become a member of this system shall continue
283 to be covered under the existing system subject to the
284 provisions of s. 121.045. A person who has retired under any
285 state retirement system shall not be eligible to transfer to the
286 Florida Retirement System created by this chapter subsequent to
287 such retirement. ~~Any officer or employee who, prior to July 1,~~
288 ~~1947, filed a written rejection of membership in a state~~
289 ~~retirement system and who continues employment without~~
290 ~~participating in the Florida Retirement System may withdraw the~~
291 ~~rejection in writing and, if otherwise eligible, participate in~~
292 ~~the Florida Retirement System and purchase prior service in~~
293 ~~accordance with this chapter.~~ Any former member of an existing
294 system who was permitted to transfer to the Florida Retirement
295 System while employed by the University Athletic Association,
296 Inc., a nonprofit association connected with the University of
297 Florida, during this or subsequent transfer periods, contrary to
298 the provisions of this paragraph, is hereby confirmed as a
299 member of the Florida Retirement System, the provisions of this
300 paragraph to the contrary notwithstanding. Any officer or

301 employee of the University Athletic Association, Inc., employed
302 prior to July 1, 1979, who was a member of the Florida
303 Retirement System and who chose in writing on a University
304 Athletic Association Plan Participation Election form, between
305 July 1, 1979, and March 31, 1980, inclusively, to terminate his
306 or her participation in the Florida Retirement System shall
307 hereby have such termination of participation confirmed and
308 declared irrevocable retroactive to the date Florida Retirement
309 System retirement contributions ceased to be reported for such
310 officer or employee. The following specific conditions shall
311 apply to any such officer or employee whose participation was so
312 terminated: The officer or employee shall retain all creditable
313 service earned in the Florida Retirement System through the
314 month that retirement contributions ceased to be reported and no
315 creditable service shall be earned after such month; the officer
316 or employee shall not be eligible for disability retirement or
317 death in line of duty benefits if such occurred after the date
318 that participation terminated; and, the officer or employee may
319 participate in the Florida Retirement System in the future only
320 if employed by a participating employer in a regularly
321 established position.

322 2. Any member transferring from the existing system under
323 chapter 238 shall retain rights to survivor benefits under that
324 chapter through November 30, 1975, or until fully insured for
325 disability benefits under social security, whichever is the

326 earliest date, and thereafter no such rights shall exist.

327 3. Any officer or employee who is a member of an existing
328 system on April 15, 1972, and who was eligible to transfer to
329 this system under the provisions of subparagraph 1., but who
330 elected to remain in the existing system, may elect, if eligible
331 under the Social Security Act, 42 U.S.C. s. 418(d)(6)(F), to
332 become a member of this system at any time between April 15,
333 1972, and June 30, 1972, inclusive, by notifying his or her
334 employer in writing of the desire to transfer membership from an
335 existing system to this system. Such transfer shall be subject
336 to the following conditions:

337 a. All persons electing to transfer to the Florida
338 Retirement System under this subparagraph shall be transferred
339 on July 1, 1972, and shall thereafter be subject to the
340 provisions of the Florida Retirement System retroactively to
341 November 30, 1970, and at retirement have their benefits
342 calculated in accordance with the provisions of s. 121.091.

343 b. Social security coverage incidental to such elective
344 membership in the Florida Retirement System shall be effective
345 November 30, 1970, and all amounts required from a member for
346 retroactive social security coverage shall, at the time such
347 election is made, be deducted from the individual account of the
348 member, and the difference between the amount remaining in the
349 individual account of such member and the total amount which
350 such member would have contributed had he or she become a member

351 of the Florida Retirement System on November 30, 1970, shall be
352 paid into the system trust fund and added to the member's
353 individual account prior to July 1, 1975, or by his or her date
354 of retirement, if earlier. Interest at the rate of 8 percent per
355 annum, compounded annually until paid, shall be charged on any
356 balance remaining unpaid on said date.

357 c. There is appropriated out of the system trust fund into
358 the Social Security Contribution Trust Fund the amount required
359 by federal laws and regulations to be contributed with respect
360 to social security coverage for the years after November 30,
361 1970, of the members of an existing system who transfer to the
362 Florida Retirement System in accordance with this subparagraph
363 and who qualify for retroactive social security coverage. The
364 amount paid from this appropriation with respect to the
365 employees of any employer shall be charged to the employing
366 agency. There shall be credited against this charge the
367 difference between the matching contributions actually made for
368 the affected employees from November 30, 1970, to June 30, 1972,
369 and the amount of matching contributions that would have been
370 required under the Florida Retirement System.

371 d. The net amounts charged the employing agencies for
372 employees transferring to the Florida Retirement System under
373 this subparagraph shall be paid to the system trust fund prior
374 to July 1, 1975. Interest at the rate of 8 percent per annum,
375 compounded annually until paid, shall be charged on any balance

376 remaining unpaid on said date.

377 e. The administrator shall request such modification of
378 the state's agreement with the Social Security Administration,
379 or any referendum required under the Social Security Act
380 governing social security coverage, as may be required to
381 implement the provisions of this law. Retroactive social
382 security coverage for service with an employer prior to November
383 30, 1970, shall not be provided for any member who was not
384 covered under the agreement as of November 30, 1970.

385 4. Any officer or employee who was a member of an existing
386 system on December 1, 1970, and who is still a member of an
387 existing system, except any officer or employee of any nonprofit
388 professional association or corporation, may elect, if eligible,
389 to become a member of this system at any time between September
390 1, 1974, and November 30, 1974, inclusive, by notifying his or
391 her employer in writing of the desire to transfer membership
392 from the existing system to this system. This decision to
393 transfer or not to transfer shall become irrevocable on November
394 30, 1974. All members electing to transfer during the transfer
395 period shall become members of the Florida Retirement System on
396 January 1, 1975, and shall be subject to the provisions of the
397 Florida Retirement System on and after that date. Any officer or
398 employee who was a member of an existing system on December 1,
399 1970, and who does not elect to become a member of this system
400 shall continue to be covered under the existing system, subject

401 to the provisions of s. 121.045. Any member transferring from
402 the Teachers' Retirement System of Florida under chapter 238 to
403 the Florida Retirement System on January 1, 1975, shall retain
404 rights to survivor benefits under chapter 238 from January 1,
405 1975, through December 31, 1979, or until fully insured for
406 disability benefits under the Social Security Act, whichever is
407 the earliest date, and thereafter no such rights shall exist.

408 5.a. Any officer or employee who was a member of an
409 existing system on December 1, 1970, and who is still a member
410 of an existing system, except any officer or employee of any
411 nonprofit professional association or corporation, may elect, if
412 eligible, to become a member of this system at any time between
413 January 2, 1982, and May 31, 1982, inclusive, by notifying his
414 or her employer in writing of the desire to transfer membership
415 from the existing system to this system. This decision to
416 transfer or not to transfer shall become irrevocable on May 31,
417 1982. All members electing to transfer during the transfer
418 period shall become members of the Florida Retirement System on
419 July 1, 1982, and shall be subject to the provisions of the
420 Florida Retirement System on and after that date. Any officer or
421 employee who was a member of an existing system on December 1,
422 1970, and who does not elect to become a member of this system
423 shall continue to be covered under the existing system, subject
424 to the provisions of s. 121.045. Any member transferring from
425 the Teachers' Retirement System under chapter 238 to the Florida

426 Retirement System on January 1, 1979, shall retain rights to
427 survivor benefits under chapter 238 from January 1, 1979,
428 through December 31, 1983, or until fully insured for disability
429 benefits under the federal Social Security Act, whichever is the
430 earliest date, and thereafter no such rights shall exist. Any
431 such member transferring to the Florida Retirement System on
432 July 1, 1982, shall retain rights to survivor benefits under
433 chapter 238 from July 1, 1982, through June 30, 1987, or until
434 fully insured for disability benefits under the federal Social
435 Security Act, whichever is the earliest date, and thereafter no
436 such rights shall exist.

437 b. Any deficit, as determined by the state actuary,
438 accruing to the Survivors' Benefit Trust Fund of the Teachers'
439 Retirement System and resulting from the passage of chapter 78-
440 308, Laws of Florida, and chapter 80-242, Laws of Florida, shall
441 become an obligation of the Florida Retirement System Trust
442 Fund.

443 6. Any active member of an existing system who was not
444 employed in a covered position during a time when transfer to
445 the Florida Retirement System was allowed as described in rule
446 22B-1.004(2)(a), Florida Administrative Code, or as provided in
447 paragraph (1)(c) of this section, may elect, if eligible, to
448 become a member of this system at any time between January 1,
449 1991, and May 29, 1991, inclusive, by notifying his or her
450 employer in writing of the desire to transfer membership from

451 the existing system to this system. The decision to transfer or
 452 not to transfer shall become irrevocable on May 29, 1991.
 453 Failure to notify the employer shall result in compulsory
 454 membership in the existing system. All members electing to
 455 transfer during the transfer period shall become members of the
 456 Florida Retirement System on July 1, 1991, and shall be subject
 457 to the provisions of the Florida Retirement System on and after
 458 that date. Any member so transferring from the existing system
 459 under chapter 238 to the Florida Retirement System on July 1,
 460 1991, shall retain rights to survivor benefits under that
 461 chapter from July 1, 1991, through June 30, 1996, or until fully
 462 insured for benefits under the federal Social Security Act,
 463 whichever is the earliest date, and thereafter no such rights
 464 shall exist.

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

466 **Section 9. Subsection (5) of section 121.71, Florida**
 467 **Statutes, is amended to read:**

468 121.71 Uniform rates; process; calculations; levy.—

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

473

Membership Class	Percentage of Gross
------------------	------------------------

HB 7017

2025

Compensation,
Effective
July 1, 2024

474		
475		
476	Regular Class	4.84%
477	Special Risk Class	12.07%
478	Special Risk Administrative Support Class	26.22%
479	Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	50.21%
480	Elected Officers' Class— Justices, Judges	28.49%
	Elected Officers' Class—	44.23%

County Elected Officers

481

Senior Management Service Class 23.90%

482

DROP 10.64%

483

484 Reviser's note.—Amended to confirm the editorial reinsertion of
 485 percent signs stricken by s. 3, ch. 2024-92, Laws of
 486 Florida, to facilitate correct interpretation.

487 **Section 10. Subsections (1) and (3) of section 154.506,**
 488 **Florida Statutes, are amended to read:**

489 154.506 Primary care for children and families challenge
 490 grant awards.—

491 (1) Primary care for children and families challenge
 492 grants shall be awarded on a matching basis. The county or
 493 counties shall provide \$1 in local matching funds for each \$2
 494 grant payment made by the state. Except as provided in
 495 subsection (2), up to 50 percent of the county match may be in-
 496 kind in the form of free hospital and physician services.
 497 ~~However, a county shall not supplant the value of donated~~
 498 ~~services in fiscal year 1996 as documented in the volunteer~~
 499 ~~health care provider program annual report.~~ The department shall
 500 develop a methodology for determining the value of an in-kind
 501 match. Any third party reimbursement and all fees collected
 502 shall not be considered local match or in-kind contributions.

503 Fifty percent of the local match shall be in the form of cash.

504 (3) Grant awards shall be based on a county's population
 505 size, or each individual county's size in a group of counties,
 506 and other factors, in an amount as determined by the department.

507 ~~However, for fiscal year 1997-1998, no fewer than four grants~~
 508 ~~shall be awarded.~~

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

510 **Section 11. Paragraph (g) of subsection (2) of section**
 511 **159.8053, Florida Statutes, is amended to read:**

512 159.8053 Issuance reports; final certification of
 513 allocation.—

514 (2) Each issuance report must include all of the following
 515 information:

516 (g) The purpose for which the bonds were issued, including
 517 the private business or entity that will benefit from or use the
 518 proceeds of the bonds; the name of the project, if known; the
 519 location of the project; whether the project is an acquisition
 520 of an existing facility or new construction; and the number of
 521 products manufactured or the number of residential units, if
 522 applicable.

523 Reviser's note.—Amended to confirm an editorial insertion to
 524 improve clarity.

525 **Section 12. Subsection (1) of section 159.811, Florida**
 526 **Statutes, is amended to read:**

527 159.811 Fees; trust fund.—

528 (1) There shall be imposed a nonrefundable fee on each
529 notice of intent to issue a private activity bond filed with the
530 division pursuant to s. 159.8051. A notice of intent to issue
531 may not be accepted by the division unless and until the fee has
532 been paid. The fee, which may be revised from time to time, must
533 be an amount sufficient to cover all expenses of maintaining the
534 allocation system in this part. The amount of the fee may not
535 exceed \$500 and may be adjusted no more than once every 6
536 months. The fee must be included in the division's schedule of
537 fees and expenses in s. 215.65(3).

538 Reviser's note.—Amended to confirm an editorial insertion to
539 improve clarity.

540 **Section 13. Subsection (2) of section 175.032, Florida**
541 **Statutes, is amended to read:**

542 175.032 Definitions.—For any municipality, special fire
543 control district, chapter plan, local law municipality, local
544 law special fire control district, or local law plan under this
545 chapter, the term:

546 (2) "Average final compensation" for:

547 (a) A full-time firefighter means one-twelfth of the
548 average annual compensation of the 5 best years of the last 10
549 years of creditable service before retirement, termination, or
550 death, or the career average as a full-time firefighter ~~since~~
551 ~~July 1, 1953~~, whichever is greater. A year is 12 consecutive
552 months or such other consecutive period of time as is used and

553 consistently applied.

554 (b) A volunteer firefighter means the average salary of
555 the 5 best years of the last 10 best contributing years before
556 change in status to a permanent full-time firefighter or
557 retirement as a volunteer firefighter or the career average of a
558 volunteer firefighter, ~~since July 1, 1953,~~ whichever is greater.
559 Reviser's note.—Amended to delete obsolete language.

560 **Section 14. Paragraph (b) of subsection (1) of section**
561 **177.073, Florida Statutes, is amended to read:**

562 177.073 Expedited approval of residential building permits
563 before a final plat is recorded.—

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

565 (b) "Final plat" means the final tracing, map, or site
566 plan presented by the subdivider to a governing body for final
567 approval, and, upon approval by the appropriate governing body,
568 ~~is~~ submitted to the clerk of the circuit court for recording.
569 Reviser's note.—Amended to improve sentence structure.

570 **Section 15. Paragraph (b) of subsection (7) of section**
571 **193.703, Florida Statutes, is amended to read:**

572 193.703 Reduction in assessment for living quarters of
573 parents or grandparents.—

574 (7)

575 (b)1. If a reduction is improperly granted due to a
576 clerical mistake or omission by the property appraiser, the
577 person who improperly received the reduction may not be assessed

578 a penalty or interest. Back taxes shall apply only as follows:

579 a. If the person who received the reduction in assessed
580 value as a result of a clerical mistake or omission voluntarily
581 discloses to the property appraiser that he or she was not
582 entitled to the reduction in assessed value before the property
583 appraiser notifies the owner of the mistake or omission, no back
584 taxes shall be due.

585 b. If the person who received the reduction in assessed
586 value as a result of a clerical mistake or omission does not
587 voluntarily disclose to the property appraiser that he or she
588 was not entitled to the limitation before the property appraiser
589 notifies the owner of the mistake or omission, back taxes shall
590 be due for any year or years that the owner was not entitled to
591 the limitation within the 5 years before the property appraiser
592 notified the owner of the mistake or omission.

593 2. The property appraiser shall serve upon an owner who
594 ~~that~~ owes back taxes under sub-subparagraph 1.b. a notice of
595 intent to record in the public records of the county a notice of
596 tax lien against any property owned by that person in the
597 county, and such property must be identified in the notice of
598 tax lien. The property appraiser must include with such notice
599 information explaining why the owner is not entitled to the
600 limitation, the years for which unpaid taxes are due, and the
601 manner in which unpaid taxes have been calculated. Before such
602 lien may be filed, the owner must be given 30 days within which

603 to pay the taxes, penalties, and interest. Such lien is subject
604 to s. 196.161(3).

605 Reviser's note.—Amended to confirm an editorial substitution to
606 conform to context.

607 **Section 16. Subsection (1) of section 196.011, Florida**
608 **Statutes, is amended to read:**

609 196.011 Annual application required for exemption.—

610 (1) (a) Except as provided in s. 196.081(1) (b), every
611 person or organization who, on January 1, has the legal title to
612 real or personal property, except inventory, which is entitled
613 by law to exemption from taxation as a result of its ownership
614 and use shall, on or before March 1 of each year, file an
615 application for exemption with the county property appraiser,
616 listing and describing the property for which exemption is
617 claimed and certifying its ownership and use. The Department of
618 Revenue shall prescribe the forms upon which the application is
619 made. Failure to make application, when required, on or before
620 March 1 of any year shall constitute a waiver of the exemption
621 privilege for that year, except as provided in subsection (8)
622 ~~(7)~~ or subsection (9).

623 (b) The form to apply for an exemption under s. 196.031,
624 s. 196.081, s. 196.091, s. 196.101, s. 196.102, s. 196.173, or
625 s. 196.202 must include a space for the applicant to list the
626 social security number of the applicant and of the applicant's
627 spouse, if any. If an applicant files a timely and otherwise

628 complete application, and omits the required social security
629 numbers, the application is incomplete. In that event, the
630 property appraiser shall contact the applicant, who may refile a
631 complete application by April 1. Failure to file a complete
632 application by that date constitutes a waiver of the exemption
633 privilege for that year, except as provided in subsection (8)
634 ~~(7)~~ or subsection (9).

635 Reviser's note.—Amended to conform to the redesignation of
636 former subsection (7) as subsection (8) by s. 4, ch. 2024-
637 101, Laws of Florida.

638 **Section 17. Paragraph (b) of subsection (4) of section**
639 **196.1978, Florida Statutes, is amended to read:**

640 196.1978 Affordable housing property exemption.—

641 (4)

642 (b) The multifamily project must:

643 1. Be composed of an improvement to land where an
644 improvement did not previously exist or the construction of a
645 new improvement where an old improvement was removed, which was
646 substantially completed within 2 years before the first
647 submission of an application for exemption under this
648 subsection. For purposes of this subsection, the term
649 "substantially completed" has the same definition as in s.
650 192.042(1).

651 2. Contain more than 70 units that are used to provide
652 affordable housing to natural persons or families meeting the

653 extremely-low-income, very-low-income, or low-income limits
654 specified in s. 420.0004.

655 3. Be subject to a land use restriction agreement with the
656 Florida Housing Finance Corporation recorded in the official
657 records of the county in which the property is located that
658 requires that the property be used for 99 years to provide
659 affordable housing to natural persons or families meeting the
660 extremely-low-income, very-low-income, low-income, or moderate-
661 income limits specified in s. 420.0004. The agreement must
662 include a provision for a penalty for ceasing to provide
663 affordable housing under the agreement before the end of the
664 agreement term that is equal to 100 percent of the total amount
665 financed by the corporation multiplied by each year remaining in
666 the agreement. The agreement may be terminated or modified
667 without penalty if the exemption under this subsection is
668 repealed.

669
670 The property is no longer eligible for this exemption if the
671 property no longer serves extremely-low-income, very-low-income,
672 or low-income persons pursuant to the recorded agreement.

673 Reviser's note.—Amended to confirm an editorial insertion to
674 improve clarity.

675 **Section 18. Paragraph (c) of subsection (5) of section**
676 **215.55871, Florida Statutes, is amended to read:**

677 215.55871 My Safe Florida Condominium Pilot Program.—There

678 is established within the Department of Financial Services the
679 My Safe Florida Condominium Pilot Program to be implemented
680 pursuant to appropriations. The department shall provide fiscal
681 accountability, contract management, and strategic leadership
682 for the pilot program, consistent with this section. This
683 section does not create an entitlement for associations or unit
684 owners or obligate the state in any way to fund the inspection
685 or retrofitting of condominiums in the state. Implementation of
686 this pilot program is subject to annual legislative
687 appropriations. It is the intent of the Legislature that the My
688 Safe Florida Condominium Pilot Program provide licensed
689 inspectors to perform inspections for and grants to eligible
690 associations as funding allows.

691 (5) MITIGATION GRANTS.—Financial grants may be used by
692 associations to make improvements recommended in a hurricane
693 mitigation inspection report which increase the condominium's
694 resistance to hurricane damage.

695 (c) An association awarded a grant must complete the
696 entire mitigation project in order to receive the final grant
697 award and must agree to make the property available for a final
698 inspection once the mitigation project is finished to ensure the
699 mitigation improvements are completed in a manner ~~matter~~
700 consistent with the intent of the pilot program and meet or
701 exceed the applicable Florida Building Code requirements.
702 Construction must be completed and the association must submit a

703 request to the department for a final inspection, or request an
704 extension of time, within 1 year after receiving grant approval.
705 If the association fails to comply with this paragraph, the
706 application is deemed abandoned and the grant money reverts back
707 to the department.

708 Reviser's note.—Amended to confirm an editorial substitution to
709 conform to context.

710 **Section 19. Section 280.051, Florida Statutes, is amended**
711 **to read:**

712 280.051 Grounds for suspension or disqualification of a
713 qualified public depository.—A qualified public depository may
714 be suspended or disqualified or both if the Chief Financial
715 Officer determines that the qualified public depository ~~has~~:

716 (1) Has violated any of the provisions of this chapter or
717 any rule adopted by the Chief Financial Officer pursuant to this
718 chapter.

719 (2) Has submitted reports containing inaccurate or
720 incomplete information regarding public deposits or collateral
721 for such deposits, tangible equity capital, or the calculation
722 of required collateral.

723 (3) Has failed to maintain required collateral.

724 (4) Has grossly misstated the market value of the
725 securities pledged as collateral.

726 (5) Has failed to pay any administrative penalty.

727 (6) Has failed to furnish the Chief Financial Officer with

728 prompt and accurate information, or failed to allow inspection
729 and verification of any information, dealing with public
730 deposits or dealing with the exact status of its tangible equity
731 capital, or other financial information that the Chief Financial
732 Officer determines necessary to verify compliance with this
733 chapter or any rule adopted pursuant to this chapter.

734 (7) Has failed to furnish the Chief Financial Officer,
735 when the Chief Financial Officer requested, with a power of
736 attorney or bond power or other bond assignment form required by
737 the bond agent, bond trustee, or other transferor for each issue
738 of registered certificated securities pledged.

739 (8) Has failed to furnish any agreement, report, form, or
740 other information required to be filed pursuant to s. 280.16, or
741 when requested by the Chief Financial Officer.

742 (9) Has submitted reports signed by an unauthorized
743 individual.

744 (10) Has submitted reports without a certified or verified
745 signature, or both, if required by law.

746 (11) Has released a security without notice or approval.

747 (12) Has failed to execute or have the custodian execute a
748 collateral control agreement before using a custodian.

749 (13) Has failed to give notification as required by s.
750 280.10.

751 (14) Has failed to file the attestation required under s.
752 280.025.

753 (15) No longer meets the definition of a qualified public
 754 depository under s. 280.02.

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

756 **Section 20. Paragraph (c) of subsection (1) of section**
 757 **282.709, Florida Statutes, is amended to read:**

758 282.709 State agency law enforcement radio system and
 759 interoperability network.—

760 (1) The department may acquire and administer a statewide
 761 radio communications system to serve law enforcement units of
 762 state agencies, and to serve local law enforcement agencies
 763 through mutual aid channels.

764 (c)1. The department may rent or lease space on any tower
 765 under its control and refuse to lease space on any tower at any
 766 site.

767 2. The department may rent, lease, or sublease ground
 768 space as necessary to locate equipment to support antennas
 769 ~~antennae~~ on the towers. The costs for the use of such space
 770 shall be established by the department for each site if it is
 771 determined to be practicable and feasible to make space
 772 available.

773 3. The department may rent, lease, or sublease ground
 774 space on lands acquired by the department for the construction
 775 of privately owned or publicly owned towers. The department may,
 776 as a part of such rental, lease, or sublease agreement, require
 777 space on such towers for antennas ~~antennae~~ as necessary for the

778 construction and operation of the state agency law enforcement
 779 radio system or any other state need.

780 4. All moneys collected by the department for rents,
 781 leases, and subleases under this subsection shall be deposited
 782 directly into the State Agency Law Enforcement Radio System
 783 Trust Fund established in subsection (3) and may be used by the
 784 department to construct, maintain, or support the system.

785 5. The positions necessary for the department to
 786 accomplish its duties under this subsection shall be established
 787 in the General Appropriations Act and funded by the Law
 788 Enforcement Radio Operating Trust Fund or other revenue sources.

789 Reviser's note.—Amended to conform to the general usage of
 790 "antennas" when referencing transducers and "antennae" when
 791 referencing insect parts.

792 **Section 21. Paragraph (a) of subsection (1) of section**
 793 **284.51, Florida Statutes, is amended to read:**

794 284.51 Electroencephalogram combined transcranial magnetic
 795 stimulation treatment pilot program.—

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

797 (a) "Division" means the Division of Risk Management of ~~at~~
 798 the Department of Financial Services.

799 Reviser's note.—Amended to confirm an editorial substitution to
 800 improve clarity.

801 **Section 22. Paragraphs (a) and (b) of subsection (4) of**
 802 **section 286.0113, Florida Statutes, are amended to read:**

803 286.0113 General exemptions from public meetings.—

804 (4) (a) Any portion of a meeting that would reveal building
 805 plans, blueprints, schematic drawings, or diagrams, including
 806 draft, preliminary, and final formats, which depict the
 807 structural elements of 911, E911, or public safety radio
 808 communication system infrastructure, including towers, antennas
 809 ~~antennae~~, equipment or facilities used to provide 911, E911, or
 810 public safety radio communication services, or other 911, E911,
 811 or public safety radio communication structures or facilities
 812 made exempt by s. 119.071(3)(e)1.a. is exempt from s. 286.011
 813 and s. 24, Art. I of the State Constitution.

814 (b) Any portion of a meeting that would reveal
 815 geographical maps indicating the actual or proposed locations of
 816 911, E911, or public safety radio communication system
 817 infrastructure, including towers, antennas ~~antennae~~, equipment
 818 or facilities used to provide 911, E911, or public safety radio
 819 communication services, or other 911, E911, or public safety
 820 radio communication structures or facilities made exempt by s.
 821 119.071(3)(e)1.b. is exempt from s. 286.011 and s. 24, Art. I of
 822 the State Constitution.

823 Reviser's note.—Amended to conform to the general usage of

824 "antennas" when referencing transducers and "antennae" when
 825 referencing insect parts.

826 **Section 23. Paragraph (a) of subsection (3) and subsection**
 827 **(7) of section 288.102, Florida Statutes, are amended to read:**

828 | 288.102 Supply Chain Innovation Grant Program.—

829 | (3) (a) The department shall collaborate with the
830 | Department of Transportation to review applications submitted
831 | and select projects for awards which create strategic
832 | investments in infrastructure to increase capacity and address
833 | freight mobility to meet the economic development goals of the
834 | state.

835 | (7) The Department of Commerce, in conjunction with the
836 | Department of Transportation, shall annually provide a list of
837 | each project awarded, the benefit of each project in meeting the
838 | goals and objectives of the program, and the current status of
839 | each project. The department shall include such information in
840 | its annual incentives report required under s. 288.0065 ~~20.0065~~.

841 | Reviser's note.—Paragraph (3) (a) is amended to confirm an
842 | editorial insertion to facilitate correct interpretation.
843 | Subsection (7) is amended to conform to the fact that s.
844 | 20.0065 does not exist, and s. 288.0065 provides for the
845 | department's annual incentives report.

846 | **Section 24. Paragraph (b) of subsection (2) of section**
847 | **288.987, Florida Statutes, is amended to read:**

848 | 288.987 Florida Defense Support.—

849 | (2)

850 | (b) The direct-support organization is organized and
851 | operated to request, receive, hold, invest, and administer
852 | property and to manage and make expenditures related to its

HB 7017

2025

853 mission and for joint planning with host communities to
854 accommodate military missions and prevent base encroachment,
855 provide advocacy on the state's behalf with federal civilian and
856 military officials, promote ~~promotion of~~ the state to military
857 and related contractors and employers, and support ~~of~~ economic
858 and product research and development activities of the defense
859 industry.

860 Reviser's note.—Amended to confirm an editorial substitution and
861 an editorial deletion to improve clarity.

862 **Section 25. Paragraphs (b) and (c) of subsection (4) of**
863 **section 316.0083, Florida Statutes, are amended to read:**

864 316.0083 Mark Wandall Traffic Safety Program;
865 administration; report.—

866 (4)

867 (b) Each county or municipality that operates a traffic
868 infraction detector shall submit a report by October 1, ~~2012,~~
869 ~~and annually thereafter,~~ to the department which details the
870 results of using the traffic infraction detector and the
871 procedures for enforcement for the preceding state fiscal year.
872 The information submitted by the counties and municipalities
873 must include:

874 1. The number of notices of violation issued, the number
875 that were contested, the number that were upheld, the number
876 that were dismissed, the number that were issued as uniform
877 traffic citations, the number that were paid, and the number in

878 each of the preceding categories for which the notice of
879 violation was issued for a right-hand turn violation.

880 2. A description of alternative safety countermeasures
881 taken before and after the placement or installation of a
882 traffic infraction detector.

883 3. Statistical data and information required by the
884 department to complete the summary report required under
885 paragraph (c).

886

887 The department must publish each report submitted by a county or
888 municipality pursuant to this paragraph on its website.

889 (c) On or before December 31, ~~2012,~~ and annually
890 ~~thereafter,~~ the department shall provide a summary report to the
891 Governor, the President of the Senate, and the Speaker of the
892 House of Representatives regarding the use and operation of
893 traffic infraction detectors under this section, along with the
894 department's recommendations and any necessary legislation. The
895 summary report must include a review of the information
896 submitted to the department by the counties and municipalities
897 and must describe the enhancement of the traffic safety and
898 enforcement programs.

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

900 **Section 26. Paragraph (y) of subsection (1) of section**
901 **319.30, Florida Statutes, is amended to read:**

902 319.30 Definitions; dismantling, destruction, change of

HB 7017

2025

903 identity of motor vehicle, vessel, or mobile home; salvage.—

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

905 (y) "Vessel" has the same meaning as in s. 713.78(1)(h)
906 ~~713.78(1)(b)~~.

907 Reviser's note.—Amended to conform to the redesignation of s.
908 713.78(1)(b) as s. 713.78(1)(h) by s. 5, ch. 2024-27, Laws
909 of Florida.

910 **Section 27. Paragraph (b) of subsection (130) of section**
911 **320.08058, Florida Statutes, is amended to read:**

912 320.08058 Specialty license plates.—

913 (130) THE VILLAGES: MAY ALL YOUR DREAMS COME TRUE LICENSE
914 PLATES.—

915 (b) The annual use fees from the sale of the plate must be
916 distributed to The Villages Charter School, Inc., a Florida
917 nonprofit corporation. Up to 10 percent of the fees may be used
918 for administrative costs and marketing of the plate. The
919 remaining funds must be distributed with the approval of and
920 accountability to the board of directors of The Villages Charter
921 School, Inc., and must be used to provide support to The
922 Villages Charter School, Inc., as it provides K-12 education.

923 Reviser's note.—Amended to confirm an editorial insertion to
924 conform to the complete name of the corporation.

925 **Section 28. Paragraph (d) of subsection (3) of section**
926 **322.27, Florida Statutes, is amended to read:**

927 322.27 Authority of department to suspend or revoke driver

928 | license or identification card.-

929 | (3) There is established a point system for evaluation of
 930 | convictions of violations of motor vehicle laws or ordinances,
 931 | and violations of applicable provisions of s. 403.413(6) (b) when
 932 | such violations involve the use of motor vehicles, for the
 933 | determination of the continuing qualification of any person to
 934 | operate a motor vehicle. The department is authorized to suspend
 935 | the license of any person upon showing of its records or other
 936 | good and sufficient evidence that the licensee has been
 937 | convicted of violation of motor vehicle laws or ordinances, or
 938 | applicable provisions of s. 403.413(6) (b), amounting to 12 or
 939 | more points as determined by the point system. The suspension
 940 | shall be for a period of not more than 1 year.

941 | (d) The point system shall have as its basic element a
 942 | graduated scale of points assigning relative values to
 943 | convictions of the following violations:

- 944 | 1. Reckless driving, willful and wanton-4 points.
- 945 | 2. Leaving the scene of a crash resulting in property
 946 | damage of more than \$50-6 points.
- 947 | 3. Unlawful speed, or unlawful use of a wireless
 948 | communications device, resulting in a crash-6 points.
- 949 | 4. Passing a stopped school bus:
 - 950 | a. Not causing or resulting in serious bodily injury to or
 951 | death of another-4 points.
 - 952 | b. Causing or resulting in serious bodily injury to or

953 death of another—6 points.

954 c. Points may not be imposed for a violation of passing a
 955 stopped school bus as provided in s. 316.172(1)(a) or (b) when
 956 enforced by a school bus infraction detection system pursuant to
 957 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
 958 when enforced by a school bus infraction detection system
 959 pursuant to s. 316.173 may not be used for purposes of setting
 960 motor vehicle insurance rates.

961 5. Unlawful speed:

962 a. Not in excess of 15 miles per hour of lawful or posted
 963 speed—3 points.

964 b. In excess of 15 miles per hour of lawful or posted
 965 speed—4 points.

966 c. Points may not be imposed for a violation of unlawful
 967 speed as provided in s. 316.1895 or s. 316.183 when enforced by
 968 a traffic infraction enforcement officer pursuant to s.
 969 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
 970 when enforced by a traffic infraction enforcement officer
 971 pursuant to s. 316.1896 may not be used for purposes of setting
 972 motor vehicle insurance rates.

973 6. A violation of a traffic control signal device as
 974 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
 975 However, points may not be imposed for a violation of s.
 976 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 977 stop at a traffic signal and when enforced by a traffic

978 | infraction enforcement officer. In addition, a violation of s.
 979 | 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 980 | stop at a traffic signal and when enforced by a traffic
 981 | infraction enforcement officer may not be used for purposes of
 982 | setting motor vehicle insurance rates.

983 | 7. Unlawfully driving a vehicle through a railroad-highway
 984 | grade crossing—6 points.

985 | 8. All other moving violations (including parking on a
 986 | highway outside the limits of a municipality)—3 points. However,
 987 | points may not be imposed for a violation of s. 316.0741 or s.
 988 | 316.2065(11); and points may be imposed for a violation of s.
 989 | 316.1001 only when imposed by the court after a hearing pursuant
 990 | to s. 318.14(5).

991 | 9. Any moving violation covered in this paragraph,
 992 | excluding unlawful speed and unlawful use of a wireless
 993 | communications device, resulting in a crash—4 points.

994 | 10. Any conviction under s. 403.413(6)(b)—3 points.

995 | 11. Any conviction under s. 316.0775(2)—4 points.

996 | 12. A moving violation covered in this paragraph which is
 997 | committed in conjunction with the unlawful use of a wireless
 998 | communications device within a school safety zone—2 points, in
 999 | addition to the points assigned for the moving violation.

1000 | Reviser's note.—Amended to confirm an editorial insertion to
 1001 | improve clarity.

1002 | **Section 29. Subsection (6) of section 322.76, Florida**

1003 **Statutes, is amended to read:**

1004 322.76 Clerk of Court Driver License Reinstatement Pilot
1005 Program in Miami-Dade County.—There is created in Miami-Dade
1006 County the Clerk of Court Driver License Reinstatement Pilot
1007 Program.

1008 (6) By December 31, 2025, the clerk must submit to the
1009 Governor, the President of the Senate, the Speaker of the House
1010 of Representatives, and the Executive Director of the Florida
1011 Clerks of Court Operations Corporation a report containing the
1012 following information:

1013 (a) Number of driver license reinstatements.

1014 (b) Amount of fees and costs collected, including the
1015 aggregate funds received by the clerk, local governmental
1016 entities, and state entities, including the General Revenue
1017 Fund.

1018 (c) The personnel, operating, and other expenditures
1019 incurred by the clerk.

1020 (d) Feedback received from the community, if any, in
1021 response to the clerk's participation in the pilot program.

1022 (e) Whether the pilot program led to improved timeliness
1023 for the reinstatement of driver licenses.

1024 (f) The clerk's recommendation as to whether the pilot
1025 program should be extended in Miami-Dade County or to other
1026 clerks' offices.

1027 (g) Any other information the clerk deems necessary.

1028 Reviser's note.—Amended to confirm an editorial insertion to
 1029 improve clarity.

1030 **Section 30. Paragraph (a) of subsection (2) of section**
 1031 **330.41, Florida Statutes, is amended to read:**

1032 330.41 Unmanned Aircraft Systems Act.—

1033 (2) DEFINITIONS.—As used in this act, the term:

1034 (a) "Critical infrastructure facility" means any of the
 1035 following, if completely enclosed by a fence or other physical
 1036 barrier that is obviously designed to exclude intruders, or if
 1037 clearly marked with a sign or signs which indicate that entry is
 1038 forbidden and which are posted on the property in a manner
 1039 reasonably likely to come to the attention of intruders:

- 1040 1. A power generation or transmission facility,
 1041 substation, switching station, or electrical control center.
- 1042 2. A chemical or rubber manufacturing or storage facility.
- 1043 3. A water intake structure, water treatment facility,
 1044 wastewater treatment plant, or pump station.
- 1045 4. A mining facility.
- 1046 5. A natural gas or compressed gas compressor station,
 1047 storage facility, or natural gas or compressed gas pipeline.
- 1048 6. A liquid natural gas or propane gas terminal or storage
 1049 facility.
- 1050 7. Any portion of an aboveground oil or gas pipeline.
- 1051 8. A refinery.
- 1052 9. A gas processing plant, including a plant used in the

1053 processing, treatment, or fractionation of natural gas.
 1054 10. A wireless communications facility, including the
 1055 tower, antennas ~~antennae~~, support structures, and all associated
 1056 ground-based equipment.
 1057 11. A seaport as listed in s. 311.09(1), which need not be
 1058 completely enclosed by a fence or other physical barrier and
 1059 need not be marked with a sign or signs indicating that entry is
 1060 forbidden.
 1061 12. An inland port or other facility or group of
 1062 facilities serving as a point of intermodal transfer of freight
 1063 in a specific area physically separated from a seaport.
 1064 13. An airport as defined in s. 330.27.
 1065 14. A spaceport territory as defined in s. 331.303(19).
 1066 15. A military installation as defined in 10 U.S.C. s.
 1067 2801(c)(4) and an armory as defined in s. 250.01.
 1068 16. A dam as defined in s. 373.403(1) or other structures,
 1069 such as locks, floodgates, or dikes, which are designed to
 1070 maintain or control the level of navigable waterways.
 1071 17. A state correctional institution as defined in s.
 1072 944.02 or a contractor-operated correctional facility authorized
 1073 under chapter 957.
 1074 18. A secure detention center or facility as defined in s.
 1075 985.03, or a moderate-risk residential facility, a high-risk
 1076 residential facility, or a maximum-risk residential facility as
 1077 those terms are described in s. 985.03(44).

1078 19. A county detention facility as defined in s. 951.23.
 1079 20. A critical infrastructure facility as defined in s.
 1080 692.201.

1081 Reviser's note.—Amended to conform to the general usage of
 1082 "antennas" when referencing transducers and "antennae" when
 1083 referencing insect parts.

1084 **Section 31.** Section 331.370, Florida Statutes, is
 1085 repealed.

1086 Reviser's note.—The cited section, which relates to specified
 1087 space and aerospace infrastructure improvements from funds
 1088 provided in Specific Appropriation 2649 of ch. 2008-152,
 1089 Laws of Florida, is obsolete, as there are no funds still
 1090 in usage from the specified appropriation.

1091 **Section 32. Subsection (5) of section 337.195, Florida**
 1092 **Statutes, is amended to read:**

1093 337.195 Limits on liability.—

1094 (5) If, in any civil action for death, injury, or damages,
 1095 the department ~~of Transportation~~ or a contractor or design
 1096 engineer is determined to be immune from liability pursuant to
 1097 this section, the department, contractor, or design engineer may
 1098 not be named on the jury verdict form or be found to be at fault
 1099 or responsible for the injury, death, or damage that gave rise
 1100 to the damages for the theory of liability from which the
 1101 department, contractor, or design engineer was found to be
 1102 immune.

1103 Reviser's note.—Amended to confirm an editorial substitution to
1104 conform to the revision of all other references in s.
1105 337.195 by s. 10, ch. 2024-173, Laws of Florida. For
1106 purposes of the Florida Transportation Code, s. 334.03(9)
1107 defines "department" as the "Department of Transportation."

1108 **Section 33. Paragraph (b) of subsection (3) of section**
1109 **341.302, Florida Statutes, is amended to read:**

1110 341.302 Rail program; duties and responsibilities of the
1111 department.—The department, in conjunction with other
1112 governmental entities, including the rail enterprise and the
1113 private sector, shall develop and implement a rail program of
1114 statewide application designed to ensure the proper maintenance,
1115 safety, revitalization, and expansion of the rail system to
1116 assure its continued and increased availability to respond to
1117 statewide mobility needs. Within the resources provided pursuant
1118 to chapter 216, and as authorized under federal law, the
1119 department shall:

1120 (3) Develop and periodically update the rail system plan,
1121 on the basis of an analysis of statewide transportation needs.

1122 (b) In recognition of the department's role in the
1123 enhancement of the state's rail system to improve freight and
1124 passenger mobility, the department shall:

1125 1. Work closely with all affected communities along an
1126 impacted freight rail corridor to identify and address
1127 anticipated impacts associated with an increase in freight rail

1128 traffic due to implementation of passenger rail.

1129 2. In coordination with the affected local governments and
 1130 CSX Transportation, Inc., finalize all viable alternatives from
 1131 the department's Rail Traffic Evaluation Study to identify and
 1132 develop an alternative route for through freight rail traffic
 1133 moving through Central Florida, including the counties of Polk
 1134 and Hillsborough, which would address, to the extent
 1135 practicable, the effects of commuter rail.

1136 3. Provide technical assistance to a coalition of local
 1137 governments in Central Florida, including the counties of
 1138 Brevard, Citrus, Hernando, Hillsborough, Lake, Marion, Orange,
 1139 Osceola, Pasco, Pinellas, Polk, Manatee, Sarasota, Seminole,
 1140 Sumter, and Volusia, and the municipalities within those
 1141 counties, to develop a regional rail system plan that addresses
 1142 passenger and freight opportunities in the region, is consistent
 1143 with the Florida Rail System Plan, and incorporates appropriate
 1144 elements of ~~the Tampa Bay Area Regional Authority Master Plan,~~
 1145 the Metroplan Orlando Regional Transit System Concept Plan,
 1146 including the SunRail project, and the Florida Department of
 1147 Transportation Alternate Rail Traffic Evaluation.

1148 Reviser's note.—Amended to conform to the repeal of part III,
 1149 chapter 343, the Tampa Bay Area Regional Transit Authority
 1150 Act, by s. 1, ch. 2023-143, Laws of Florida, and
 1151 dissolution of the authority effective June 30, 2024, by s.
 1152 2, ch. 2023-143.

1153 **Section 34. Paragraphs (f), (j), (dd), and (ii) of**
 1154 **subsection (3) and paragraphs (a) and (b) of subsection (13) of**
 1155 **section 365.172, Florida Statutes, are amended to read:**

1156 365.172 Emergency communications.—

1157 (3) DEFINITIONS.—Only as used in this section and ss.
 1158 365.171, 365.173, 365.174, and 365.177, the term:

1159 (f) "Colocation" means the situation when a second or
 1160 subsequent wireless provider uses an existing structure to
 1161 locate a second or subsequent antennas ~~antennae~~. The term
 1162 includes the ground, platform, or roof installation of equipment
 1163 enclosures, cabinets, or buildings, and cables, brackets, and
 1164 other equipment associated with the location and operation of
 1165 the antennas ~~antennae~~.

1166 (j) "Existing structure" means a structure that exists at
 1167 the time an application for permission to place antennas
 1168 ~~antennae~~ on a structure is filed with a local government. The
 1169 term includes any structure that can structurally support the
 1170 attachment of antennas ~~antennae~~ in compliance with applicable
 1171 codes.

1172 (dd) "Tower" means any structure designed primarily to
 1173 support a wireless provider's antennas ~~antennae~~.

1174 (ii) "Wireless communications facility" means any
 1175 equipment or facility used to provide service and may include,
 1176 but is not limited to, antennas ~~antennae~~, towers, equipment
 1177 enclosures, cabling, antenna brackets, and other such equipment.

1178 Placing a wireless communications facility on an existing
1179 structure does not cause the existing structure to become a
1180 wireless communications facility.

1181 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE
1182 IMPLEMENTATION.—To balance the public need for reliable
1183 emergency communications services through reliable wireless
1184 systems and the public interest served by governmental zoning
1185 and land development regulations and notwithstanding any other
1186 law or local ordinance to the contrary, the following standards
1187 shall apply to a local government's actions, as a regulatory
1188 body, in the regulation of the placement, construction, or
1189 modification of a wireless communications facility. This
1190 subsection may not, however, be construed to waive or alter the
1191 provisions of s. 286.011 or s. 286.0115. For the purposes of
1192 this subsection only, "local government" shall mean any
1193 municipality or county and any agency of a municipality or
1194 county only. The term "local government" does not, however,
1195 include any airport, as defined by s. 330.27(2), even if it is
1196 owned or controlled by or through a municipality, county, or
1197 agency of a municipality or county. Further, notwithstanding
1198 anything in this section to the contrary, this subsection does
1199 not apply to or control a local government's actions as a
1200 property or structure owner in the use of any property or
1201 structure owned by such entity for the placement, construction,
1202 or modification of wireless communications facilities. In the

HB 7017

2025

1203 use of property or structures owned by the local government,
1204 however, a local government may not use its regulatory authority
1205 so as to avoid compliance with, or in a manner that does not
1206 advance, the provisions of this subsection.

1207 (a) Colocation among wireless providers is encouraged by
1208 the state.

1209 1.a. Colocations on towers, including nonconforming
1210 towers, that meet the requirements in sub-sub-paragraphs (I),
1211 (II), and (III), are subject to only building permit review,
1212 which may include a review for compliance with this
1213 subparagraph. Such colocations are not subject to any design or
1214 placement requirements of the local government's land
1215 development regulations in effect at the time of the colocation
1216 that are more restrictive than those in effect at the time of
1217 the initial antennas ~~antennae~~ placement approval, to any other
1218 portion of the land development regulations, or to public
1219 hearing review. This sub-subparagraph may not preclude a public
1220 hearing for any appeal of the decision on the colocation
1221 application.

1222 (I) The colocation does not increase the height of the
1223 tower to which the antennas ~~antennae~~ are to be attached,
1224 measured to the highest point of any part of the tower or any
1225 existing antenna attached to the tower;

1226 (II) The colocation does not increase the ground space
1227 area, commonly known as the compound, approved in the site plan

HB 7017

2025

1228 for equipment enclosures and ancillary facilities; and
1229 (III) The colocation consists of antennas ~~antennae~~,
1230 equipment enclosures, and ancillary facilities that are of a
1231 design and configuration consistent with all applicable
1232 regulations, restrictions, or conditions, if any, applied to the
1233 initial antennas ~~antennae~~ placed on the tower and to its
1234 accompanying equipment enclosures and ancillary facilities and,
1235 if applicable, applied to the tower supporting the antennas
1236 ~~antennae~~. Such regulations may include the design and aesthetic
1237 requirements, but not procedural requirements, other than those
1238 authorized by this section, of the local government's land
1239 development regulations in effect at the time the initial
1240 antennas ~~antennae~~ placement was approved.

1241 b. Except for a historic building, structure, site,
1242 object, or district, or a tower included in sub-subparagraph a.,
1243 colocations on all other existing structures that meet the
1244 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
1245 to no more than building permit review, and an administrative
1246 review for compliance with this subparagraph. Such colocations
1247 are not subject to any portion of the local government's land
1248 development regulations not addressed herein, or to public
1249 hearing review. This sub-subparagraph may not preclude a public
1250 hearing for any appeal of the decision on the colocation
1251 application.

1252 (I) The colocation does not increase the height of the

1253 existing structure to which the antennas ~~antennae~~ are to be
 1254 attached, measured to the highest point of any part of the
 1255 structure or any existing antenna attached to the structure;
 1256 (II) The colocation does not increase the ground space
 1257 area, otherwise known as the compound, if any, approved in the
 1258 site plan for equipment enclosures and ancillary facilities;
 1259 (III) The colocation consists of antennas ~~antennae~~,
 1260 equipment enclosures, and ancillary facilities that are of a
 1261 design and configuration consistent with any applicable
 1262 structural or aesthetic design requirements and any requirements
 1263 for location on the structure, but not prohibitions or
 1264 restrictions on the placement of additional colocations on the
 1265 existing structure or procedural requirements, other than those
 1266 authorized by this section, of the local government's land
 1267 development regulations in effect at the time of the colocation
 1268 application; and
 1269 (IV) The colocation consists of antennas ~~antennae~~,
 1270 equipment enclosures, and ancillary facilities that are of a
 1271 design and configuration consistent with all applicable
 1272 restrictions or conditions, if any, that do not conflict with
 1273 sub-sub-subparagraph (III) and were applied to the initial
 1274 antennas ~~antennae~~ placed on the structure and to its
 1275 accompanying equipment enclosures and ancillary facilities and,
 1276 if applicable, applied to the structure supporting the antennas
 1277 ~~antennae~~.

HB 7017

2025

1278 c. Regulations, restrictions, conditions, or permits of
1279 the local government, acting in its regulatory capacity, that
1280 limit the number of colocations or require review processes
1281 inconsistent with this subsection do not apply to colocations
1282 addressed in this subparagraph.

1283 d. If only a portion of the colocation does not meet the
1284 requirements of this subparagraph, such as an increase in the
1285 height of the proposed antennas ~~antennae~~ over the existing
1286 structure height or a proposal to expand the ground space
1287 approved in the site plan for the equipment enclosure, where all
1288 other portions of the colocation meet the requirements of this
1289 subparagraph, that portion of the colocation only may be
1290 reviewed under the local government's regulations applicable to
1291 an initial placement of that portion of the facility, including,
1292 but not limited to, its land development regulations, and within
1293 the review timeframes of subparagraph (d)2., and the rest of the
1294 colocation shall be reviewed in accordance with this
1295 subparagraph. A colocation proposal under this subparagraph that
1296 increases the ground space area, otherwise known as the
1297 compound, approved in the original site plan for equipment
1298 enclosures and ancillary facilities by no more than a cumulative
1299 amount of 400 square feet or 50 percent of the original compound
1300 size, whichever is greater, shall, however, require no more than
1301 administrative review for compliance with the local government's
1302 regulations, including, but not limited to, land development

1303 regulations review, and building permit review, with no public
1304 hearing review. This sub-subparagraph does not preclude a public
1305 hearing for any appeal of the decision on the colocation
1306 application.

1307 2. If a colocation does not meet the requirements of
1308 subparagraph 1., the local government may review the application
1309 under the local government's regulations, including, but not
1310 limited to, land development regulations, applicable to the
1311 placement of initial antennas ~~antennae~~ and their accompanying
1312 equipment enclosure and ancillary facilities.

1313 3. If a colocation meets the requirements of subparagraph
1314 1., the colocation may not be considered a modification to an
1315 existing structure or an impermissible modification of a
1316 nonconforming structure.

1317 4. The owner of the existing tower on which the proposed
1318 antennas ~~antennae~~ are to be collocated shall remain responsible
1319 for compliance with any applicable condition or requirement of a
1320 permit or agreement, or any applicable condition or requirement
1321 of the land development regulations to which the existing tower
1322 had to comply at the time the tower was permitted, including any
1323 aesthetic requirements, provided the condition or requirement is
1324 not inconsistent with this paragraph.

1325 5. An existing tower, including a nonconforming tower, may
1326 be structurally modified in order to permit colocation or may be
1327 replaced through no more than administrative review and building

1328 permit review, and is not subject to public hearing review, if
1329 the overall height of the tower is not increased and, if a
1330 replacement, the replacement tower is a monopole tower or, if
1331 the existing tower is a camouflaged tower, the replacement tower
1332 is a like-camouflaged tower. This subparagraph may not preclude
1333 a public hearing for any appeal of the decision on the
1334 application.

1335 (b)1. A local government's land development and
1336 construction regulations for wireless communications facilities
1337 and the local government's review of an application for the
1338 placement, construction, or modification of a wireless
1339 communications facility shall only address land development or
1340 zoning issues. In such local government regulations or review,
1341 the local government may not require information on or evaluate
1342 a wireless provider's business decisions about its service,
1343 customer demand for its service, or quality of its service to or
1344 from a particular area or site, unless the wireless provider
1345 voluntarily offers this information to the local government. In
1346 such local government regulations or review, a local government
1347 may not require information on or evaluate the wireless
1348 provider's designed service unless the information or materials
1349 are directly related to an identified land development or zoning
1350 issue or unless the wireless provider voluntarily offers the
1351 information. Information or materials directly related to an
1352 identified land development or zoning issue may include, but are

1353 not limited to, evidence that no existing structure can
1354 reasonably be used for the antennas ~~antennae~~ placement instead
1355 of the construction of a new tower, that residential areas
1356 cannot be served from outside the residential area, as addressed
1357 in subparagraph 3., or that the proposed height of a new tower
1358 or initial antennas ~~antennae~~ placement or a proposed height
1359 increase of a modified tower, replacement tower, or colocation
1360 is necessary to provide the provider's designed service. Nothing
1361 in this paragraph shall limit the local government from
1362 reviewing any applicable land development or zoning issue
1363 addressed in its adopted regulations that does not conflict with
1364 this section, including, but not limited to, aesthetics,
1365 landscaping, land use-based location priorities, structural
1366 design, and setbacks.

1367 2. Any setback or distance separation required of a tower
1368 may not exceed the minimum distance necessary, as determined by
1369 the local government, to satisfy the structural safety or
1370 aesthetic concerns that are to be protected by the setback or
1371 distance separation.

1372 3. A local government may exclude the placement of
1373 wireless communications facilities in a residential area or
1374 residential zoning district but only in a manner that does not
1375 constitute an actual or effective prohibition of the provider's
1376 service in that residential area or zoning district. If a
1377 wireless provider demonstrates to the satisfaction of the local

1378 government that the provider cannot reasonably provide its
1379 service to the residential area or zone from outside the
1380 residential area or zone, the municipality or county and
1381 provider shall cooperate to determine an appropriate location
1382 for a wireless communications facility of an appropriate design
1383 within the residential area or zone. The local government may
1384 require that the wireless provider reimburse the reasonable
1385 costs incurred by the local government for this cooperative
1386 determination. An application for such cooperative determination
1387 may not be considered an application under paragraph (d).

1388 4. A local government may impose a reasonable fee on
1389 applications to place, construct, or modify a wireless
1390 communications facility only if a similar fee is imposed on
1391 applicants seeking other similar types of zoning, land use, or
1392 building permit review. A local government may impose fees for
1393 the review of applications for wireless communications
1394 facilities by consultants or experts who conduct code compliance
1395 review for the local government but any fee is limited to
1396 specifically identified reasonable expenses incurred in the
1397 review. A local government may impose reasonable surety
1398 requirements to ensure the removal of wireless communications
1399 facilities that are no longer being used.

1400 5. A local government may impose design requirements, such
1401 as requirements for designing towers to support colocation or
1402 aesthetic requirements, except as otherwise limited in this

1403 section, but may not impose or require information on compliance
 1404 with building code type standards for the construction or
 1405 modification of wireless communications facilities beyond those
 1406 adopted by the local government under chapter 553 and that apply
 1407 to all similar types of construction.

1408 Reviser's note.—Amended to conform to the general usage of
 1409 "antennas" when referencing transducers and "antennae" when
 1410 referencing insect parts.

1411 **Section 35. Subsection (9) of section 373.250, Florida**
 1412 **Statutes, is amended to read:**

1413 373.250 Reuse of reclaimed water.—

1414 (9) To promote the use of reclaimed water and encourage
 1415 quantifiable potable water offsets that produce significant
 1416 water savings beyond those required in a consumptive use permit,
 1417 each water management district, in coordination with the
 1418 department, shall develop rules by December 31, 2025, which
 1419 provide all of the following:

1420 (a) If an applicant proposes a water supply development or
 1421 water resource development project using reclaimed water, that
 1422 meets the advanced waste treatment standards for total nitrogen
 1423 and total phosphorus ~~phosphorous~~ as defined in s. 403.086(4)(a),
 1424 as part of an application for consumptive use, the applicant is
 1425 eligible for a permit duration of up to 30 years if there is
 1426 sufficient data to provide reasonable assurance that the
 1427 conditions for permit issuance will be met for the duration of

1428 the permit. Rules developed pursuant to this paragraph must
 1429 include, at a minimum:

1430 1. A requirement that the permittee demonstrate how
 1431 quantifiable groundwater or surface water savings associated
 1432 with the new water supply development or water resource
 1433 development project either meet water demands beyond a 20-year
 1434 permit duration or are completed for the purpose of meeting the
 1435 requirements of an adopted recovery or prevention strategy; and

1436 2. Guidelines for a district to follow in determining the
 1437 permit duration based on the project's implementation.

1438

1439 This paragraph does not limit the existing authority of a water
 1440 management district to issue a shorter duration permit to
 1441 protect from harm the water resources or ecology of the area, or
 1442 to otherwise ensure compliance with the conditions for permit
 1443 issuance.

1444 (b) Authorization for a consumptive use permittee to seek
 1445 a permit extension of up to 10 years if the permittee proposes a
 1446 water supply development or water resource development project
 1447 using reclaimed water, that meets the advanced waste treatment
 1448 standards for total nitrogen and total phosphorus ~~phosphorous~~ as
 1449 defined in s. 403.086(4) (a), during the term of its permit which
 1450 results in the reduction of groundwater or surface water
 1451 withdrawals or is completed to benefit a waterbody with a
 1452 minimum flow or minimum water level with a recovery or

1453 prevention strategy. Rules associated with this paragraph must
 1454 include, at a minimum:

1455 1. A requirement that the permittee be in compliance with
 1456 the permittee's consumptive use permit;

1457 2. A requirement that the permittee demonstrate how the
 1458 quantifiable groundwater or surface water savings associated
 1459 with the new water supply development or water resource
 1460 development project either meet water demands beyond the issued
 1461 permit duration or are completed for the purpose of meeting the
 1462 requirements of an adopted recovery or prevention strategy;

1463 3. A requirement that the permittee demonstrate a water
 1464 demand for the permit's allocation through the term of the
 1465 extension; and

1466 4. Guidelines for a district to follow in determining the
 1467 number of years extended, including a minimum year requirement,
 1468 based on the project implementation.

1469
 1470 This paragraph does not limit the existing authority of a water
 1471 management district to protect from harm the water resources or
 1472 ecology of the area, or to otherwise ensure compliance with the
 1473 conditions for permit issuance.

1474 Reviser's note.—Amended to confirm an editorial substitution to
 1475 conform to context.

1476 **Section 36. Paragraph (d) of subsection (8) of section**
 1477 **393.12, Florida Statutes, is amended to read:**

1478 393.12 Capacity; appointment of guardian advocate.—
 1479 (8) COURT ORDER.—If the court finds the person with a
 1480 developmental disability requires the appointment of a guardian
 1481 advocate, the court shall enter a written order appointing the
 1482 guardian advocate and containing the findings of facts and
 1483 conclusions of law on which the court made its decision,
 1484 including:

1485 (d) The identity of existing alternatives and a finding as
 1486 to the validity or sufficiency of such alternatives ~~alternative~~
 1487 to alleviate the need for the appointment of a guardian
 1488 advocate;

1489 Reviser's note.—Amended to conform to context.

1490 **Section 37. Section 394.467, Florida Statutes, is**
 1491 **reenacted and amended to read:**

1492 394.467 Involuntary inpatient placement and involuntary
 1493 outpatient services.—

1494 (1) DEFINITIONS.—As used in this section, the term:

1495 (a) "Court" means a circuit court or, for commitments only
 1496 to involuntary outpatient services as defined in paragraph (c)
 1497 ~~s. 394.4655~~, a county court.

1498 (b) "Involuntary inpatient placement" means placement in a
 1499 secure receiving or treatment facility providing stabilization
 1500 and treatment services to a person 18 years of age or older who
 1501 does not voluntarily consent to services under this chapter, or
 1502 a minor who does not voluntarily assent to services under this

1503 chapter.

1504 (c) "Involuntary outpatient services" means services
 1505 provided in the community to a person who does not voluntarily
 1506 consent to or participate in services under this chapter.

1507 (d) "Services plan" means an individualized plan detailing
 1508 the recommended behavioral health services and supports based on
 1509 a thorough assessment of the needs of the patient, to safeguard
 1510 and enhance the patient's health and well-being in the
 1511 community.

1512 (2) CRITERIA FOR INVOLUNTARY SERVICES.—A person may be
 1513 ordered by a court to be provided involuntary services upon a
 1514 finding of the court, by clear and convincing evidence, that the
 1515 person meets the following criteria:

1516 (a) *Involuntary outpatient services*.—A person ordered to
 1517 involuntary outpatient services must meet the following
 1518 criteria:

1519 1. The person has a mental illness and, because of his or
 1520 her mental illness:

1521 a. He or she is unlikely to voluntarily participate in a
 1522 recommended services plan and has refused voluntary services for
 1523 treatment after sufficient and conscientious explanation and
 1524 disclosure of why the services are necessary; or

1525 b. Is unable to determine for himself or herself whether
 1526 services are necessary.

1527 2. The person is unlikely to survive safely in the

1528 community without supervision, based on a clinical
1529 determination.

1530 3. The person has a history of lack of compliance with
1531 treatment for mental illness.

1532 4. In view of the person's treatment history and current
1533 behavior, the person is in need of involuntary outpatient
1534 services in order to prevent a relapse or deterioration that
1535 would be likely to result in serious bodily harm to himself or
1536 herself or others, or a substantial harm to his or her well-
1537 being as set forth in s. 394.463(1).

1538 5. It is likely that the person will benefit from
1539 involuntary outpatient services.

1540 6. All available less restrictive alternatives that would
1541 offer an opportunity for improvement of the person's condition
1542 have been deemed to be inappropriate or unavailable.

1543 (b) *Involuntary inpatient placement.*—A person ordered to
1544 involuntary inpatient placement must meet the following
1545 criteria:

1546 1. The person has a mental illness and, because of his or
1547 her mental illness:

1548 a. He or she has refused voluntary inpatient placement for
1549 treatment after sufficient and conscientious explanation and
1550 disclosure of the purpose of treatment; or

1551 b. Is unable to determine for himself or herself whether
1552 inpatient placement is necessary; and

1553 2.a. He or she is incapable of surviving alone or with the
1554 help of willing, able, and responsible family or friends,
1555 including available alternative services, and, without
1556 treatment, is likely to suffer from neglect or refuse to care
1557 for himself or herself, and such neglect or refusal poses a real
1558 and present threat of substantial harm to his or her well-being;
1559 or

1560 b. Without treatment, there is a substantial likelihood
1561 that in the near future the person will inflict serious bodily
1562 harm on self or others, as evidenced by recent behavior causing,
1563 attempting to cause, or threatening to cause such harm; and

1564 3. All available less restrictive treatment alternatives
1565 that would offer an opportunity for improvement of the person's
1566 condition have been deemed to be inappropriate or unavailable.

1567 (3) RECOMMENDATION FOR INVOLUNTARY SERVICES AND
1568 TREATMENT.—A patient may be recommended for involuntary
1569 inpatient placement, involuntary outpatient services, or a
1570 combination of both.

1571 (a) A patient may be retained by the facility that
1572 examined the patient for involuntary services until the
1573 completion of the patient's court hearing upon the
1574 recommendation of the administrator of the facility where the
1575 patient has been examined and after adherence to the notice and
1576 hearing procedures provided in s. 394.4599. However, if a
1577 patient who is being recommended for only involuntary outpatient

1578 services has been stabilized and no longer meets the criteria
1579 for involuntary examination pursuant to s. 394.463(1), the
1580 patient must be released from the facility while awaiting the
1581 hearing for involuntary outpatient services.

1582 (b) The recommendation that the involuntary services
1583 criteria reasonably appear to have been met must be supported by
1584 the opinion of a psychiatrist and the second opinion of a
1585 clinical psychologist with at least 3 years of clinical
1586 experience, another psychiatrist, or a psychiatric nurse
1587 practicing within the framework of an established protocol with
1588 a psychiatrist, who personally examined the patient. For
1589 involuntary inpatient placement, the patient must have been
1590 examined within the preceding 72 hours. For involuntary
1591 outpatient services, the patient must have been examined within
1592 the preceding 30 days.

1593 (c) If a psychiatrist, a clinical psychologist with at
1594 least 3 years of clinical experience, or a psychiatric nurse
1595 practicing within the framework of an established protocol with
1596 a psychiatrist is not available to provide a second opinion, the
1597 petitioner must certify as such and the second opinion may be
1598 provided by a licensed physician who has postgraduate training
1599 and experience in diagnosis and treatment of mental illness, a
1600 clinical psychologist with less than 3 years of clinical
1601 experience, or a psychiatric nurse.

1602 (d) Any opinion authorized in this subsection may be

1603 conducted through a face-to-face or in-person examination, or by
 1604 electronic means. Recommendations for involuntary services must
 1605 be entered on a petition for involuntary services, which shall
 1606 be made a part of the patient's clinical record. The filing of
 1607 the petition authorizes the facility to retain the patient
 1608 pending transfer to a treatment facility or completion of a
 1609 hearing.

1610 (4) PETITION FOR INVOLUNTARY SERVICES.—

1611 (a) A petition for involuntary services may be filed by:

- 1612 1. The administrator of a receiving facility;
- 1613 2. The administrator of a treatment facility; or
- 1614 3. A service provider who is treating the person being
 1615 petitioned.

1616 (b) A petition for involuntary inpatient placement, or
 1617 inpatient placement followed by outpatient services, must be
 1618 filed in the court in the county where the patient is located.

1619 (c) A petition for involuntary outpatient services must be
 1620 filed in the county where the patient is located, unless the
 1621 patient is being placed from a state treatment facility, in
 1622 which case the petition must be filed in the county where the
 1623 patient will reside.

1624 (d)1. The petitioner must state in the petition:

- 1625 a. Whether the petitioner is recommending inpatient
 1626 placement, outpatient services, or both.
- 1627 b. The length of time recommended for each type of

1628 involuntary services.

1629 c. The reasons for the recommendation.

1630 2. If recommending involuntary outpatient services, or a
1631 combination of involuntary inpatient placement and outpatient
1632 services, the petitioner must identify the service provider that
1633 has agreed to provide services for the person under an order for
1634 involuntary outpatient services, unless he or she is otherwise
1635 participating in outpatient psychiatric treatment and is not in
1636 need of public financing for that treatment, in which case the
1637 individual, if eligible, may be ordered to involuntary treatment
1638 pursuant to the existing psychiatric treatment relationship.

1639 3. When recommending an order to involuntary outpatient
1640 services, the petitioner shall prepare a written proposed
1641 services plan in consultation with the patient or the patient's
1642 guardian advocate, if appointed, for the court's consideration
1643 for inclusion in the involuntary outpatient services order that
1644 addresses the nature and extent of the mental illness and any
1645 co-occurring substance use disorder that necessitate involuntary
1646 outpatient services. The services plan must specify the likely
1647 needed level of care, including the use of medication, and
1648 anticipated discharge criteria for terminating involuntary
1649 outpatient services. The services in the plan must be deemed
1650 clinically appropriate by a physician, clinical psychologist,
1651 psychiatric nurse, mental health counselor, marriage and family
1652 therapist, or clinical social worker who consults with, or is

1653 employed or contracted by, the service provider. If the services
1654 in the proposed services plan are not available, the petitioner
1655 may not file the petition. The petitioner must notify the
1656 managing entity if the requested services are not available. The
1657 managing entity must document such efforts to obtain the
1658 requested service. The service provider who accepts the patient
1659 for involuntary outpatient services is responsible for the
1660 development of a comprehensive treatment plan.

1661 (e) Each required criterion for the recommended
1662 involuntary services must be alleged and substantiated in the
1663 petition. A copy of the recommended services plan, if
1664 applicable, must be attached to the petition. The court must
1665 accept petitions and other documentation with electronic
1666 signatures.

1667 (f) When the petition has been filed, the clerk of the
1668 court shall provide copies of the petition and the recommended
1669 services plan, if applicable, to the department, the managing
1670 entity, the patient, the patient's guardian or representative,
1671 the state attorney, and the public defender or the patient's
1672 private counsel. A fee may not be charged for the filing of a
1673 petition under this subsection.

1674 (5) APPOINTMENT OF COUNSEL.—Within 1 court working day
1675 after the filing of a petition for involuntary services, the
1676 court shall appoint the public defender to represent the person
1677 who is the subject of the petition, unless the person is

1678 otherwise represented by counsel or ineligible. The clerk of the
1679 court shall immediately notify the public defender of such
1680 appointment. The public defender shall represent the person
1681 until the petition is dismissed, the court order expires, the
1682 patient is discharged from involuntary services, or the public
1683 defender is otherwise discharged by the court. Any attorney who
1684 represents the patient shall be provided access to the patient,
1685 witnesses, and records relevant to the presentation of the
1686 patient's case and shall represent the interests of the patient,
1687 regardless of the source of payment to the attorney.

1688 (6) CONTINUANCE OF HEARING.—The patient and the state are
1689 independently entitled to seek a continuance of the hearing. The
1690 patient shall be granted a request for an initial continuance
1691 for up to 7 calendar days. The patient may request additional
1692 continuances for up to 21 calendar days in total, which shall
1693 only be granted by a showing of good cause and due diligence by
1694 the patient and the patient's counsel before requesting the
1695 continuance. The state may request one continuance of up to 7
1696 calendar days, which shall only be granted by a showing of good
1697 cause and due diligence by the state before requesting the
1698 continuance. The state's failure to timely review any readily
1699 available document or failure to attempt to contact a known
1700 witness does not warrant a continuance.

1701 (7) HEARING ON INVOLUNTARY SERVICES.—

1702 (a)1. The court shall hold a hearing on the involuntary

1703 services petition within 5 court working days after the filing
1704 of the petition, unless a continuance is granted.

1705 2. The court must hold any hearing on involuntary
1706 outpatient services in the county where the petition is filed. A
1707 hearing on involuntary inpatient placement, or a combination of
1708 involuntary inpatient placement and involuntary outpatient
1709 services, must be held in the county or the facility, as
1710 appropriate, where the patient is located, except for good cause
1711 documented in the court file.

1712 3. A hearing on involuntary services must be as convenient
1713 to the patient as is consistent with orderly procedure, and
1714 shall be conducted in physical settings not likely to be
1715 injurious to the patient's condition. If the court finds that
1716 the patient's attendance at the hearing is not consistent with
1717 the best interests of the patient, or the patient knowingly,
1718 intelligently, and voluntarily waives his or her right to be
1719 present, and if the patient's counsel does not object, the court
1720 may waive the attendance of the patient from all or any portion
1721 of the hearing. The state attorney for the circuit in which the
1722 patient is located shall represent the state, rather than the
1723 petitioner, as the real party in interest in the proceeding. The
1724 facility or service provider shall make the patient's clinical
1725 records available to the state attorney and the patient's
1726 attorney so that the state can evaluate and prepare its case.
1727 However, these records shall remain confidential, and the state

1728 attorney may not use any record obtained under this part for
1729 criminal investigation or prosecution purposes, or for any
1730 purpose other than the patient's civil commitment under this
1731 chapter.

1732 (b) The court may appoint a magistrate to preside at the
1733 hearing. The state attorney and witnesses may remotely attend
1734 and, as appropriate, testify at the hearing under oath via
1735 audio-video teleconference. A witness intending to attend
1736 remotely and testify must provide the parties with all relevant
1737 documents by the close of business on the day before the
1738 hearing. One of the professionals who executed the involuntary
1739 services certificate shall be a witness. The patient and the
1740 patient's guardian or representative shall be informed by the
1741 court of the right to an independent expert examination. If the
1742 patient cannot afford such an examination, the court shall
1743 ensure that one is provided, as otherwise provided for by law.
1744 The independent expert's report is confidential and not
1745 discoverable, unless the expert is to be called as a witness for
1746 the patient at the hearing. The court shall allow testimony from
1747 persons, including family members, deemed by the court to be
1748 relevant under state law, regarding the person's prior history
1749 and how that prior history relates to the person's current
1750 condition. The testimony in the hearing must be given under
1751 oath, and the proceedings must be recorded. The patient may
1752 refuse to testify at the hearing.

1753 (c) At the hearing, the court shall consider testimony and
 1754 evidence regarding the patient's competence to consent to
 1755 services and treatment. If the court finds that the patient is
 1756 incompetent to consent to treatment, it must appoint a guardian
 1757 advocate as provided in s. 394.4598.

1758 (8) ORDERS OF THE COURT.—

1759 (a)1. If the court concludes that the patient meets the
 1760 criteria for involuntary services, the court may order a patient
 1761 to involuntary inpatient placement, involuntary outpatient
 1762 services, or a combination of involuntary services depending on
 1763 the criteria met and which type of involuntary services best
 1764 meet the needs of the patient. However, if the court orders the
 1765 patient to involuntary outpatient services, the court may not
 1766 order the department or the service provider to provide services
 1767 if the program or service is not available in the patient's
 1768 local community, if there is no space available in the program
 1769 or service for the patient, or if funding is not available for
 1770 the program or service. The petitioner must notify the managing
 1771 entity if the requested services are not available. The managing
 1772 entity must document such efforts to obtain the requested
 1773 services. A copy of the order must be sent to the managing
 1774 entity by the service provider within 1 working day after it is
 1775 received from the court.

1776 2. The order must specify the nature and extent of the
 1777 patient's mental illness and the reasons the appropriate

HB 7017

2025

1778 involuntary services criteria are satisfied.

1779 3. An order for only involuntary outpatient services,
1780 involuntary inpatient placement, or of a combination of
1781 involuntary services may be for a period of up to 6 months.

1782 4. An order for a combination of involuntary services must
1783 specify the length of time the patient shall be ordered for
1784 involuntary inpatient placement and involuntary outpatient
1785 services.

1786 5. The order of the court and the patient's services plan,
1787 if applicable, must be made part of the patient's clinical
1788 record.

1789 (b) If the court orders a patient into involuntary
1790 inpatient placement, the court may order that the patient be
1791 retained at a receiving facility while awaiting transfer
1792 ~~transferred~~ to a treatment facility; or, if the patient is at a
1793 treatment facility, that the patient be retained there or be
1794 treated at any other appropriate facility; or that the patient
1795 receive services on an involuntary basis for up to 6 months. The
1796 court may not order an individual with a developmental
1797 disability as defined in s. 393.063 or a traumatic brain injury
1798 or dementia who lacks a co-occurring mental illness to be
1799 involuntarily placed in a state treatment facility.

1800 (c) If at any time before the conclusion of a hearing on
1801 involuntary services, it appears to the court that the patient
1802 instead meets the criteria for involuntary admission or

1803 treatment pursuant to s. 397.675, then the court may order the
1804 person to be admitted for involuntary assessment pursuant to s.
1805 397.6757. Thereafter, all proceedings are governed by chapter
1806 397.

1807 (d) The administrator of the petitioning facility or the
1808 designated department representative shall provide a copy of the
1809 court order and adequate documentation of a patient's mental
1810 illness to the service provider for involuntary outpatient
1811 services or the administrator of a treatment facility if the
1812 patient is ordered for involuntary inpatient placement. The
1813 documentation must include any advance directives made by the
1814 patient, a psychiatric evaluation of the patient, and any
1815 evaluations of the patient performed by a psychiatric nurse, a
1816 clinical psychologist, a marriage and family therapist, a mental
1817 health counselor, or a clinical social worker. The administrator
1818 of a treatment facility may refuse admission to any patient
1819 directed to its facilities on an involuntary basis, whether by
1820 civil or criminal court order, who is not accompanied by
1821 adequate orders and documentation.

1822 (e) In cases resulting in an order for involuntary
1823 outpatient services, the court shall retain jurisdiction over
1824 the case and the parties for entry of further orders as
1825 circumstances may require, including, but not limited to,
1826 monitoring compliance with treatment or ordering inpatient
1827 treatment to stabilize a person who decompensates while under

1828 court-ordered outpatient treatment and meets the commitment
1829 criteria of this section.

1830 (9) SERVICES PLAN MODIFICATION.—After the order for
1831 involuntary outpatient services is issued, the service provider
1832 and the patient may modify the services plan as provided by
1833 department rule.

1834 (10) NONCOMPLIANCE WITH INVOLUNTARY OUTPATIENT SERVICES.—

1835 (a) If, in the clinical judgment of a physician, a
1836 psychiatrist, a clinical psychologist with at least 3 years of
1837 clinical experience, or a psychiatric nurse practicing within
1838 the framework of an established protocol with a psychiatrist, a
1839 patient receiving involuntary outpatient services has failed or
1840 has refused to comply with the services plan ordered by the
1841 court, and efforts were made to solicit compliance, the service
1842 provider must report such noncompliance to the court. The
1843 involuntary outpatient services order shall remain in effect
1844 unless the service provider determines that the patient no
1845 longer meets the criteria for involuntary outpatient services or
1846 until the order expires. The service provider must determine
1847 whether modifications should be made to the existing services
1848 plan and must attempt to continue to engage the patient in
1849 treatment. For any material modification of the services plan to
1850 which the patient or the patient's guardian advocate, if
1851 applicable, agrees, the service provider shall send notice of
1852 the modification to the court. Any material modifications of the

1853 services plan which are contested by the patient or the
 1854 patient's guardian advocate, if applicable, must be approved or
 1855 disapproved by the court.

1856 (b) A county court may not use incarceration as a sanction
 1857 for noncompliance with the services plan, but it may order an
 1858 individual evaluated for possible inpatient placement if there
 1859 is significant, or are multiple instances of, noncompliance.

1860 (11) PROCEDURE FOR CONTINUED INVOLUNTARY SERVICES.—

1861 (a) A petition for continued involuntary services must be
 1862 filed if the patient continues to meets the criteria for
 1863 involuntary services.

1864 (b)1. If a patient receiving involuntary outpatient
 1865 services continues to meet the criteria for involuntary
 1866 outpatient services, the service provider must file in the court
 1867 that issued the initial order for involuntary outpatient
 1868 services a petition for continued involuntary outpatient
 1869 services.

1870 2. If a patient in involuntary inpatient placement
 1871 continues to meet the criteria for involuntary services and is
 1872 being treated at a receiving facility, the administrator must,
 1873 before the expiration of the period the receiving facility is
 1874 authorized to retain the patient, file in the court that issued
 1875 the initial order for involuntary inpatient placement, a
 1876 petition requesting authorization for continued involuntary
 1877 services. The administrator may petition for inpatient or

1878 outpatient services.

1879 3. If a patient in inpatient placement continues to meet
1880 the criteria for involuntary services and is being treated at a
1881 treatment facility, the administrator must, before expiration of
1882 the period the treatment facility is authorized to retain the
1883 patient, file a petition requesting authorization for continued
1884 involuntary services. The administrator may petition for
1885 inpatient or outpatient services. Hearings on petitions for
1886 continued involuntary services of an individual placed at any
1887 treatment facility are administrative hearings and must be
1888 conducted in accordance with s. 120.57(1), except that any order
1889 entered by the judge is final and subject to judicial review in
1890 accordance with s. 120.68. Orders concerning patients committed
1891 after successfully pleading not guilty by reason of insanity are
1892 governed by s. 916.15.

1893 4. The court shall immediately schedule a hearing on the
1894 petition to be held within 15 days after the petition is filed.

1895 5. The existing involuntary services order shall remain in
1896 effect until disposition on the petition for continued
1897 involuntary services.

1898 (c) The petition must be accompanied by a statement from
1899 the patient's physician, psychiatrist, psychiatric nurse, or
1900 clinical psychologist justifying the request, a brief
1901 description of the patient's treatment during the time he or she
1902 was receiving involuntary services, and an individualized plan

1903 of continued treatment developed in consultation with the
1904 patient or the patient's guardian advocate, if applicable. If
1905 the petition is for involuntary outpatient services, it must
1906 comply with the requirements of subparagraph (4)(d)3. When the
1907 petition has been filed, the clerk of the court shall provide
1908 copies of the petition and the individualized plan of continued
1909 services to the department, the patient, the patient's guardian
1910 advocate, the state attorney, and the patient's private counsel
1911 or the public defender.

1912 (d) The court shall appoint counsel to represent the
1913 person who is the subject of the petition for continued
1914 involuntary services in accordance with ~~to~~ the provisions set
1915 forth in subsection (5), unless the person is otherwise
1916 represented by counsel or ineligible.

1917 (e) Hearings on petitions for continued involuntary
1918 outpatient services must be before the court that issued the
1919 order for involuntary outpatient services. However, the patient
1920 and the patient's attorney may agree to a period of continued
1921 outpatient services without a court hearing.

1922 (f) Hearings on petitions for continued involuntary
1923 inpatient placement in receiving facilities, or involuntary
1924 outpatient services following involuntary inpatient services,
1925 must be held in the county or the facility, as appropriate,
1926 where the patient is located.

1927 (g) The court may appoint a magistrate to preside at the

1928 hearing. The procedures for obtaining an order pursuant to this
1929 paragraph must meet the requirements of subsection (7).

1930 (h) Notice of the hearing must be provided as set forth in
1931 s. 394.4599.

1932 (i) If a patient's attendance at the hearing is
1933 voluntarily waived, the judge must determine that the patient
1934 knowingly, intelligently, and voluntarily waived his or her
1935 right to be present, before waiving the presence of the patient
1936 from all or a portion of the hearing. Alternatively, if at the
1937 hearing the judge finds that attendance at the hearing is not
1938 consistent with the best interests of the patient, the judge may
1939 waive the presence of the patient from all or any portion of the
1940 hearing, unless the patient, through counsel, objects to the
1941 waiver of presence. The testimony in the hearing must be under
1942 oath, and the proceedings must be recorded.

1943 (j) If at a hearing it is shown that the patient continues
1944 to meet the criteria for involuntary services, the court shall
1945 issue an order for continued involuntary outpatient services,
1946 involuntary inpatient placement, or a combination of involuntary
1947 services for up to 6 months. The same procedure shall be
1948 repeated before the expiration of each additional period the
1949 patient is retained.

1950 (k) If the patient has been ordered to undergo involuntary
1951 services and has previously been found incompetent to consent to
1952 treatment, the court shall consider testimony and evidence

1953 regarding the patient's competence. If the patient's competency
 1954 to consent to treatment is restored, the discharge of the
 1955 guardian advocate is governed by s. 394.4598. If the patient has
 1956 been ordered to undergo involuntary inpatient placement only and
 1957 the patient's competency to consent to treatment is restored,
 1958 the administrative law judge may issue a recommended order, to
 1959 the court that found the patient incompetent to consent to
 1960 treatment, that the patient's competence be restored and that
 1961 any guardian advocate previously appointed be discharged.

1962 (1) If continued involuntary inpatient placement is
 1963 necessary for a patient in involuntary inpatient placement who
 1964 was admitted while serving a criminal sentence, but his or her
 1965 sentence is about to expire, or for a minor involuntarily
 1966 placed, but who is about to reach the age of 18, the
 1967 administrator shall petition the administrative law judge for an
 1968 order authorizing continued involuntary inpatient placement.

1969
 1970 The procedure required in this subsection must be followed
 1971 before the expiration of each additional period the patient is
 1972 involuntarily receiving services.

1973 (12) RETURN TO FACILITY.—If a patient has been ordered to
 1974 undergo involuntary inpatient placement at a receiving or
 1975 treatment facility under this part and leaves the facility
 1976 without the administrator's authorization, the administrator may
 1977 authorize a search for the patient and his or her return to the

1978 facility. The administrator may request the assistance of a law
 1979 enforcement agency in this regard.

1980 (13) DISCHARGE.—The patient shall be discharged upon
 1981 expiration of the court order or at any time the patient no
 1982 longer meets the criteria for involuntary services, unless the
 1983 patient has transferred to voluntary status. Upon discharge, the
 1984 service provider or facility shall send a certificate of
 1985 discharge to the court.

1986 Reviser's note.—Reenacted to conform to the fact that s. 11, ch.
 1987 2024-245, Laws of Florida, purported to amend s. 394.467
 1988 but did not publish paragraphs (7) (f) and (g), which were
 1989 intended to be stricken. Similar material now appears in
 1990 paragraph (11) (k). Paragraph (1) (a) is amended to conform
 1991 to the fact that s. 394.4655(1) defines "involuntary
 1992 outpatient placement" as "involuntary outpatient services
 1993 as defined in s. 394.467," and s. 394.467(1) (c)
 1994 specifically defines "involuntary outpatient services."
 1995 Paragraph (8) (b) is amended to confirm an editorial
 1996 deletion to correct a drafting error. Paragraph (11) (d) is
 1997 amended to confirm an editorial substitution to conform to
 1998 context.

1999 **Section 38. Subsection (2) of section 394.468, Florida**
 2000 **Statutes, is amended to read:**

2001 394.468 Admission and discharge procedures.—

2002 (2) Discharge planning and procedures for any patient's

2003 release from a receiving facility or treatment facility must
 2004 include and document the patient's needs, and actions to address
 2005 such needs, for, at a minimum:

- 2006 (a) Follow-up behavioral health appointments;
- 2007 (b) Information on how to obtain prescribed medications;

2008 ~~and~~

2009 (c) Information pertaining to:

- 2010 1. Available living arrangements .†
- 2011 2. Transportation; and

2012 (d) Referral to:

2013 1. Care coordination services. The patient must be
 2014 referred for care coordination services if the patient meets the
 2015 criteria as a member of a priority population as determined by
 2016 the department under s. 394.9082(3)(c) and is in need of such
 2017 services.

2018 2. Recovery support opportunities under s. 394.4573(2)(1),
 2019 including, but not limited to, connection to a peer specialist.
 2020 Reviser's note.—Amended to conform to statutes formatting.

2021 **Section 39. Paragraph (a) of subsection (2) of section**
 2022 **395.901, Florida Statutes, is amended to read:**

2023 395.901 Definitions; legislative findings and intent.—

2024 (2) LEGISLATIVE FINDINGS AND INTENT.—

2025 (a) The Legislature finds that there is a critical
 2026 shortage of behavioral health professionals and recognizes the
 2027 urgent need to expand the existing behavioral health workforce,

2028 | prepare for an aging workforce, incentivize entry into
 2029 | behavioral health professions, and train a modernized workforce
 2030 | in innovative and integrated care.

2031 | Reviser's note.—Amended to confirm an editorial insertion to
 2032 | conform to language elsewhere in the section.

2033 | **Section 40. Subsection (3) of section 397.68141, Florida**
 2034 | **Statutes, is amended to read:**

2035 | 397.68141 Contents of petition for involuntary treatment
 2036 | services.—A petition for involuntary services must contain the
 2037 | name of the respondent; the name of the petitioner; the
 2038 | relationship between the respondent and the petitioner; the name
 2039 | of the respondent's attorney, if known; and the factual
 2040 | allegations presented by the petitioner establishing the need
 2041 | for involuntary services for substance abuse impairment.

2042 | (3) If there is an emergency, the petition must also
 2043 | describe the respondent's exigent circumstances and include a
 2044 | request for an ex parte assessment and stabilization order that
 2045 | must be executed pursuant to s. 397.6818 ~~397.68151~~.

2046 | Reviser's note.—Amended to conform to the fact that s. 397.68151
 2047 | relates to duties of the court upon filing of a petition
 2048 | for involuntary services; execution of court orders for
 2049 | involuntary assessment and stabilization are referenced in
 2050 | s. 397.6818.

2051 | **Section 41. Subsection (7) of section 403.031, Florida**
 2052 | **Statutes, is amended to read:**

2053 403.031 Definitions.—In construing this chapter, or rules
 2054 and regulations adopted pursuant hereto, the following words,
 2055 phrases, or terms, unless the context otherwise indicates, have
 2056 the following meanings:

2057 (7) "Nutrient or nutrient-related standards" means water
 2058 quality standards and criteria established for total nitrogen
 2059 and total phosphorus ~~phosphorous~~, or their organic or inorganic
 2060 forms; biological variables, such as chlorophyll a, biomass, or
 2061 the structure of the phytoplankton, periphyton, or vascular
 2062 plant community, that respond to a nutrient load or
 2063 concentration in a predictable and measurable manner; or
 2064 dissolved oxygen if it is demonstrated for the waterbody that
 2065 dissolved oxygen conditions result in a biological imbalance and
 2066 the dissolved oxygen responds to a nutrient load or
 2067 concentration in a predictable and measurable manner.

2068 Reviser's note.—Amended to confirm an editorial substitution to
 2069 conform to context.

2070 **Section 42. Paragraph (c) of subsection (1) of section**
 2071 **403.086, Florida Statutes, is amended to read:**

2072 403.086 Sewage disposal facilities; advanced and secondary
 2073 waste treatment.—

2074 (1)

2075 (c)1. Notwithstanding this chapter or chapter 373, sewage
 2076 disposal facilities may not dispose any wastes into the
 2077 following waters without providing advanced waste treatment, as

2078 defined in subsection (4), as approved by the department or a
 2079 more stringent treatment standard if the department determines
 2080 the more stringent standard is necessary to achieve the total
 2081 maximum daily load or applicable water quality criteria:

2082 a. Old Tampa Bay; Tampa Bay; Hillsborough Bay; Boca Ciega
 2083 Bay; St. Joseph Sound; Clearwater Bay; Sarasota Bay; Little
 2084 Sarasota Bay; Roberts Bay; Lemon Bay; Charlotte Harbor Bay;
 2085 Biscayne Bay; or any river, stream, channel, canal, bay, bayou,
 2086 sound, or other water tributary thereto.

2087 b. Beginning July 1, 2025, Indian River Lagoon, or any
 2088 river, stream, channel, canal, bay, bayou, sound, or other water
 2089 tributary thereto.

2090 c. By January 1, 2033, waterbodies that are currently not
 2091 attaining nutrient or nutrient-related standards or that are
 2092 subject to a nutrient or nutrient-related basin management
 2093 action plan adopted pursuant to s. 403.067 or adopted reasonable
 2094 assurance plan.

2095 2. For any waterbody determined not to be attaining
 2096 nutrient or nutrient-related standards after July 1, 2023, or
 2097 subject to a nutrient or nutrient-related basin management
 2098 action plan adopted pursuant to s. 403.067 or adopted reasonable
 2099 assurance plan after July 1, 2023, sewage disposal facilities
 2100 are prohibited from disposing any wastes into such waters
 2101 without providing advanced waste treatment, as defined in
 2102 subsection (4), as approved by the department within 10 years

2103 after such determination or adoption.

2104 3. By July 1, 2034, any wastewater treatment facility
2105 providing reclaimed water that will be used for commercial or
2106 residential irrigation or be otherwise land applied within a
2107 nutrient basin management action plan or a reasonable assurance
2108 plan area must meet the advanced waste treatment standards for
2109 total nitrogen and total phosphorus ~~phosphorous~~ as defined in
2110 paragraph (4) (a) if the department has determined in an
2111 applicable basin management action plan or reasonable assurance
2112 plan that the use of reclaimed water as described in this
2113 subparagraph is causing or contributing to the nutrient
2114 impairment being addressed in such plan. For such department
2115 determinations made in a nutrient basin management action plan
2116 or reasonable assurance plan after July 1, 2024, an applicable
2117 wastewater treatment facility must meet the requisite advanced
2118 waste treatment standards described in this subparagraph within
2119 10 years after such determination. This subparagraph does not
2120 prevent the department from requiring an alternative treatment
2121 standard, including a more stringent treatment standard, if the
2122 department determines the alternative standard is necessary to
2123 achieve the total maximum daily load or applicable water quality
2124 criteria. This subparagraph does not apply to reclaimed water
2125 that is otherwise land applied as part of a water quality
2126 restoration project or water resource development project
2127 approved by the department or water management district to meet

2128 a total maximum daily load or minimum flow or level and where
2129 such reclaimed water will be at or below the advanced waste
2130 treatment standards described above prior to entering
2131 groundwater or surface water.

2132 Reviser's note.—Amended to confirm an editorial substitution to
2133 conform to context.

2134 **Section 43. Paragraph (a) of subsection (3) of section**
2135 **403.121, Florida Statutes, is amended to read:**

2136 403.121 Enforcement; procedure; remedies.—The department
2137 shall have the following judicial and administrative remedies
2138 available to it for violations of this chapter, as specified in
2139 s. 403.161(1), ss. 381.0065–381.0067, part I of chapter 386 for
2140 purposes of onsite sewage treatment and disposal systems, part
2141 III of chapter 489, or any rule promulgated thereunder.

2142 (3) Except for violations involving hazardous wastes,
2143 asbestos, or underground injection, administrative penalties
2144 must be calculated according to the following schedule:

2145 (a) For a drinking water contamination violation, the
2146 department shall assess a penalty of \$3,000 for a Maximum
2147 Contaminant ~~Containment~~ Level (MCL) violation; plus \$1,500 if
2148 the violation is for a primary inorganic, organic, or
2149 radiological Maximum Contaminant Level or it is a fecal coliform
2150 bacteria violation; plus \$1,500 if the violation occurs at a
2151 community water system; and plus \$1,500 if any Maximum
2152 Contaminant Level is exceeded by more than 100 percent. For

2153 failure to obtain a clearance letter before placing a drinking
 2154 water system into service when the system would not have been
 2155 eligible for clearance, the department shall assess a penalty of
 2156 \$4,500.

2157 Reviser's note.—Amended to confirm an editorial substitution to
 2158 conform to context.

2159 **Section 44. Subsection (5) of section 408.051, Florida**
 2160 **Statutes, is amended to read:**

2161 408.051 Florida Electronic Health Records Exchange Act.—

2162 (5) HOSPITAL DATA.—A hospital as defined in s. 395.002(12)
 2163 which maintains certified electronic health record technology
 2164 must make available admission ~~admit~~, transfer, and discharge
 2165 data to the agency's Florida Health Information Exchange program
 2166 for the purpose of supporting public health data registries and
 2167 patient care coordination. The agency may adopt rules to
 2168 implement this subsection.

2169 Reviser's note.—Amended to improve clarity and facilitate
 2170 correct interpretation.

2171 **Section 45. Paragraph (d) of subsection (9) of section**
 2172 **409.909, Florida Statutes, is amended to read:**

2173 409.909 Statewide Medicaid Residency Program.—

2174 (9) The Graduate Medical Education Committee is created
 2175 within the agency.

2176 (d) The committee shall convene its first meeting by July
 2177 1, 2024, and shall meet as often as necessary to conduct its

2178 business, but at least twice annually, at the call of the chair.
 2179 The committee may conduct its meetings through ~~though~~
 2180 teleconference or other electronic means. A majority of the
 2181 members of the committee constitutes a quorum, and a meeting may
 2182 not be held with less than a quorum present. The affirmative
 2183 vote of a majority of the members of the committee present is
 2184 necessary for any official action by the committee.

2185 Reviser's note.—Amended to confirm an editorial substitution to
 2186 conform to context.

2187 **Section 46. Paragraph (j) of subsection (1) of section**
 2188 **409.988, Florida Statutes, is amended to read:**

2189 409.988 Community-based care lead agency duties; general
 2190 provisions.—

2191 (1) DUTIES.—A lead agency:

2192 (j)1. May subcontract for the provision of services,
 2193 excluding subcontracts with a related party for officer-level or
 2194 director-level staffing to perform management functions,
 2195 required by the contract with the lead agency and the
 2196 department; however, the subcontracts must specify how the
 2197 provider will contribute to the lead agency meeting the
 2198 performance standards established pursuant to the child welfare
 2199 results-oriented accountability system required by s. 409.997.
 2200 Any contract with an unrelated entity for officer-level or
 2201 director-level staffing to perform management functions must
 2202 adhere to the executive compensation provision in s. 409.992(3).

2203 2. Shall directly provide no more than 35 percent of all
2204 child welfare services provided unless it can demonstrate a need
2205 within the lead agency's geographic service area where there is
2206 a lack of qualified providers available to perform necessary
2207 services. The approval period for an exemption to exceed the 35
2208 percent threshold is limited to 2 years. To receive approval,
2209 the lead agency must create and submit to the department through
2210 the lead agency's local community alliance a detailed report of
2211 all efforts to recruit a qualified provider to perform the
2212 necessary services in that geographic service area. The local
2213 community alliance in the geographic service area in which the
2214 lead agency is seeking to exceed the threshold shall review the
2215 lead agency's justification for need and recommend to the
2216 department whether the department should approve or deny the
2217 lead agency's request for an exemption from the services
2218 threshold. If there is not a community alliance operating in the
2219 geographic service area in which the lead agency is seeking to
2220 exceed the threshold, such review and recommendation shall be
2221 made by representatives of local stakeholders, including at
2222 least one representative from each of the following:

- 2223 a. The department.
- 2224 b. The county government.
- 2225 c. The school district.
- 2226 d. The county United Way.
- 2227 e. The county sheriff's office.

- 2228 f. The circuit court corresponding to the county.
- 2229 g. The county children's board, if one exists.

2230

2231 The lead agency may request a renewal of the exemption allowing

2232 the lead agency to directly provide child welfare services by

2233 following the process outlined in this subparagraph. The

2234 approval period for an exemption renewal is limited to 2 years.

2235 If, after the expiration of the exemption, the department

2236 determines the lead agency is not making a good faith effort to

2237 recruit a qualified provider, the department may deny the

2238 renewal request and require reprocurement.

2239 3. Shall, upon the department approving any exemption that

2240 allows a lead agency to directly provide more than 40 percent of

2241 all child welfare services provided, be required by the

2242 department to undergo an operational audit by the Auditor

2243 General to examine the lead agency's procurement of and

2244 financial arrangements for providing such services. ~~Upon~~

2245 ~~approving any exemption that allows a lead agency to directly~~

2246 ~~provide more than 40 percent of all child welfare services~~

2247 ~~provided, the department shall require the lead agency to~~

2248 ~~undergo an operational audit by the Auditor General to examine~~

2249 ~~the lead agency's procurement of and financial arrangements for~~

2250 ~~providing such services.~~ The audit shall, at a minimum, examine

2251 the costs incurred and any payments made by the lead agency to

2252 itself for services directly provided by the lead agency

2253 compared to any procurement solicitations by the lead agency,
 2254 and assess the adequacy of the efforts to obtain services from
 2255 subcontractors and the resulting cost and cost-effectiveness of
 2256 the services provided directly by the lead agency. The Auditor
 2257 General shall conduct such audits upon notification by the
 2258 department.

2259 Reviser's note.—Amended to confirm an editorial substitution to
 2260 conform to the introductory text of subsection (1) and to
 2261 provide contextual consistency with the other subunits
 2262 within that subsection.

2263 **Section 47. Paragraph (a) of subsection (3) of section**
 2264 **420.606, Florida Statutes, is amended to read:**

2265 420.606 Training and technical assistance program.—

2266 (3) TRAINING AND TECHNICAL ASSISTANCE PROGRAM.—The
 2267 Department of Commerce shall be responsible for securing the
 2268 necessary expertise to provide training and technical assistance
 2269 to:

2270 (a) Staff of local governments; ~~to~~ staff of state
 2271 agencies, as appropriate; ~~to~~ community-based organizations; and
 2272 ~~to~~ persons forming such organizations, which are formed for the
 2273 purpose of developing new housing and rehabilitating existing
 2274 housing that is affordable for very-low-income persons, low-
 2275 income persons, and moderate-income persons.

2276 1. The training component of the program shall be designed
 2277 to build the housing development capacity of community-based

2278 organizations and local governments as a permanent resource for
 2279 the benefit of communities in this state.

2280 a. The scope of training must include, but need not be
 2281 limited to, real estate development skills related to affordable
 2282 housing, including the construction process and property
 2283 management and disposition, the development of public-private
 2284 partnerships to reduce housing costs, model housing projects,
 2285 and management and board responsibilities of community-based
 2286 organizations.

2287 b. Training activities may include, but are not limited
 2288 to, materials for self-instruction, workshops, seminars,
 2289 internships, coursework, and special programs developed in
 2290 conjunction with state universities and community colleges.

2291 2. The technical assistance component of the program shall
 2292 be designed to assist applicants for state-administered programs
 2293 in developing applications and in expediting project
 2294 implementation. Technical assistance activities for the staffs
 2295 of community-based organizations and local governments who are
 2296 directly involved in the production of affordable housing may
 2297 include, but are not limited to, workshops for program
 2298 applicants, onsite visits, guidance in achieving project
 2299 completion, and a newsletter to community-based organizations
 2300 and local governments.

2301 Reviser's note.—Amended to eliminate redundancy.

2302 **Section 48. Paragraph (b) of subsection (4) of section**

2303 **420.6241, Florida Statutes, is amended to read:**

2304 420.6241 Persons with lived experience.—

2305 (4) BACKGROUND SCREENING.—

2306 (b) The background screening conducted under this
 2307 subsection must ensure that the qualified applicant has not been
 2308 arrested for and is not awaiting final disposition of, has not
 2309 been found guilty of, regardless of adjudication, or entered a
 2310 plea of nolo contendere or guilty to, or has not been
 2311 adjudicated delinquent and the record has been sealed or
 2312 expunged for, any offense prohibited under any of the following
 2313 state laws or similar laws of another jurisdiction:

2314 1. Section 393.135, relating to sexual misconduct with
 2315 certain developmentally disabled clients and reporting of such
 2316 sexual misconduct.

2317 2. Section 394.4593, relating to sexual misconduct with
 2318 certain mental health patients and reporting of such sexual
 2319 misconduct.

2320 3. Section 409.920, relating to Medicaid provider fraud,
 2321 if the offense is a felony of the first or second degree.

2322 4. Section 415.111, relating to criminal penalties for
 2323 abuse, neglect, or exploitation of vulnerable adults.

2324 5. Any offense that constitutes domestic violence, as
 2325 defined in s. 741.28.

2326 6. Section 777.04, relating to attempts, solicitation, and
 2327 conspiracy to commit an offense listed in this paragraph.

- 2328 | 7. Section 782.04, relating to murder.
- 2329 | 8. Section 782.07, relating to manslaughter, aggravated
- 2330 | manslaughter of an elderly person or a disabled adult,
- 2331 | aggravated manslaughter of a child, or aggravated manslaughter
- 2332 | of an officer, a firefighter, an emergency medical technician,
- 2333 | or a paramedic.
- 2334 | 9. Section 782.071, relating to vehicular homicide.
- 2335 | 10. Section 782.09, relating to killing of an unborn child
- 2336 | by injury to the mother.
- 2337 | 11. Chapter 784, relating to assault, battery, and
- 2338 | culpable negligence, if the offense is a felony.
- 2339 | 12. Section 787.01, relating to kidnapping.
- 2340 | 13. Section 787.02, relating to false imprisonment.
- 2341 | 14. Section 787.025, relating to luring or enticing a
- 2342 | child.
- 2343 | 15. Section 787.04(2), relating to leading, taking,
- 2344 | enticing, or removing a minor beyond the state limits, or
- 2345 | concealing the location of a minor, with criminal intent pending
- 2346 | custody proceedings.
- 2347 | 16. Section 787.04(3), relating to leading, taking,
- 2348 | enticing, or removing a minor beyond the state limits, or
- 2349 | concealing the location of a minor, with criminal intent pending
- 2350 | dependency proceedings or proceedings concerning alleged abuse
- 2351 | or neglect of a minor.
- 2352 | 17. Section 790.115(1), relating to exhibiting firearms or

- 2353 | weapons within 1,000 feet of a school.
- 2354 | 18. Section 790.115(2)(b), relating to possessing an
- 2355 | electric weapon or device, a destructive device, or any other
- 2356 | weapon on school property.
- 2357 | 19. Section 794.011, relating to sexual battery.
- 2358 | 20. Former s. 794.041, relating to prohibited acts of
- 2359 | persons in familial or custodial authority.
- 2360 | 21. Section 794.05, relating to unlawful sexual activity
- 2361 | with certain minors.
- 2362 | 22. Section 794.08, relating to female genital mutilation.
- 2363 | 23. Section 796.07, relating to procuring another to
- 2364 | commit prostitution, except for those offenses expunged pursuant
- 2365 | to s. 943.0583.
- 2366 | 24. Section 798.02, relating to lewd and lascivious
- 2367 | behavior.
- 2368 | 25. Chapter 800, relating to lewdness and indecent
- 2369 | exposure.
- 2370 | 26. Section 806.01, relating to arson.
- 2371 | 27. Section 810.02, relating to burglary, if the offense
- 2372 | is a felony of the first degree.
- 2373 | 28. Section 810.14, relating to voyeurism, if the offense
- 2374 | is a felony.
- 2375 | 29. Section 810.145, relating to digital ~~video~~ voyeurism,
- 2376 | if the offense is a felony.
- 2377 | 30. Section 812.13, relating to robbery.

- 2378 31. Section 812.131, relating to robbery by sudden
 2379 snatching.
- 2380 32. Section 812.133, relating to carjacking.
- 2381 33. Section 812.135, relating to home-invasion robbery.
- 2382 34. Section 817.034, relating to communications fraud, if
 2383 the offense is a felony of the first degree.
- 2384 35. Section 817.234, relating to false and fraudulent
 2385 insurance claims, if the offense is a felony of the first or
 2386 second degree.
- 2387 36. Section 817.50, relating to fraudulently obtaining
 2388 goods or services from a health care provider and false reports
 2389 of a communicable disease.
- 2390 37. Section 817.505, relating to patient brokering.
- 2391 38. Section 817.568, relating to fraudulent use of
 2392 personal identification, if the offense is a felony of the first
 2393 or second degree.
- 2394 39. Section 825.102, relating to abuse, aggravated abuse,
 2395 or neglect of an elderly person or a disabled adult.
- 2396 40. Section 825.1025, relating to lewd or lascivious
 2397 offenses committed upon or in the presence of an elderly person
 2398 or a disabled person.
- 2399 41. Section 825.103, relating to exploitation of an
 2400 elderly person or a disabled adult, if the offense is a felony.
- 2401 42. Section 826.04, relating to incest.
- 2402 43. Section 827.03, relating to child abuse, aggravated

2403 child abuse, or neglect of a child.
 2404 44. Section 827.04, relating to contributing to the
 2405 delinquency or dependency of a child.
 2406 45. Former s. 827.05, relating to negligent treatment of
 2407 children.
 2408 46. Section 827.071, relating to sexual performance by a
 2409 child.
 2410 47. Section 831.30, relating to fraud in obtaining
 2411 medicinal drugs.
 2412 48. Section 831.31, relating to the sale, manufacture,
 2413 delivery, or possession with intent to sell, manufacture, or
 2414 deliver any counterfeit controlled substance, if the offense is
 2415 a felony.
 2416 49. Section 843.01, relating to resisting arrest with
 2417 violence.
 2418 50. Section 843.025, relating to depriving a law
 2419 enforcement, correctional, or correctional probation officer of
 2420 the means of protection or communication.
 2421 51. Section 843.12, relating to aiding in an escape.
 2422 52. Section 843.13, relating to aiding in the escape of
 2423 juvenile inmates of correctional institutions.
 2424 53. Chapter 847, relating to obscenity.
 2425 54. Section 874.05, relating to encouraging or recruiting
 2426 another to join a criminal gang.
 2427 55. Chapter 893, relating to drug abuse prevention and

2428 control, if the offense is a felony of the second degree or
 2429 greater severity.

2430 56. Section 895.03, relating to racketeering and
 2431 collection of unlawful debts.

2432 57. Section 896.101, relating to the Florida Money
 2433 Laundering Act.

2434 58. Section 916.1075, relating to sexual misconduct with
 2435 certain forensic clients and reporting of such sexual
 2436 misconduct.

2437 59. Section 944.35(3), relating to inflicting cruel or
 2438 inhuman treatment on an inmate, resulting in great bodily harm.

2439 60. Section 944.40, relating to escape.

2440 61. Section 944.46, relating to harboring, concealing, or
 2441 aiding an escaped prisoner.

2442 62. Section 944.47, relating to introduction of contraband
 2443 into a correctional institution.

2444 63. Section 985.701, relating to sexual misconduct in
 2445 juvenile justice programs.

2446 64. Section 985.711, relating to introduction of
 2447 contraband into a detention facility.

2448 Reviser's note.—Amended to conform to the amendment of s.

2449 810.145 by s. 1, ch. 2024-132, Laws of Florida, which
 2450 redesignated the offense of "video voyeurism" as "digital
 2451 voyeurism."

2452 **Section 49. Paragraph (c) of subsection (2) of section**

2453 **456.0145, Florida Statutes, is amended to read:**

2454 456.0145 Mobile Opportunity by Interstate Licensure
2455 Endorsement (MOBILE) Act.—

2456 (2) LICENSURE BY ENDORSEMENT.—

2457 (c) A person is ineligible for a license under this
2458 section if ~~the~~ he or she:

2459 1. Has a complaint, an allegation, or an investigation
2460 pending before a licensing entity in another state, the District
2461 of Columbia, or a possession or territory of the United States;

2462 2. Has been convicted of or pled nolo contendere to,
2463 regardless of adjudication, any felony or misdemeanor related to
2464 the practice of a health care profession;

2465 3. Has had a health care provider license revoked or
2466 suspended by another state, the District of Columbia, or a
2467 territory of the United States, or has voluntarily surrendered
2468 any such license in lieu of having disciplinary action taken
2469 against the license; or

2470 4. Has been reported to the National Practitioner Data
2471 Bank, unless the applicant has successfully appealed to have his
2472 or her name removed from the data bank.

2473 Reviser's note.—Amended to confirm an editorial deletion to
2474 facilitate correct interpretation.

2475 **Section 50. Section 7 of section 456.4501, Florida**
2476 **Statutes, is amended to read:**

2477 456.4501 Interstate Medical Licensure Compact.—The

2478 Interstate Medical Licensure Compact is hereby enacted into law
2479 and entered into by this state with all other jurisdictions
2480 legally joining therein in the form substantially as follows:

2481

2482

SECTION 7

2483

COORDINATED INFORMATION SYSTEM

2484

2485 (1) The Interstate Commission shall establish a database
2486 of all physicians licensed, or who have applied for licensure,
2487 under Section 5.

2488

2489 (2) Notwithstanding any other provision of law, member
2490 boards shall report to the Interstate Commission any public
2491 action or complaints against a licensed physician who has
2492 applied for or received an expedited license through the
compact.

2493

2494 (3) Member boards shall report to the Interstate
2495 Commission disciplinary or investigatory information determined
as necessary and proper by rule of the Interstate Commission.

2496

2497 (4) Member boards may report to the Interstate Commission
2498 any nonpublic complaint, disciplinary, or investigatory
information not required by subsection (3).

2499

2500 (5) Member boards shall share complaint or disciplinary
2501 information about a physician upon request of another member
board.

2502

(6) All information provided to the Interstate Commission

2503 or distributed by member boards shall be confidential, filed
 2504 under seal, and used only for investigatory or disciplinary
 2505 matters.

2506 (7) The Interstate Commission may develop rules for
 2507 mandated or discretionary sharing of information by member
 2508 boards.

2509 Reviser's note.—Amended to confirm an editorial insertion to
 2510 improve clarity.

2511 **Section 51. Paragraph (c) of subsection (2) of section**
 2512 **459.0075, Florida Statutes, is amended to read:**

2513 459.0075 Limited licenses.—

2514 (2) GRADUATE ASSISTANT PHYSICIANS.—A graduate assistant
 2515 physician is a medical school graduate who meets the
 2516 requirements of this subsection and has obtained a limited
 2517 license from the board for the purpose of practicing temporarily
 2518 under the direct supervision of a physician who has a full,
 2519 active, and unencumbered license issued under this chapter,
 2520 pending the graduate's entrance into a residency under the
 2521 National Resident Match Program.

2522 (c) A graduate assistant physician limited licensee may
 2523 apply for a one-time renewal of his or her limited license
 2524 ~~licensed~~ by submitting a board-approved application,
 2525 documentation of actual practice under the required protocol
 2526 during the initial limited licensure period, and documentation
 2527 of applications he or she has submitted for accredited graduate

2528 | medical education training programs. The one-time renewal
 2529 | terminates after 1 year. A graduate assistant physician who has
 2530 | received a limited license under this subsection is not eligible
 2531 | to apply for another limited license, regardless of whether he
 2532 | or she received a one-time renewal under this paragraph.

2533 | Reviser's note.—Amended to confirm an editorial substitution to
 2534 | facilitate correct interpretation.

2535 | **Section 52. Subsection (4) of section 465.022, Florida**
 2536 | **Statutes, is amended to read**

2537 | 465.022 Pharmacies; general requirements; fees.—

2538 | (4) An application for a pharmacy permit must include the
 2539 | applicant's written policies and procedures for preventing
 2540 | controlled substance dispensing based on fraudulent
 2541 | representations or invalid practitioner-patient relationships.
 2542 | The board must review the policies and procedures and may deny a
 2543 | permit if the policies and procedures are insufficient to
 2544 | reasonably prevent such dispensing. ~~The department may phase in~~
 2545 | ~~the submission and review of policies and procedures over one~~
 2546 | ~~18-month period beginning July 1, 2011.~~

2547 | Reviser's note.—Amended to delete obsolete language.

2548 | **Section 53. Subsection (3) of section 466.016, Florida**
 2549 | **Statutes, is amended to read:**

2550 | 466.016 License to be displayed.—

2551 | (3) Any partnership, corporation, or other business entity
 2552 | that advertises dental services shall designate with the board a

2553 dentist of record and provide each patient with the name,
 2554 contact telephone number, after-hours contact information for
 2555 emergencies, and, upon the patient's request, license
 2556 information of the dentist of record. The designated dentist
 2557 shall have a full, active, and unencumbered license under this
 2558 chapter or a registration pursuant to s. 456.47.

2559 Reviser's note.—Amended to confirm an editorial insertion to
 2560 improve clarity.

2561 **Section 54. Paragraphs (t)-(v), (aa), and (mm) of**
 2562 **subsection (1) of section 466.028, Florida Statutes, are amended**
 2563 **to read:**

2564 466.028 Grounds for disciplinary action; action by the
 2565 board.—

2566 (1) The following acts constitute grounds for denial of a
 2567 license or disciplinary action, as specified in s. 456.072(2):

2568 (t) Committing fraud, deceit, or misconduct in the
 2569 practice of dentistry or dental hygiene.

2570 (u) Failing ~~Failure~~ to provide and maintain reasonable
 2571 sanitary facilities and conditions.

2572 (v) Failing ~~Failure~~ to provide adequate radiation
 2573 safeguards.

2574 (aa) Violating ~~The violation of~~ a lawful order of the
 2575 board or department previously entered in a disciplinary
 2576 hearing; or failure to comply with a lawfully issued subpoena of
 2577 the board or department.

HB 7017

2025

2578 (mm) Failing ~~Failure~~ by the dentist of record, before the
2579 initial diagnosis and correction of a malposition of human teeth
2580 or initial use of an orthodontic appliance, to perform an in-
2581 person examination of the patient or obtain records from an in-
2582 person examination within the last 12 months and to perform a
2583 review of the patient's most recent diagnostic digital or
2584 conventional radiographs or other equivalent bone imaging
2585 suitable for orthodontia.

2586 Reviser's note.—Amended to provide grammatical consistency with
2587 the other paragraphs in this subsection.

2588 **Section 55. Section 466.0281, Florida Statutes, is amended**
2589 **to read:**

2590 466.0281 Initial examination for orthodontic appliance.—
2591 Before the initial diagnosis and correction of a malposition of
2592 human teeth or initial use of an orthodontic appliance, a
2593 dentist must perform an in-person examination of the patient or
2594 obtain records from an in-person examination within the previous
2595 12 months and ~~to~~ perform a review of the patient's most recent
2596 diagnostic digital or conventional radiographs or other
2597 equivalent bone imaging suitable for orthodontia. The term "in-
2598 person examination" means an examination conducted by a dentist
2599 while the dentist is physically present in the same room as the
2600 patient.

2601 Reviser's note.—Amended to confirm an editorial deletion to
2602 improve clarity.

Section 56. Subsection (1) of section 493.6127, Florida Statutes, is amended to read:

493.6127 Appointment of tax collectors to accept applications and renewals for licenses; fees; penalties.—

(1) The department may appoint a tax collector, a county officer as described in s. 1(d), Art. VIII of the State Constitution, to accept new, renewal, and replacement license applications on behalf of the department for licenses issued under this chapter. Such appointment shall be for specified locations that will best serve the public interest and convenience of ~~in~~ persons applying for these licenses. The department shall establish by rule the type of new, renewal, or replacement licenses a tax collector appointed under this section is authorized to accept.

Reviser's note.—Amended to confirm an editorial substitution to improve clarity.

Section 57. Paragraph (b) of subsection (6) of section 516.15, Florida Statutes, is amended to read:

516.15 Duties of licensee.—Every licensee shall:

(6) Offer the borrower at the time a loan is made a credit education program or seminar provided, in writing or by electronic means, by the licensee or a third-party provider. The credit education program or seminar may address, but need not be limited to, any of the following topics:

(b) The impact of, value of, and ways to improve a credit

HB 7017

2025

2628 score.

2629

2630 A credit education program or seminar offered under this
2631 subsection must be offered at no cost to the borrower. A
2632 licensee may not require a borrower to participate in a credit
2633 education program or seminar as a condition of receiving a loan.
2634 Reviser's note.—Amended to confirm an editorial insertion to
2635 improve clarity.

2636 **Section 58. Paragraph (f) of subsection (2) of section**
2637 **516.38, Florida Statutes, is amended to read:**

2638 516.38 Annual reports by licensees.—

2639 (2) The report must include the following information for
2640 the preceding calendar year:

2641 (f) The total number of loans, separated by principal
2642 amount, in the following ranges as of December 31 of the
2643 preceding calendar year:

- 2644 1. Up to and including \$5,000.
- 2645 2. From \$5,001 ~~Five thousand and one dollars~~ to \$10,000.
- 2646 3. From \$10,001 ~~Ten thousand and one dollars~~ to \$15,000.
- 2647 4. From \$15,001 ~~Fifteen thousand and one dollars~~ to
2648 \$20,000.
- 2649 5. From \$20,001 ~~Twenty thousand and one dollars~~ to
2650 \$25,000.

2651 Reviser's note.—Amended to confirm editorial insertions, and
2652 editorial substitutions of dollar amounts to figures, to

2653 conform to style elsewhere in the section.

2654 **Section 59. Paragraph (b) of subsection (5) of section**
 2655 **517.131, Florida Statutes, is amended to read:**

2656 517.131 Securities Guaranty Fund.—

2657 (5) An eligible person, or a receiver on behalf of the
 2658 eligible person, seeking payment from the Securities Guaranty
 2659 Fund must file with the office a written application on a form
 2660 that the commission may prescribe by rule. The commission may
 2661 adopt by rule procedures for filing documents by electronic
 2662 means, provided that such procedures provide the office with the
 2663 information and data required by this section. The application
 2664 must be filed with the office within 1 year after the date of
 2665 the final judgment, the date on which a restitution order has
 2666 been ripe for execution, or the date of any appellate decision
 2667 thereon, and, at minimum, must contain all of the following
 2668 information:

2669 (b) The name of the person ordered to pay restitution.
 2670 Reviser's note.—Amended to improve clarity.

2671 **Section 60. Paragraph (b) of subsection (6) of section**
 2672 **550.0351, Florida Statutes, is amended to read:**

2673 550.0351 Charity days.—

2674 (6)

2675 (b) The funds derived from the operation of the additional
 2676 scholarship day shall be allocated as provided in this section
 2677 and paid to Pasco-Hernando State College ~~Paseo-Hernando~~

2678 ~~Community College.~~

2679 Reviser's note.—Amended to confirm an editorial substitution to
 2680 conform to the renaming of the college by s. 1, ch. 2014-8,
 2681 Laws of Florida.

2682 **Section 61. Subsection (7) of section 553.8991, Florida**
 2683 **Statutes, is amended to read:**

2684 553.8991 Resiliency and Safe Structures Act.—

2685 (7) APPLICATION AND CONSTRUCTION.—This section applies
 2686 retroactively to any law adopted contrary to this section or its
 2687 intent and must be liberally construed to effectuate its intent.
 2688 This section does not apply to or affect s. 553.79(25)
 2689 ~~553.79(26)~~.

2690 Reviser's note.—Amended to conform to the deletion of former s.
 2691 553.79(16) by s. 3, ch. 2024-191, Laws of Florida.

2692 **Section 62. Section 569.31, Florida Statutes, is reenacted**
 2693 **to read:**

2694 569.31 Definitions.—As used in this part, the term:

2695 (1) "Dealer" is synonymous with the term "retail nicotine
 2696 products dealer."

2697 (2) "Division" means the Division of Alcoholic Beverages
 2698 and Tobacco of the Department of Business and Professional
 2699 Regulation.

2700 (3) "FDA" means the United States Food and Drug
 2701 Administration.

2702 (4) "Nicotine dispensing device" means any product that

2703 employs an electronic, chemical, or mechanical means to produce
2704 vapor or aerosol from a nicotine product, including, but not
2705 limited to, an electronic cigarette, electronic cigar,
2706 electronic cigarillo, electronic pipe, or other similar device
2707 or product, any replacement cartridge for such device, and any
2708 other container of nicotine in a solution or other form intended
2709 to be used with or within an electronic cigarette, electronic
2710 cigar, electronic cigarillo, electronic pipe, or other similar
2711 device or product. For purposes of this definition, each
2712 individual stock keeping unit is considered a separate nicotine
2713 dispensing device.

2714 (5) "Nicotine product" means any product that contains
2715 nicotine, including liquid nicotine, which is intended for human
2716 consumption, whether inhaled, chewed, absorbed, dissolved, or
2717 ingested by any means. The term also includes any nicotine
2718 dispensing device. The term does not include a:

2719 (a) Tobacco product, as defined in s. 569.002;

2720 (b) Product regulated as a drug or device by the United
2721 States Food and Drug Administration under Chapter V of the
2722 Federal Food, Drug, and Cosmetic Act; or

2723 (c) Product that contains incidental nicotine.

2724 (6) "Nicotine products manufacturer" means any person or
2725 entity that manufactures nicotine products.

2726 (7) "Permit" is synonymous with the term "retail nicotine
2727 products dealer permit."

2728 (8) "Retail nicotine products dealer" means the holder of
 2729 a retail nicotine products dealer permit.

2730 (9) "Retail nicotine products dealer permit" means a
 2731 permit issued by the division under s. 569.32.

2732 (10) "Self-service merchandising" means the open display
 2733 of nicotine products, whether packaged or otherwise, for direct
 2734 retail customer access and handling before purchase without the
 2735 intervention or assistance of the dealer or the dealer's owner,
 2736 employee, or agent. An open display of such products and devices
 2737 includes the use of an open display unit.

2738 (11) "Sell" or "sale" means, in addition to its common
 2739 usage meaning, any sale, transfer, exchange, barter, gift, or
 2740 offer for sale and distribution, in any manner or by any means.

2741 (12) "Any person under the age of 21" does not include any
 2742 person under the age of 21 who:

2743 (a) Is in the military reserve or on active duty in the
 2744 Armed Forces of the United States; or

2745 (b) Is acting in his or her scope of lawful employment.

2746 Reviser's note.—Section 1, ch. 2024-127, Laws of Florida,
 2747 purported to amend s. 569.31, but did not publish
 2748 subsection (9), which was published and redesignated as
 2749 subsection (12) by the editors to conform to the subsection
 2750 redesignations by s. 1, ch. 2024-127. Absent affirmative
 2751 evidence of legislative intent to repeal it, s. 569.31 is
 2752 reenacted to confirm that the omission was not intended.

2753 **Section 63. Paragraph (a) of subsection (6) of section**
2754 **581.189, Florida Statutes, is amended to read:**

2755 581.189 Dealing in, buying, transporting, and processing
2756 saw palmetto berries.—

2757 (6) (a) A harvester that exchanges or offers to exchange
2758 saw palmetto berries with a saw palmetto dealer, seller, or
2759 processor for money or any other valuable consideration without
2760 first presenting to the saw palmetto berry dealer, seller, or
2761 processor the person's entire permit, as provided in s. 581.185,
2762 or the landowner's written permission commits a misdemeanor of
2763 the first degree, punishable as provided in s. 775.082 or s.
2764 775.083.

2765 Reviser's note.—Amended to confirm an editorial insertion to
2766 improve clarity.

2767 **Section 64. Paragraph (a) of subsection (6) of section**
2768 **605.0115, Florida Statutes, is amended to read:**

2769 605.0115 Resignation of registered agent.—

2770 (6) (a) If a registered agent is resigning as registered
2771 agent from more than one limited liability company that each has
2772 been dissolved, either voluntarily, administratively, or by
2773 court action, for a continuous period of 10 years or longer, the
2774 registered agent may elect to file the statement of resignation
2775 separately for each such limited liability company or may elect
2776 to file a single composite statement of resignation covering two
2777 or more limited liability companies. Any such composite

2778 statement of resignation must set forth, for each such limited
 2779 liability company covered by the statement of resignation, the
 2780 name of the respective limited liability company and the date
 2781 dissolution became effective for the respective limited
 2782 liability company.

2783 Reviser's note.—Amended to confirm an editorial insertion to
 2784 conform to context.

2785 **Section 65. Subsection (4) of section 607.0149, Florida**
 2786 **Statutes, is amended to read:**

2787 607.0149 Notice requirements.—

2788 (4) Notice under this section is not required with respect
 2789 to any action required to be submitted to shareholders for
 2790 approval pursuant to s. 607.0147(3) if notice is given in
 2791 accordance with s. 607.0148(2).

2792 Reviser's note.—Amended to confirm an editorial insertion to
 2793 improve clarity.

2794 **Section 66. Paragraph (b) of subsection (1) of section**
 2795 **624.27, Florida Statutes, is amended to read:**

2796 624.27 Direct health care agreements; exemption from
 2797 code.—

2798 (1) As used in this section, the term:

2799 (b) "Health care provider" means a health care provider
 2800 licensed under chapter 458, chapter 459, chapter 460, chapter
 2801 461, chapter 464, ~~or~~ chapter 466, chapter 490, or chapter 491,
 2802 or a health care group practice, who provides health care

2803 services to patients.

2804 Reviser's note.—Amended to confirm an editorial deletion to
 2805 conform to context.

2806 **Section 67. Paragraph (c) of subsection (10) of section**
 2807 **624.307, Florida Statutes, is amended to read:**

2808 624.307 General powers; duties.—

2809 (10)

2810 (c) Each insurer issued a certificate of authority or made
 2811 an eligible surplus lines insurer shall file with the department
 2812 an e-mail address to which requests for response to consumer
 2813 complaints shall be directed pursuant to paragraph (b). Such
 2814 insurer shall also designate a contact person for escalated
 2815 complaint issues and shall provide the name, e-mail address, and
 2816 telephone number of such person. A licensee of the department,
 2817 including an agency or a firm, may elect to designate ~~designated~~
 2818 an e-mail address to which requests for response to consumer
 2819 complaints shall be directed pursuant to paragraph (b). If a
 2820 licensee, including an agency or a firm, elects not to designate
 2821 an e-mail address, the department shall direct requests for
 2822 response to consumer complaints to the e-mail address of record
 2823 for the licensee in the department's licensing system. An
 2824 insurer or a licensee, including an agency or a firm, may change
 2825 the designated contact information at any time by submitting the
 2826 new information to the department using the method designated by
 2827 rule by the department.

2828 Reviser's note.—Amended to confirm an editorial substitution to
 2829 conform to context.

2830 **Section 68. Paragraph (c) of subsection (1) of section**
 2831 **624.413, Florida Statutes, is amended to read:**

2832 624.413 Application for certificate of authority.—

2833 (1) To apply for a certificate of authority, an insurer
 2834 shall file its application therefor with the office, upon a form
 2835 adopted by the commission and furnished by the office, showing
 2836 its name; location of its home office and, if an alien insurer,
 2837 its principal office in the United States; kinds of insurance to
 2838 be transacted; state or country of domicile; and such additional
 2839 information as the commission reasonably requires, together with
 2840 the following documents:

2841 (c) If a foreign or alien reciprocal insurer, a copy of
 2842 the power of attorney of its attorney in fact and of its
 2843 subscribers' agreement, if any, certified by the attorney in
 2844 fact; and, if a domestic reciprocal insurer, the permit
 2845 application ~~declaration~~ provided for in s. 629.081.

2846 Reviser's note.—Amended to conform to s. 15, ch. 2024-182, Laws
 2847 of Florida, which replaced references to a declaration in
 2848 s. 629.081 with language related to a permit application.

2849 **Section 69. Paragraph (c) of subsection (1) of section**
 2850 **624.4213, Florida Statutes, is amended to read:**

2851 624.4213 Trade secret documents.—

2852 (1) If any person who is required to submit documents or

2853 other information to the office or department pursuant to the
 2854 insurance code or by rule or order of the office, department, or
 2855 commission claims that such submission contains a trade secret,
 2856 such person may file with the office or department a notice of
 2857 trade secret as provided in this section. Failure to do so
 2858 constitutes a waiver of any claim by such person that the
 2859 document or information is a trade secret.

2860 (c) In submitting a notice of trade secret to the office
 2861 or department, the submitting party must include an affidavit
 2862 certifying under oath to the truth of the following statements
 2863 concerning all documents or information that are claimed to be
 2864 trade secrets:

2865 1. ...(I consider/My company considers)... ~~{I consider/My~~
 2866 ~~company considers}~~ this information a trade secret that has
 2867 value and provides an advantage or an opportunity to obtain an
 2868 advantage over those who do not know or use it.

2869 2. ...(I have/My company has)... ~~{I have/My company has}~~
 2870 taken measures to prevent the disclosure of the information to
 2871 anyone other than those who have been selected to have access
 2872 for limited purposes, and ...(I intend/my company intends)... ~~{I~~
 2873 ~~intend/my company intends}~~ to continue to take such measures.

2874 3. The information is not, and has not been, reasonably
 2875 obtainable without ...(my/our)... ~~{my/our}~~ consent by other
 2876 persons by use of legitimate means.

2877 4. The information is not publicly available elsewhere.

2878 Reviser's note.—Amended to conform to general style in forms.

2879 **Section 70. Paragraph (d) of subsection (8) of section**
 2880 **624.424, Florida Statutes, is amended to read:**

2881 624.424 Annual statement and other information.—

2882 (8)

2883 (d) Upon creation of the continuing education required
 2884 under this paragraph, the certified public accountant who ~~that~~
 2885 prepares the audit must be licensed to practice pursuant to
 2886 chapter 473 and must have completed at least 4 hours of
 2887 insurance-related continuing education during each 2-year
 2888 continuing education cycle. An insurer may not use the same
 2889 accountant or partner of an accounting firm responsible for
 2890 preparing the report required by this subsection for more than 5
 2891 consecutive years. Following this period, the insurer may not
 2892 use such accountant or partner for a period of 5 years, but may
 2893 use another accountant or partner of the same firm. An insurer
 2894 may request the office to waive this prohibition based upon an
 2895 unusual hardship to the insurer and a determination that the
 2896 accountant is exercising independent judgment that is not unduly
 2897 influenced by the insurer considering such factors as the number
 2898 of partners, expertise of the partners or the number of
 2899 insurance clients of the accounting firm; the premium volume of
 2900 the insurer; and the number of jurisdictions in which the
 2901 insurer transacts business.

2902 Reviser's note.—Amended to confirm an editorial substitution to

2903 conform to context.

2904 **Section 71. Paragraph (b) of subsection (1) of section**
 2905 **624.470, Florida Statutes, is amended to read:**

2906 624.470 Annual reports.—

2907 (1)

2908 (b) For financial statements filed on or after January 1,
 2909 1998, future investment income may only be reported as an
 2910 admitted asset by an Assessable Mutual or Self-Insurance Fund
 2911 which reported future investment income in financial statements
 2912 filed with the former Department of Insurance prior to January
 2913 1, 1998.

2914 Reviser's note.—Amended to conform to the fact that the duties
 2915 of the Department of Insurance were transferred to the
 2916 Department of Financial Services or the Financial Services
 2917 Commission by ch. 2002-404, Laws of Florida, effective
 2918 January 7, 2003. Section 3, ch. 2003-1, Laws of Florida,
 2919 and s. 1978, ch. 2003-261, Laws of Florida, repealed s.
 2920 20.13, which created the Department of Insurance.

2921 **Section 72. Subsection (3) of section 626.878, Florida**
 2922 **Statutes, is amended to read:**

2923 626.878 Rules; code of ethics.—

2924 (3) An adjuster who has had his or her license ~~licensed~~
 2925 revoked or suspended may not participate in any part of an
 2926 insurance claim or in the insurance claims adjusting process,
 2927 including estimating, completing, filing, negotiating,

HB 7017

2025

2928 appraising, mediating, umpiring, or effecting settlement of a
2929 claim for loss or damage covered under an insurance contract. A
2930 person who provides these services while the person's license is
2931 revoked or suspended acts as an unlicensed adjuster.

2932 Reviser's note.—Amended to confirm an editorial substitution to
2933 conform to context.

2934 **Section 73. Paragraph (d) of subsection (6) of section**
2935 **627.410, Florida Statutes, is amended to read:**

2936 627.410 Filing, approval of forms.—

2937 (6)

2938 (d) Every filing made pursuant to this subsection, except
2939 disability income policies and accidental death policies, is
2940 prohibited from applying the following rating practices:

2941 1. Select and ultimate premium schedules.

2942 2. Premium class definitions that classify insureds
2943 ~~insured~~ based on year of issue or duration since issue.

2944 3. Attained age premium structures on policy forms under
2945 which more than 50 percent of the policies are issued to persons
2946 age 65 or over.

2947 Reviser's note.—Amended to conform to context.

2948 **Section 74. Subsection (1) of section 629.121, Florida**
2949 **Statutes, is amended to read:**

2950 629.121 Attorney's bond.—

2951 (1) Concurrently with the filing of the permit application
2952 ~~declaration~~ provided for in s. 629.081, the attorney of a

2953 domestic reciprocal insurer shall file with the office a bond in
 2954 favor of this state for the benefit of all persons damaged as a
 2955 result of breach by the attorney of the conditions of his or her
 2956 bond as set forth in subsection (2). The bond shall be executed
 2957 by the attorney and by an authorized corporate surety and shall
 2958 be subject to the approval of the office.

2959 Reviser's note.—Amended to conform to s. 15, ch. 2024-182, Laws
 2960 of Florida, which replaced references to a declaration in
 2961 s. 629.081 with language related to a permit application.

2962 **Section 75. Subsection (9) of section 648.25, Florida**
 2963 **Statutes, is amended to read:**

2964 648.25 Definitions.—As used in this chapter, the term:

2965 (9) "Referring bail bond agent" means ~~is~~ the limited
 2966 surety agent who is requesting the transfer bond. The referring
 2967 bail bond agent is the agent held liable for the transfer bond,
 2968 along with the issuing surety company.

2969 Reviser's note.—Amended to confirm an editorial substitution to
 2970 conform to the style used in the section.

2971 **Section 76. Paragraph (c) of subsection (1) of section**
 2972 **655.0591, Florida Statutes, is amended to read:**

2973 655.0591 Trade secret documents.—

2974 (1) If any person who is required to submit documents or
 2975 other information to the office pursuant to the financial
 2976 institutions codes, or by rule or order of the office or
 2977 commission, claims that such submission contains a trade secret,

2978 | such person may file with the office a notice of trade secret
 2979 | when the information is submitted to the office as provided in
 2980 | this section. Failure to file such notice constitutes a waiver
 2981 | of any claim by such person that the document or information is
 2982 | a trade secret. The notice must provide the contact information
 2983 | of the person claiming ownership of the trade secret. The person
 2984 | claiming the trade secret is responsible for updating the
 2985 | contact information with the office.

2986 | (c) In submitting a notice of trade secret to the office
 2987 | or the Department of Financial Services, the submitting party
 2988 | shall include an affidavit certifying under oath to the truth of
 2989 | the following statements concerning all documents or information
 2990 | that are claimed to be trade secrets:

2991 | 1. ...(I consider/my company considers)... ~~{...I~~
 2992 | ~~consider/my company considers...}~~ this information a trade
 2993 | secret that has value and provides an advantage or an
 2994 | opportunity to obtain an advantage over those who do not know or
 2995 | use it.

2996 | 2. ...(I have/my company has)... ~~{...I have/my company~~
 2997 | ~~has...}~~ taken measures to prevent the disclosure of the
 2998 | information to anyone other than those who have been selected to
 2999 | have access for limited purposes, and ...(I intend/my company
 3000 | intends)... ~~{...I intend/my company intends...}~~ to continue to
 3001 | take such measures.

3002 | 3. The information is not, and has not been, reasonably

3003 obtainable without ... (my/our) ... ~~[...] my/our ...]~~ consent by
 3004 other persons by use of legitimate means.

3005 4. The information is not publicly available elsewhere.
 3006 Reviser's note.—Amended to conform to general style in forms.

3007 **Section 77. Subsection (1) of section 683.06, Florida**
 3008 **Statutes, is amended to read:**

3009 683.06 Pascua Florida Day.—

3010 (1) April 2 of each year is hereby designated as "Florida
 3011 State Day." The day is to be known as "Pascua Florida Day."

3012 Reviser's note.—Amended to confirm an editorial insertion to
 3013 improve sentence structure.

3014 **Section 78. Subsection (4) of section 709.2209, Florida**
 3015 **Statutes, is amended to read:**

3016 709.2209 Supported decisionmaking agreements.—

3017 (4) A communication made by the principal with the
 3018 assistance of or through an agent under a supported
 3019 decisionmaking agreement that is within the authority granted to
 3020 the agent may be recognized ~~for~~ as a communication of the
 3021 principal.

3022 Reviser's note.—Amended to confirm an editorial deletion to
 3023 improve clarity.

3024 **Section 79. Subsection (1) of section 715.105, Florida**
 3025 **Statutes, is amended to read:**

3026 715.105 Form of notice concerning abandoned property to
 3027 former tenant.—

3028 (1) A notice to the former tenant which is in
 3029 substantially the following form satisfies the requirements of
 3030 s. 715.104:

3031
 3032 Notice of Right to Reclaim Abandoned Property

3033 To: ...(Name of former tenant)...

3034 ...(Address of former tenant)...

3035 When you vacated the premises at ...(address of premises,
 3036 including room or apartment number, if any)..., the following
 3037 personal property remained: ...(insert description of personal
 3038 property)....

3039 You may claim this property at ...(address where property
 3040 may be claimed)....

3041 Unless you pay the reasonable costs of storage and
 3042 advertising, if any, for all the above-described property and
 3043 take possession of the property which you claim, not later than
 3044 ...(insert date not fewer than 10 days after notice is
 3045 personally delivered or, if mailed, not fewer than 15 days after
 3046 notice is deposited in the mail)..., this property may be
 3047 disposed of pursuant to s. 715.109, Florida Statutes.

3048 ...(Insert here the statement required by subsection
 3049 (2))...

3050 Dated:.... ...(Signature of landlord)...

3051 ...(Type or print name of landlord)...

3052 ...(Telephone number)...

3053 | ... (Address) ...

3054 | Reviser's note.—Amended to conform to general style in forms.

3055 | **Section 80. Subsections (4) and (11) of section 717.101,**
 3056 | **Florida Statutes, are amended to read:**

3057 | 717.101 Definitions.—As used in this chapter, unless the
 3058 | context otherwise requires:

3059 | (4) "Audit agent" means a person with whom the department
 3060 | enters into a contract ~~with~~ to conduct an audit or examination.
 3061 | The term includes an independent contractor of the person and
 3062 | each individual participating in the audit on behalf of the
 3063 | person or contractor.

3064 | (11) "Domicile" means the state of incorporation for a
 3065 | corporation; the state of filing for a business association,
 3066 | other than a corporation, whose formation or organization
 3067 | requires a filing with a state; the state of organization for a
 3068 | business association, other than a corporation, whose formation
 3069 | or organization does not require a filing with a state; or the
 3070 | state of home office for a federally chartered entity.

3071 | Reviser's note.—Subsection (4) is amended to confirm an
 3072 | editorial deletion to improve sentence structure.

3073 | Subsection (11) is amended to confirm an editorial
 3074 | insertion to improve clarity.

3075 | **Section 81. Paragraph (a) of subsection (1) of section**
 3076 | **717.1201, Florida Statutes, is amended to read:**

3077 | 717.1201 Custody by state; holder liability; reimbursement

3078 of holder paying claim; reclaiming for owner; payment of safe-
 3079 deposit box or repository charges.—

3080 (1) Upon the good faith payment or delivery of unclaimed
 3081 property to the department, the state assumes custody and
 3082 responsibility for the safekeeping of the property. Any person
 3083 who pays or delivers unclaimed property to the department in
 3084 good faith is relieved of all liability to the extent of the
 3085 value of the property paid or delivered for any claim then
 3086 existing or which thereafter may arise or be made in respect to
 3087 the property.

3088 (a) A holder's substantial compliance with s. 717.117(6)
 3089 and good faith payment or delivery of unclaimed property to the
 3090 department releases the holder from liability that may arise
 3091 from such payment or delivery, and such delivery and payment may
 3092 be pleaded ~~plead~~ as a defense in any suit or action brought by
 3093 reason of such delivery or payment. This section does not
 3094 relieve a fiduciary of his or her duties under the Florida Trust
 3095 Code or Florida Probate Code.

3096 Reviser's note.—Amended to confirm an editorial substitution to
 3097 conform to context.

3098 **Section 82. Paragraphs (c) and (f) of subsection (12) of**
 3099 **section 718.111, Florida Statutes, are amended to read:**

3100 718.111 The association.—

3101 (12) OFFICIAL RECORDS.—

3102 (c)1.a. The official records of the association are open

3103 to inspection by any association member and any person
3104 authorized by an association member as a representative of such
3105 member at all reasonable times. The right to inspect the records
3106 includes the right to make or obtain copies, at the reasonable
3107 expense, if any, of the member and of the person authorized by
3108 the association member as a representative of such member. A
3109 renter of a unit has a right to inspect and copy only the
3110 declaration of condominium, the association's bylaws and rules,
3111 and the inspection reports described in ss. 553.899 and
3112 718.301(4)(p). The association may adopt reasonable rules
3113 regarding the frequency, time, location, notice, and manner of
3114 record inspections and copying but may not require a member to
3115 demonstrate any purpose or state any reason for the inspection.
3116 The failure of an association to provide the records within 10
3117 working days after receipt of a written request creates a
3118 rebuttable presumption that the association willfully failed to
3119 comply with this paragraph. A unit owner who is denied access to
3120 official records is entitled to the actual damages or minimum
3121 damages for the association's willful failure to comply. Minimum
3122 damages are \$50 per calendar day for up to 10 days, beginning on
3123 the 11th working day after receipt of the written request. The
3124 failure to permit inspection entitles any person prevailing in
3125 an enforcement action to recover reasonable attorney fees from
3126 the person in control of the records who, directly or
3127 indirectly, knowingly denied access to the records. If the

3128 requested records are posted on an association's website, or are
3129 available for download through an application on a mobile
3130 device, the association may fulfill its obligations under this
3131 paragraph by directing to the website or the application all
3132 persons authorized to request access.

3133 b. In response to a written request to inspect records,
3134 the association must simultaneously provide to the requestor a
3135 checklist of all records made available for inspection and
3136 copying. The checklist must also identify any of the
3137 association's official records that were not made available to
3138 the requestor. An association must maintain a checklist provided
3139 under this sub-subparagraph for 7 years. An association
3140 delivering a checklist pursuant to this sub-subparagraph creates
3141 a rebuttable presumption that the association has complied with
3142 this paragraph.

3143 2. A director or member of the board or association or a
3144 community association manager who knowingly, willfully, and
3145 repeatedly violates subparagraph 1. commits a misdemeanor of the
3146 second degree, punishable as provided in s. 775.082 or s.
3147 775.083, and must be removed from office and a vacancy declared.
3148 For purposes of this subparagraph, the term "repeatedly" means
3149 two or more violations within a 12-month period.

3150 3. Any person who knowingly or intentionally defaces or
3151 destroys accounting records that are required by this chapter to
3152 be maintained during the period for which such records are

3153 required to be maintained, or who knowingly or intentionally
3154 fails to create or maintain accounting records that are required
3155 to be created or maintained, with the intent of causing harm to
3156 the association or one or more of its members, commits a
3157 misdemeanor of the first degree, punishable as provided in s.
3158 775.082 or s. 775.083; is personally subject to a civil penalty
3159 pursuant to s. 718.501(1)(e) ~~718.501(1)(d)~~; and must be removed
3160 from office and a vacancy declared.

3161 4. A person who willfully and knowingly refuses to release
3162 or otherwise produce association records with the intent to
3163 avoid or escape detection, arrest, trial, or punishment for the
3164 commission of a crime, or to assist another person with such
3165 avoidance or escape, commits a felony of the third degree,
3166 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
3167 and must be removed from office and a vacancy declared.

3168 5. The association shall maintain an adequate number of
3169 copies of the declaration, articles of incorporation, bylaws,
3170 and rules, and all amendments to each of the foregoing, as well
3171 as the question and answer sheet as described in s. 718.504 and
3172 year-end financial information required under this section, on
3173 the condominium property to ensure their availability to unit
3174 owners and prospective purchasers, and may charge its actual
3175 costs for preparing and furnishing these documents to those
3176 requesting the documents. An association shall allow a member or
3177 his or her authorized representative to use a portable device,

3178 including a smartphone, tablet, portable scanner, or any other
3179 technology capable of scanning or taking photographs, to make an
3180 electronic copy of the official records in lieu of the
3181 association's providing the member or his or her authorized
3182 representative with a copy of such records. The association may
3183 not charge a member or his or her authorized representative for
3184 the use of a portable device. Notwithstanding this paragraph,
3185 the following records are not accessible to unit owners:

3186 a. Any record protected by the lawyer-client privilege as
3187 described in s. 90.502 and any record protected by the work-
3188 product privilege, including a record prepared by an association
3189 attorney or prepared at the attorney's express direction, which
3190 reflects a mental impression, conclusion, litigation strategy,
3191 or legal theory of the attorney or the association, and which
3192 was prepared exclusively for civil or criminal litigation or for
3193 adversarial administrative proceedings, or which was prepared in
3194 anticipation of such litigation or proceedings until the
3195 conclusion of the litigation or proceedings.

3196 b. Information obtained by an association in connection
3197 with the approval of the lease, sale, or other transfer of a
3198 unit.

3199 c. Personnel records of association or management company
3200 employees, including, but not limited to, disciplinary, payroll,
3201 health, and insurance records. For purposes of this sub-
3202 subparagraph, the term "personnel records" does not include

3203 written employment agreements with an association employee or
3204 management company, or budgetary or financial records that
3205 indicate the compensation paid to an association employee.

3206 d. Medical records of unit owners.

3207 e. Social security numbers, driver license numbers, credit
3208 card numbers, e-mail addresses, telephone numbers, facsimile
3209 numbers, emergency contact information, addresses of a unit
3210 owner other than as provided to fulfill the association's notice
3211 requirements, and other personal identifying information of any
3212 person, excluding the person's name, unit designation, mailing
3213 address, property address, and any address, e-mail address, or
3214 facsimile number provided to the association to fulfill the
3215 association's notice requirements. Notwithstanding the
3216 restrictions in this sub-subparagraph, an association may print
3217 and distribute to unit owners a directory containing the name,
3218 unit address, and all telephone numbers of each unit owner.
3219 However, an owner may exclude his or her telephone numbers from
3220 the directory by so requesting in writing to the association. An
3221 owner may consent in writing to the disclosure of other contact
3222 information described in this sub-subparagraph. The association
3223 is not liable for the inadvertent disclosure of information that
3224 is protected under this sub-subparagraph if the information is
3225 included in an official record of the association and is
3226 voluntarily provided by an owner and not requested by the
3227 association.

3228 f. Electronic security measures that are used by the
 3229 association to safeguard data, including passwords.

3230 g. The software and operating system used by the
 3231 association which allow the manipulation of data, even if the
 3232 owner owns a copy of the same software used by the association.
 3233 The data is part of the official records of the association.

3234 h. All affirmative acknowledgments made pursuant to s.
 3235 718.121(4)(c).

3236 (f) An outgoing board or committee member must relinquish
 3237 all official records and property of the association in his or
 3238 her possession or under his or her control to the incoming board
 3239 within 5 days after the election. The division shall impose a
 3240 civil penalty as set forth in s. 718.501(1)(e)6. ~~718.501(1)(d)6.~~
 3241 against an outgoing board or committee member who willfully and
 3242 knowingly fails to relinquish such records and property.

3243 Reviser's note.—Amended to correct cross-references to conform
 3244 to the redesignation of s. 718.501(1)(d) as s.
 3245 718.501(1)(e) by s. 21, ch. 2024-244, Laws of Florida.

3246 **Section 83. Paragraph (c) of subsection (4) of section**
 3247 **719.108, Florida Statutes, is amended to read:**

3248 719.108 Rents and assessments; liability; lien and
 3249 priority; interest; collection; cooperative ownership.—

3250 (4) The association has a lien on each cooperative parcel
 3251 for any unpaid rents and assessments, plus interest, and any
 3252 administrative late fees. If authorized by the cooperative

3253 documents, the lien also secures reasonable attorney fees
 3254 incurred by the association incident to the collection of the
 3255 rents and assessments or enforcement of such lien. The lien is
 3256 effective from and after recording a claim of lien in the public
 3257 records in the county in which the cooperative parcel is located
 3258 which states the description of the cooperative parcel, the name
 3259 of the unit owner, the amount due, and the due dates. Except as
 3260 otherwise provided in this chapter, a lien may not be filed by
 3261 the association against a cooperative parcel until 45 days after
 3262 the date on which a notice of intent to file a lien has been
 3263 delivered to the owner.

3264 (c) By recording a notice in substantially the following
 3265 form, a unit owner or the unit owner's agent or attorney may
 3266 require the association to enforce a recorded claim of lien
 3267 against his or her cooperative parcel:

3268
 3269 NOTICE OF CONTEST OF LIEN
 3270

3271 TO: ... (Name and address of association) ... ÷
 3272

3273 You are notified that the undersigned contests the
 3274 claim of lien filed by you on, ... (year) ..., and
 3275 recorded in Official Records Book at Page,
 3276 of the public records of County, Florida, and
 3277 that the time within which you may file suit to

3278 enforce your lien is limited to 90 days from the date
 3279 of service of this notice. Executed this day of
 3280, ... (year)....

3281 Signed: ... (Owner or Attorney)...

3282
 3283 After notice of contest of lien has been recorded, the clerk of
 3284 the circuit court shall mail a copy of the recorded notice to
 3285 the association by certified mail, return receipt requested, at
 3286 the address shown in the claim of lien or most recent amendment
 3287 to it and shall certify to the service on the face of the
 3288 notice. Service is complete upon mailing. After service, the
 3289 association has 90 days in which to file an action to enforce
 3290 the lien. If the action is not filed within the 90-day period,
 3291 the lien is void. However, the 90-day period shall be extended
 3292 for any length of time during which the association is prevented
 3293 from filing its action because of an automatic stay resulting
 3294 from the filing of a bankruptcy petition by the unit owner or by
 3295 any other person claiming an interest in the parcel.

3296 Reviser's note.—Amended to remove extraneous punctuation.

3297 **Section 84. Subsection (1) of section 720.303, Florida**
 3298 **Statutes, is amended to read:**

3299 720.303 Association powers and duties; meetings of board;
 3300 official records; budgets; financial reporting; association
 3301 funds; recalls.—

3302 (1) POWERS AND DUTIES.—An association that operates a

3303 community as defined in s. 720.301 must be operated by an
3304 association that is a Florida corporation. After October 1,
3305 1995, the association must be incorporated and the initial
3306 governing documents must be recorded in the official records of
3307 the county in which the community is located. An association may
3308 operate more than one community. The officers and directors of
3309 an association are subject to s. 617.0830 and have a fiduciary
3310 relationship to the members who are served by the association.
3311 The powers and duties of an association include those set forth
3312 in this chapter and, except as expressly limited or restricted
3313 in this chapter, those set forth in the governing documents.
3314 After control of the association is obtained by members other
3315 than the developer, the association may institute, maintain,
3316 settle, or appeal actions or hearings in its name on behalf of
3317 all members concerning matters of common interest to the
3318 members, including, but not limited to, the common areas; roof
3319 or structural components of a building, or other improvements
3320 for which the association is responsible; mechanical,
3321 electrical, or plumbing elements serving an improvement or
3322 building for which the association is responsible;
3323 representations of the developer pertaining to any existing or
3324 proposed commonly used facility; and protest of ~~protesting~~ ad
3325 valorem taxes on commonly used facilities. The association may
3326 defend actions in eminent domain or bring inverse condemnation
3327 actions. Before commencing litigation against any party in the

3328 name of the association involving amounts in controversy in
 3329 excess of \$100,000, the association must obtain the affirmative
 3330 approval of a majority of the voting interests at a meeting of
 3331 the membership at which a quorum has been attained. This
 3332 subsection does not limit any statutory or common-law right of
 3333 any individual member or class of members to bring any action
 3334 without participation by the association. A member does not have
 3335 authority to act for the association by virtue of being a
 3336 member. An association may have more than one class of members
 3337 and may issue membership certificates. An association of 15 or
 3338 fewer parcel owners may enforce only the requirements of those
 3339 deed restrictions established prior to the purchase of each
 3340 parcel upon an affected parcel owner or owners.

3341 Reviser's note.—Amended to improve clarity.

3342 **Section 85. Paragraph (a) of subsection (1) of section**
 3343 **720.3033, Florida Statutes, is amended to read:**

3344 720.3033 Officers and directors.—

3345 (1) (a) Within 90 days after being elected or appointed to
 3346 the board, each director must submit a certificate of having
 3347 satisfactorily completed the educational curriculum administered
 3348 by a department-approved education provider.

3349 1. The newly elected or appointed director must complete
 3350 the department-approved education for newly elected or appointed
 3351 directors within 90 days after being elected or appointed.

3352 2. The certificate of completion is valid for a up to 4

3353 | years.

3354 | 3. A director must complete the education specific to
3355 | newly elected or appointed directors at least every 4 years.

3356 | 4. The department-approved educational curriculum specific
3357 | to newly elected or appointed directors must include training
3358 | relating to financial literacy and transparency, recordkeeping,
3359 | levying of fines, and notice and meeting requirements.

3360 | 5. In addition to the educational curriculum specific to
3361 | newly elected or appointed directors:

3362 | a. A director of an association that has fewer than 2,500
3363 | parcels must complete at least 4 hours of continuing education
3364 | annually.

3365 | b. A director of an association that has 2,500 parcels or
3366 | more must complete at least 8 hours of continuing education
3367 | annually.

3368 | Reviser's note.—Amended to confirm an editorial deletion to
3369 | improve clarity.

3370 | **Section 86. Paragraph (d) of subsection (3) of section**
3371 | **720.3075, Florida Statutes, is amended to read:**

3372 | 720.3075 Prohibited clauses in association documents.—

3373 | (3) Homeowners' association documents, including
3374 | declarations of covenants, articles of incorporation, or bylaws,
3375 | may not preclude:

3376 | (d) A property owner or a tenant, a guest, or an invitee
3377 | of the property owner from parking his or her personal vehicle,

3378 including a pickup truck, in the property owner's driveway, or
 3379 in any other area in ~~at~~ which the property owner or the property
 3380 owner's tenant, guest, or invitee has a right to park as
 3381 governed by state, county, and municipal regulations. The
 3382 homeowners' association documents, including declarations of
 3383 covenants, articles of incorporation, or bylaws, may not
 3384 prohibit, regardless of any official insignia or visible
 3385 designation, a property owner or a tenant, a guest, or an
 3386 invitee of the property owner from parking his or her work
 3387 vehicle, which is not a commercial motor vehicle as defined in
 3388 s. 320.01(25), in the property owner's driveway.

3389 Reviser's note.—Amended to confirm an editorial substitution to
 3390 conform to context.

3391 **Section 87. Subsection (3) of section 738.505, Florida**
 3392 **Statutes, is amended to read:**

3393 738.505 Reimbursement of principal from income.—

3394 (3) If an asset whose ownership gives rise to a principal
 3395 disbursement becomes subject to a successive interest after an
 3396 income interest ends, the fiduciary may ~~to~~ make transfers under
 3397 subsection (1).

3398 Reviser's note.—Amended to confirm an editorial deletion to
 3399 improve clarity.

3400 **Section 88. Paragraph (a) of subsection (1) of section**
 3401 **812.141, Florida Statutes, is amended to read:**

3402 812.141 Offenses involving critical infrastructure;

3403 improper tampering; civil remedies; trespass on critical
 3404 infrastructure; computer offenses involving critical
 3405 infrastructure.—

3406 (1) For purposes of this section, the term:

3407 (a) "Critical infrastructure" means:

3408 1. Any linear asset; or

3409 2. Any of the following for which the owner or operator
 3410 thereof has employed measures designed to exclude unauthorized
 3411 persons, including, but not limited to, fences, barriers, guard
 3412 posts, or signs prohibiting trespass:

3413 a. An electric power generation, transmission, or
 3414 distribution facility, or a substation, a switching station, or
 3415 an electrical control center.

3416 b. A chemical or rubber manufacturing or storage facility.

3417 c. A mining facility.

3418 d. A natural gas or compressed gas compressor station or
 3419 storage facility.

3420 e. A gas processing plant, including a plant used in the
 3421 processing, treatment, or fractionation of natural gas.

3422 f. A liquid natural gas or propane gas terminal or storage
 3423 facility with a capacity of 4,000 gallons or more.

3424 g. A wireless or wired communications facility, including
 3425 the tower, antennas ~~antennae~~, support structures, and all
 3426 associated ground-based equipment.

3427 h. A water intake structure, water treatment facility,

3428 | wastewater treatment plant, pump station, or lift station.
 3429 | i. A seaport listed in s. 311.09.
 3430 | j. A railroad switching yard, trucking terminal, or other
 3431 | freight transportation facility.
 3432 | k. An airport as defined in s. 330.27.
 3433 | l. A spaceport territory as defined in s. 331.303.
 3434 | m. A transmission facility used by a federally licensed
 3435 | radio or television station.
 3436 | n. A military base or military facility conducting
 3437 | research and development of military weapons systems,
 3438 | subsystems, components, or parts.
 3439 | o. A civilian defense industrial base conducting research
 3440 | and development of military weapons systems, subsystems,
 3441 | components, or parts.
 3442 | p. A dam as defined in s. 373.403(1), or other water
 3443 | control structures such as locks, floodgates, or dikes that are
 3444 | designed to maintain or control the level of navigable
 3445 | waterways.
 3446 | Reviser's note.—Amended to conform to the general usage of
 3447 | "antennas" when referencing transducers and "antennae" when
 3448 | referencing insect parts.
 3449 | **Section 89. Paragraph (b) of subsection (1) of section**
 3450 | **828.30, Florida Statutes, is amended to read:**
 3451 | 828.30 Rabies vaccination of dogs, cats, and ferrets.—
 3452 | (1)

3453 (b) Acting under the indirect supervision of a
 3454 veterinarian, an employee, an agent, or a contractor of a county
 3455 or municipal animal control authority or sheriff may vaccinate
 3456 against rabies dogs, cats, and ferrets that are in the custody
 3457 of an animal control authority or a sheriff and which ~~that~~ will
 3458 be transferred, rescued, fostered, adopted, or reclaimed by the
 3459 owner. The supervising veterinarian assumes responsibility for
 3460 any person vaccinating animals at his or her direction or under
 3461 his or her direct or indirect supervision. As used in this
 3462 paragraph, the term "indirect supervision" means that the
 3463 supervising veterinarian is required to be available for
 3464 consultation through telecommunications but is not required to
 3465 be physically present during such consultation.

3466 Reviser's note.—Amended to confirm an editorial insertion and an
 3467 editorial substitution to improve clarity.

3468 **Section 90. Subsection (8) of section 895.02, Florida**
 3469 **Statutes, as amended by section 12 of chapter 2025-1, Laws of**
 3470 **Florida, is reenacted to read:**

3471 895.02 Definitions.—As used in ss. 895.01-895.08, the
 3472 term:

3473 (8) "Racketeering activity" means to commit, to attempt to
 3474 commit, to conspire to commit, or to solicit, coerce, or
 3475 intimidate another person to commit:

3476 (a) Any crime that is chargeable by petition, indictment,
 3477 or information under the following provisions of the Florida

- 3478 Statutes:
- 3479 1. Section 104.155(2), relating to aiding or soliciting a
- 3480 noncitizen in voting.
- 3481 2. Section 210.18, relating to evasion of payment of
- 3482 cigarette taxes.
- 3483 3. Section 316.1935, relating to fleeing or attempting to
- 3484 elude a law enforcement officer and aggravated fleeing or
- 3485 eluding.
- 3486 4. Chapter 379, relating to the illegal sale, purchase,
- 3487 collection, harvest, capture, or possession of wild animal life,
- 3488 freshwater aquatic life, or marine life, and related crimes.
- 3489 5. Section 403.727(3)(b), relating to environmental
- 3490 control.
- 3491 6. Section 409.920 or s. 409.9201, relating to Medicaid
- 3492 fraud.
- 3493 7. Section 414.39, relating to public assistance fraud.
- 3494 8. Section 440.105 or s. 440.106, relating to workers'
- 3495 compensation.
- 3496 9. Section 443.071(4), relating to creation of a
- 3497 fictitious employer scheme to commit reemployment assistance
- 3498 fraud.
- 3499 10. Section 465.0161, relating to distribution of
- 3500 medicinal drugs without a permit as an Internet pharmacy.
- 3501 11. Section 499.0051, relating to crimes involving
- 3502 contraband, adulterated, or misbranded drugs.

- 3503 12. Part IV of chapter 501, relating to telemarketing.
- 3504 13. Chapter 517, relating to sale of securities and
3505 investor protection.
- 3506 14. Section 550.235 or s. 550.3551, relating to dogracing
3507 and horseracing.
- 3508 15. Chapter 550, relating to jai alai frontons.
- 3509 16. Section 551.109, relating to slot machine gaming.
- 3510 17. Chapter 552, relating to the manufacture,
3511 distribution, and use of explosives.
- 3512 18. Chapter 560, relating to money transmitters, if the
3513 violation is punishable as a felony.
- 3514 19. Chapter 562, relating to beverage law enforcement.
- 3515 20. Section 624.401, relating to transacting insurance
3516 without a certificate of authority, s. 624.437(4)(c)1., relating
3517 to operating an unauthorized multiple-employer welfare
3518 arrangement, or s. 626.902(1)(b), relating to representing or
3519 aiding an unauthorized insurer.
- 3520 21. Section 655.50, relating to reports of currency
3521 transactions, when such violation is punishable as a felony.
- 3522 22. Chapter 687, relating to interest and usurious
3523 practices.
- 3524 23. Section 721.08, s. 721.09, or s. 721.13, relating to
3525 real estate timeshare plans.
- 3526 24. Section 775.13(5)(b), relating to registration of
3527 persons found to have committed any offense for the purpose of

3528 benefiting, promoting, or furthering the interests of a criminal
 3529 gang.

3530 25. Section 777.03, relating to commission of crimes by
 3531 accessories after the fact.

3532 26. Chapter 782, relating to homicide.

3533 27. Chapter 784, relating to assault and battery.

3534 28. Chapter 787, relating to kidnapping, human smuggling,
 3535 or human trafficking.

3536 29. Chapter 790, relating to weapons and firearms.

3537 30. Chapter 794, relating to sexual battery, but only if
 3538 such crime was committed with the intent to benefit, promote, or
 3539 further the interests of a criminal gang, or for the purpose of
 3540 increasing a criminal gang member's own standing or position
 3541 within a criminal gang.

3542 31. Former s. 796.03, former s. 796.035, s. 796.04, s.
 3543 796.05, or s. 796.07, relating to prostitution.

3544 32. Chapter 806, relating to arson and criminal mischief.

3545 33. Chapter 810, relating to burglary and trespass.

3546 34. Chapter 812, relating to theft, robbery, and related
 3547 crimes.

3548 35. Chapter 815, relating to computer-related crimes.

3549 36. Chapter 817, relating to fraudulent practices, false
 3550 pretenses, fraud generally, credit card crimes, and patient
 3551 brokering.

3552 37. Chapter 825, relating to abuse, neglect, or

3553 exploitation of an elderly person or disabled adult.
 3554 38. Section 827.071, relating to commercial sexual
 3555 exploitation of children.
 3556 39. Section 828.122, relating to fighting or baiting
 3557 animals.
 3558 40. Chapter 831, relating to forgery and counterfeiting.
 3559 41. Chapter 832, relating to issuance of worthless checks
 3560 and drafts.
 3561 42. Section 836.05, relating to extortion.
 3562 43. Chapter 837, relating to perjury.
 3563 44. Chapter 838, relating to bribery and misuse of public
 3564 office.
 3565 45. Chapter 843, relating to obstruction of justice.
 3566 46. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
 3567 s. 847.07, relating to obscene literature and profanity.
 3568 47. Chapter 849, relating to gambling, lottery, gambling
 3569 or gaming devices, slot machines, or any of the provisions
 3570 within that chapter.
 3571 48. Chapter 874, relating to criminal gangs.
 3572 49. Chapter 893, relating to drug abuse prevention and
 3573 control.
 3574 50. Chapter 896, relating to offenses related to financial
 3575 transactions.
 3576 51. Sections 914.22 and 914.23, relating to tampering with
 3577 or harassing a witness, victim, or informant, and retaliation

3578 | against a witness, victim, or informant.

3579 | 52. Sections 918.12 and 918.13, relating to tampering with
3580 | jurors and evidence.

3581 | (b) Any conduct defined as "racketeering activity" under
3582 | 18 U.S.C. s. 1961(1).

3583 | (c) Any violation of Title 68, Florida Administrative
3584 | Code, relating to the illegal sale, purchase, collection,
3585 | harvest, capture, or possession of wild animal life, freshwater
3586 | aquatic life, or marine life, and related crimes.

3587 | Reviser's note.—Section 12, ch. 2025-1, Laws of Florida,
3588 | purported to amend subsection (8), without publishing
3589 | paragraphs (b) and (c). Absent affirmative evidence of
3590 | legislative intent to repeal the omitted paragraphs,
3591 | subsection (8) is reenacted here to confirm that the
3592 | omission was not intended.

3593 | **Section 91. Paragraph (e) of subsection (3) of section**
3594 | **921.0022, Florida Statutes, is amended to read:**

3595 | 921.0022 Criminal Punishment Code; offense severity
3596 | ranking chart.—

3597 | (3) OFFENSE SEVERITY RANKING CHART

3598 | (e) LEVEL 5

3599 |

Florida	Felony	
Statute	Degree	Description

3600 |

HB 7017

2025

	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
3601	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
3602	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
3603	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
3604	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
3605	379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of

stone crab traps, lines, or
 buoys; illegal bartering,
 trading, or sale,
 conspiring or aiding in
 such barter, trade, or
 sale, or supplying,
 agreeing to supply, aiding
 in supplying, or giving
 away stone crab trap tags
 or certificates; making,
 altering, forging,
 counterfeiting, or
 reproducing stone crab trap
 tags; possession of forged,
 counterfeit, or imitation
 stone crab trap tags; and
 engaging in the commercial
 harvest of stone crabs
 while license is suspended
 or revoked.

3606

379.367(4)

3rd

Willful molestation of a
 commercial harvester's
 spiny lobster trap, line,
 or buoy.

HB 7017

2025

3607	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
3608	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
3609	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
3610	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
3611	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
3612			

HB 7017

2025

	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
3613	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
3614	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
3615	790.162	2nd	Threat to throw or discharge destructive device.
3616	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
3617	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.

HB 7017

2025

3618	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
3619	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
3620	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
3621	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
3622	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
3623	<u>810.145 (4)</u> 810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
3624	810.145 (7) (a)	2nd	Digital voyeurism; 2nd

HB 7017

2025

3625			or subsequent offense.
	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
3626			
	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
3627			
	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
3628			
	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
3629			
	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.

HB 7017

2025

3630	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
3631	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
3632	812.081 (3)	2nd	Trafficking in trade secrets.
3633	812.131 (2) (b)	3rd	Robbery by sudden snatching.
3634	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
3635	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
3636	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.

HB 7017

2025

3637	817.2341(1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
3638	817.568(2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
3639	817.611(2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
3640	817.625(2) (b)	2nd	Second or subsequent

HB 7017

2025

3641	825.1025 (4)	3rd	<p>fraudulent use of scanning device, skimming device, or reencoder.</p> <p>Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.</p>
3642	828.12 (2)	3rd	<p>Tortures any animal with intent to inflict intense pain, serious physical injury, or death.</p>
3643	836.14 (4)	2nd	<p>Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.</p>
3644	839.13 (2) (b)	2nd	<p>Falsifying records of an individual in the care and custody of a state</p>

HB 7017

2025

3645	843.01 (1)	3rd	<p>agency involving great bodily harm or death.</p> <p>Resist officer with violence to person; resist arrest with violence.</p>
3646	847.0135 (5) (b)	2nd	<p>Lewd or lascivious exhibition using computer; offender 18 years or older.</p>
3647	847.0137 (2) & (3)	3rd	<p>Transmission of pornography by electronic device or equipment.</p>
3648	847.0138 (2) & (3)	3rd	<p>Transmission of material harmful to minors to a minor by electronic device or equipment.</p>
3649	874.05 (1) (b)	2nd	<p>Encouraging or recruiting another to join a criminal gang; second or subsequent offense.</p>
3650			

HB 7017

2025

3651	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
3652	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
3652	893.13 (1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

3653

893.13(1)(d)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.

3654

893.13(1)(e)2. 2nd Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.

3655

893.13(1)(f)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b),

3656 or (2)(c)5. drugs) within
1,000 feet of public
housing facility.

893.13(4)(b) 2nd Use or hire of minor;
deliver to minor other
controlled substance.

3657 893.1351(1) 3rd Ownership, lease, or rental
for trafficking in or
manufacturing of controlled
substance.

3658
3659 Reviser's note.—Amended to correct a cross-reference to conform
3660 to the redesignation by the editors of s. 810.145(4)(c) as
3661 a reversion.

**Section 92. Subsection (2) of section 938.10, Florida
Statutes, is amended to read:**

938.10 Additional court cost imposed in cases of certain
crimes.—

(2) Each month the clerk of the court shall transfer \$50
from the proceeds of the court cost to the Department of Revenue
for deposit into the Department of Children and Families' Grants
and Donations Trust Fund for disbursement to the Statewide
Guardian ad Litem Office ~~Office of the Statewide Guardian Ad~~

HB 7017

2025

3671 ~~Item~~ and \$100 to the Department of Revenue for deposit into the
3672 Department of Children and Families' Grants and Donations Trust
3673 Fund for disbursement to the Florida Network of Children's
3674 Advocacy Centers, Inc., for the purpose of funding children's
3675 advocacy centers that are members of the network. The clerk
3676 shall retain \$1 from each sum collected as a service charge.
3677 Reviser's note.—Amended to confirm an editorial substitution to
3678 conform to the correct name of the office.

3679 **Section 93. Paragraph (d) of subsection (7) of section**
3680 **985.433, Florida Statutes, is amended to read:**

3681 985.433 Disposition hearings in delinquency cases.—When a
3682 child has been found to have committed a delinquent act, the
3683 following procedures shall be applicable to the disposition of
3684 the case:

3685 (7) If the court determines that the child should be
3686 adjudicated as having committed a delinquent act and should be
3687 committed to the department, such determination shall be in
3688 writing or on the record of the hearing. The determination shall
3689 include a specific finding of the reasons for the decision to
3690 adjudicate and to commit the child to the department, including
3691 any determination that the child was a member of a criminal
3692 gang.

3693 (d) Any child adjudicated by the court and committed to
3694 the department under a restrictiveness level described in s.
3695 985.03(44)(a)-(c) ~~985.03(44)(a)-(d)~~ for any offense or attempted

HB 7017

2025

3696 offense involving a firearm must be placed on conditional
3697 release, as defined in s. 985.03, for a period of 1 year
3698 following his or her release from a commitment program. Such
3699 term of conditional release shall include electronic monitoring
3700 of the child by the department for the initial 6 months
3701 following his or her release and at times and under terms and
3702 conditions set by the department.

3703 Reviser's note.—Amended to correct a cross-reference. Section 9,
3704 ch. 2024-133, Laws of Florida, deleted s. 985.03(44)(a) and
3705 redesignated paragraphs (b)-(d) as paragraphs (a)-(c).

3706 **Section 94. Paragraph (c) of subsection (2) of section**
3707 **1001.372, Florida Statutes, is amended to read:**

3708 1001.372 District school board meetings.—

3709 (2) PLACE OF MEETINGS.—

3710 (c) For the purpose of this section, due public notice
3711 shall consist of, at least 2 days prior to the meeting:
3712 continuous publication on a publicly accessible website as
3713 provided in s. 50.0311 or the official district school board
3714 website; ~~by~~ publication in a newspaper of general circulation in
3715 the county, or in each county where there is no newspaper of
3716 general circulation in the county, an announcement over at least
3717 one radio station whose signal is generally received in the
3718 county, a reasonable number of times daily during the 48 hours
3719 immediately preceding the date of such meeting; or ~~by~~ posting a
3720 notice at the courthouse door if no newspaper is published in

3721 the county.

3722 Reviser's note.—Amended to confirm editorial deletions to
 3723 conform to context.

3724 **Section 95. Subsection (3) of section 1001.47, Florida**
 3725 **Statutes, is amended to read:**

3726 1001.47 District school superintendent; salary.—

3727 (3) The adjusted base salaries of elected district school
 3728 superintendents shall be increased annually as provided for in
 3729 s. 145.19. ~~Any salary previously paid to elected~~
 3730 ~~superintendents, including the salary calculated for fiscal~~
 3731 ~~years 2002-2003 and 2003-2004, which was consistent with chapter~~
 3732 ~~145 and s. 230.303, Florida Statutes (2001), is hereby ratified~~
 3733 ~~and validated.~~

3734 Reviser's note.—Amended to delete obsolete language.

3735 **Section 96. Subsection (9) of section 1001.706, Florida**
 3736 **Statutes, is amended to read:**

3737 1001.706 Powers and duties of the Board of Governors.—

3738 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
 3739 shall implement a plan for working on a regular basis with the
 3740 State Board of Education, the Commission for Independent
 3741 Education, the Office of Reimagining Education and Career Help
 3742 ~~Florida Talent Development Council~~, the Articulation
 3743 Coordinating Committee, the university boards of trustees,
 3744 representatives of the Florida College System institution boards
 3745 of trustees, representatives of the private colleges and

3746 universities, and representatives of the district school boards
 3747 to achieve a seamless education system.
 3748 Reviser's note.—Amended to conform to the fact that s. 1004.015,
 3749 which created the Florida Talent Development Council, was
 3750 repealed by s. 9, ch. 2024-125, Laws of Florida. The duties
 3751 of the former Florida Talent Development Council now fall
 3752 under the purview of the Office of Reimagining Education
 3753 and Career Help per the revision of its duties by s. 1, ch.
 3754 2024-125.

3755 **Section 97. Paragraph (b) of subsection (17) of section**
 3756 **1002.33, Florida Statutes, is amended to read:**

3757 1002.33 Charter schools.—
 3758 (17) FUNDING.—Students enrolled in a charter school,
 3759 regardless of the sponsorship, shall be funded based upon the
 3760 applicable program pursuant to s. 1011.62(1)(c), the same as
 3761 students enrolled in other public schools in a school district.
 3762 Funding for a charter lab school shall be as provided in s.
 3763 1002.32.
 3764 (b)1. Funding for students enrolled in a charter school
 3765 sponsored by a school district shall be the sum of the school
 3766 district's operating funds from the Florida Education Finance
 3767 Program as defined in s. 1011.61(5) and the General
 3768 Appropriations Act, including gross state and local funds, and
 3769 funds from the school district's current operating discretionary
 3770 millage levy; divided by total funded weighted full-time

3771 equivalent students in the school district; and multiplied by
3772 the weighted full-time equivalent students for the charter
3773 school. Charter schools whose students or programs meet the
3774 eligibility criteria in law are entitled to their proportionate
3775 share of categorical program funds included in the total funds
3776 available in the Florida Education Finance Program by the
3777 Legislature, including the student transportation allocation and
3778 the educational enrichment allocation. Total funding for each
3779 charter school shall be recalculated during the year to reflect
3780 the revised calculations under the Florida Education Finance
3781 Program by the state and the actual weighted full-time
3782 equivalent students reported by the charter school during the
3783 full-time equivalent student survey periods designated by the
3784 Commissioner of Education. For charter schools operated by a
3785 not-for-profit or municipal entity, any unrestricted current and
3786 capital assets identified in the charter school's annual
3787 financial audit may be used for other charter schools operated
3788 by the not-for-profit or municipal entity within the school
3789 district. For charter schools operated by a not-for-profit
3790 entity, any unrestricted current or capital assets identified in
3791 the charter school's annual audit may be used for other charter
3792 schools operated by the not-for-profit entity which are located
3793 outside of the originating charter school's school district, but
3794 within the state, through an unforgivable loan that must be
3795 repaid within 5 years to the originating charter school by the

3796 receiving charter school. Unrestricted current assets shall be
3797 used in accordance with s. 1011.62, and any unrestricted capital
3798 assets shall be used in accordance with s. 1013.62(2).

3799 2.a. Funding for students enrolled in a charter school
3800 sponsored by a state university or Florida College System
3801 institution pursuant to paragraph (5)(a) shall be provided in
3802 the Florida Education Finance Program as defined in s.
3803 1011.61(5) and as specified in the General Appropriations Act.
3804 The calculation to determine the amount of state funds includes
3805 the sum of the basic amount for current operations established
3806 in s. 1011.62(1)(s), the discretionary millage compression
3807 supplement established in s. 1011.62(5), and the state-funded
3808 discretionary contribution established in s. 1011.62(6). Charter
3809 schools whose students or programs meet the eligibility criteria
3810 in law are entitled to their proportionate share of categorical
3811 program funds included in the total funds available in the
3812 Florida Education Finance Program. The Florida College System
3813 institution or state university sponsoring the charter school
3814 shall be the fiscal agent for these funds, and all rules of the
3815 institution governing the budgeting and expenditure of state
3816 funds shall apply to these funds unless otherwise provided by
3817 law or rule of the State Board of Education.

3818 (I) The nonvoted required local millage established
3819 pursuant to s. 1011.71(1) that would otherwise be required for
3820 the charter schools shall be allocated from state funds.

3821 (II) An equivalent amount of funds for the operating
3822 discretionary millage authorized pursuant to s. 1011.71(1) shall
3823 be allocated to each charter school through a state-funded
3824 discretionary contribution established pursuant to s.
3825 1011.62(6).

3826 (III) The comparable wage factor as provided in s.
3827 1011.62(2) shall be established as 1.000.

3828 b. Total funding for each charter school shall be
3829 recalculated during the year to reflect the revised calculations
3830 under the Florida Education Finance Program by the state and the
3831 actual weighted full-time equivalent students reported by the
3832 charter school during the full-time equivalent student survey
3833 periods designated by the Commissioner of Education.

3834 c. The Department of Education shall develop a tool that
3835 each state university or Florida College System institution
3836 sponsoring a charter school shall use for purposes of
3837 calculating the funding amount for each eligible charter school
3838 student. The total amount obtained from the calculation must be
3839 appropriated from state funds in the General Appropriations Act
3840 to the charter school.

3841 d. Capital outlay funding for a charter school sponsored
3842 by a state university or Florida College System institution
3843 pursuant to paragraph (5)(a) is determined as follows: multiply
3844 the maximum allowable nonvoted discretionary millage under s.
3845 1011.71(2) by 96 percent of the current year's taxable value for

HB 7017

2025

3846 school purposes for the district in which the charter school is
3847 located; divide the result by the total full-time equivalent
3848 student membership; and multiply the result by the full-time
3849 equivalent student membership of the charter school. The amount
3850 obtained shall be the discretionary capital improvement funds
3851 and shall be appropriated from state funds in the General
3852 Appropriations Act.

3853 Reviser's note.—Amended to confirm an editorial insertion to
3854 improve clarity.

3855 **Section 98. Paragraph (c) of subsection (6), paragraph (b)**
3856 **of subsection (9), and paragraph (b) of subsection (10) of**
3857 **section 1002.394, Florida Statutes, are amended to read:**

3858 1002.394 The Family Empowerment Scholarship Program.—

3859 (6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible
3860 for a Family Empowerment Scholarship while he or she is:

3861 (c) Receiving any other educational scholarship pursuant
3862 to this chapter. However, an eligible public school student
3863 receiving a scholarship under s. 1002.411 may receive a stipend
3864 ~~scholarship~~ for transportation pursuant to s. 1002.31(7)
3865 ~~subparagraph (4)(a)2.~~;

3866 (9) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be
3867 eligible to participate in the Family Empowerment Scholarship
3868 Program, a private school may be sectarian or nonsectarian and
3869 must:

3870 (b) Provide to the organization all documentation required

HB 7017

2025

3871 for a student's participation, including confirmation of the
3872 student's admission to the private school, the private school's
3873 and student's fee schedules, and any other information required
3874 by the organization to process scholarship payment under
3875 subparagraph (12)(a)3. ~~(12)(a)4.~~ Such information must be
3876 provided by the deadlines established by the organization and in
3877 accordance with the requirements of this section. A student is
3878 not eligible to receive a quarterly scholarship payment if the
3879 private school fails to meet the deadline.

3880
3881 If a private school fails to meet the requirements of this
3882 subsection or s. 1002.421, the commissioner may determine that
3883 the private school is ineligible to participate in the
3884 scholarship program.

3885 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
3886 PARTICIPATION.—

3887 (b) A parent who applies for a scholarship under paragraph
3888 (3)(b) is exercising his or her parental option to determine the
3889 appropriate placement or the services that best meet the needs
3890 of his or her child and must:

3891 1. Apply to an eligible nonprofit scholarship-funding
3892 organization to participate in the program by a date set by the
3893 organization. The request must be communicated directly to the
3894 organization in a manner that creates a written or electronic
3895 record of the request and the date of receipt of the request.

3896 2.a. Beginning with new applications for the 2025-2026
3897 school year and thereafter, notify the organization by December
3898 15 that the scholarship is being accepted or declined.

3899 b. Beginning with renewal applications for the 2025-2026
3900 school year and thereafter, notify the organization by May 31
3901 that the scholarship is being renewed or declined.

3902 3. Sign an agreement with the organization and annually
3903 submit a sworn compliance statement to the organization to
3904 satisfy or maintain program eligibility, including eligibility
3905 to receive and spend program payments by:

3906 a. Affirming that the student is enrolled in a program
3907 that meets regular school attendance requirements as provided in
3908 s. 1003.01(16) (b), (c), or (d).

3909 b. Affirming that the program funds are used only for
3910 authorized purposes serving the student's educational needs, as
3911 described in paragraph (4) (b); that any prepaid college plan or
3912 college savings plan funds contributed pursuant to subparagraph
3913 (4) (b) 6. will not be transferred to another beneficiary while
3914 the plan contains funds contributed pursuant to this section;
3915 and that they will not receive a payment, refund, or rebate of
3916 any funds provided under this section.

3917 c. Affirming that the parent is responsible for all
3918 eligible expenses in excess of the amount of the scholarship and
3919 for the education of his or her student by, as applicable:

3920 (I) Requiring the student to take an assessment in

3921 accordance with paragraph (9) (c);
 3922 (II) Providing an annual evaluation in accordance with s.
 3923 1002.41 (1) (f); or
 3924 (III) Requiring the child to take any preassessments and
 3925 postassessments selected by the provider if the child is 4 years
 3926 of age and is enrolled in a program provided by an eligible
 3927 Voluntary Prekindergarten Education Program provider. A student
 3928 with disabilities for whom the physician or psychologist who
 3929 issued the diagnosis or the IEP team determines that a
 3930 preassessment and postassessment is not appropriate is exempt
 3931 from this requirement. A participating provider shall report a
 3932 student's scores to the parent.
 3933 d. Affirming that the student remains in good standing
 3934 with the provider or school if those options are selected by the
 3935 parent.
 3936 e. Enrolling his or her child in a program from a
 3937 Voluntary Prekindergarten Education Program provider authorized
 3938 under s. 1002.55, a school readiness provider authorized under
 3939 s. 1002.88, a prekindergarten program offered by an eligible
 3940 private school, or an eligible private school if selected by the
 3941 parent.
 3942 f. Comply with the scholarship application and renewal
 3943 processes and requirements established by the organization. A
 3944 student whose participation in the program is not renewed may
 3945 continue to spend scholarship funds that are in his or her

3946 account from prior years unless the account must be closed
3947 pursuant to subparagraph (5)(b)3. Notwithstanding any changes to
3948 the student's IEP, a student who was previously eligible for
3949 participation in the program shall remain eligible to apply for
3950 renewal. However, for a high-risk child to continue to
3951 participate in the program in the school year after he or she
3952 reaches 6 years of age, the child's application for renewal of
3953 program participation must contain documentation that the child
3954 has a disability defined in paragraph (2)(e) other than high-
3955 risk status.

3956 g. Procuring the services necessary to educate the
3957 student. If such services include enrollment in an eligible
3958 private school, the parent must meet with the private school's
3959 principal or the principal's designee to review the school's
3960 academic programs and policies, specialized services, code of
3961 student conduct, and attendance policies before his or her
3962 student is enrolled. The parent must also approve each payment
3963 to the eligible private school before the scholarship funds may
3964 be deposited by funds transfer pursuant to subparagraph
3965 (12)(a)3. ~~(12)(a)4.~~ The parent may not designate any entity or
3966 individual associated with the eligible private school as the
3967 parent's attorney in fact to approve a funds transfer. When the
3968 student receives a scholarship, the district school board is not
3969 obligated to provide the student with a free appropriate public
3970 education. For purposes of s. 1003.57 and the Individuals with

3971 Disabilities in Education Act, a participating student has only
 3972 those rights that apply to all other unilaterally parentally
 3973 placed students, except that, when requested by the parent,
 3974 school district personnel must develop an IEP or matrix level of
 3975 services.

3976 Reviser's note.—Paragraph (6)(c) is amended to facilitate
 3977 correct interpretation and to correct a cross-reference.
 3978 Section 6, ch. 2024-230, Laws of Florida, deleted
 3979 subparagraph (4)(a)2., relating to program funds used for
 3980 transportation to a Florida public school in which a
 3981 student is enrolled and that is different from the school
 3982 to which the student was assigned or to a lab school as
 3983 defined in s. 1002.32; similar material relating to
 3984 stipends for transportation can be found at s. 1002.31(7),
 3985 created by s. 2, ch. 2024-230. Paragraphs (9)(b) and
 3986 (10)(b) are amended to conform to the redesignation of
 3987 subparagraph (12)(a)4. as subparagraph (12)(a)3. by s. 6,
 3988 ch. 2024-230.

3989 **Section 99. Paragraph (b) of subsection (2), paragraph (c)**
 3990 **of subsection (4), paragraph (1) of subsection (6), and**
 3991 **paragraph (b) of subsection (7) of section 1002.395, Florida**
 3992 **Statutes, are amended to read:**

3993 1002.395 Florida Tax Credit Scholarship Program.—
 3994 (2) DEFINITIONS.—As used in this section, the term:
 3995 (b) "Choice navigator" means an individual who meets the

HB 7017

2025

3996 requirements of sub-subparagraph (6) (d) 4.g. ~~(6) (d) 2.h.~~ and who
3997 provides consultations, at a mutually agreed upon location, on
3998 the selection of, application for, and enrollment in educational
3999 options addressing the academic needs of a student; curriculum
4000 selection; and advice on career and postsecondary education
4001 opportunities. However, nothing in this section authorizes a
4002 choice navigator to oversee or exercise control over the
4003 curricula or academic programs of a personalized education
4004 program.

4005 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible
4006 for a scholarship while he or she is:

4007 (c) Receiving any other educational scholarship pursuant
4008 to this chapter. However, an eligible public school student
4009 receiving a scholarship under s. 1002.411 may receive a stipend
4010 ~~scholarship~~ for transportation pursuant to s. 1002.31(7)
4011 ~~subparagraph (6) (d) 4.~~;

4012 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
4013 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
4014 organization:

4015 (1)1. May use eligible contributions received pursuant to
4016 this section and ss. 212.099, 212.1831, and 212.1832 during the
4017 state fiscal year in which such contributions are collected for
4018 administrative expenses if the organization has operated as an
4019 eligible nonprofit scholarship-funding organization for at least
4020 the preceding 3 fiscal years and did not have any findings of

4021 material weakness or material noncompliance in its most recent
4022 audit under paragraph (o) or is in good standing in each state
4023 in which it administers a scholarship program and the audited
4024 financial statements for the preceding 3 fiscal years are free
4025 of material misstatements and going concern issues.

4026 Administrative expenses from eligible contributions may not
4027 exceed 3 percent of the total amount of all scholarships and
4028 stipends funded by an eligible scholarship-funding organization
4029 under this chapter. Such administrative expenses must be
4030 reasonable and necessary for the organization's management and
4031 distribution of scholarships funded under this chapter.

4032 Administrative expenses may include developing or contracting
4033 with rideshare programs or facilitating carpool strategies for
4034 recipients of a transportation stipend ~~scholarship~~ under s.
4035 1002.31(7) ~~1002.394~~. No funds authorized under this subparagraph
4036 shall be used for lobbying or political activity or expenses
4037 related to lobbying or political activity. Up to one-third of
4038 the funds authorized for administrative expenses under this
4039 subparagraph may be used for expenses related to the recruitment
4040 of contributions from taxpayers. An eligible nonprofit
4041 scholarship-funding organization may not charge an application
4042 fee.

4043 2. Must expend for annual or partial-year scholarships 100
4044 percent of any eligible contributions from the prior fiscal
4045 year.

4046 3. Must expend for annual or partial-year scholarships an
4047 amount equal to or greater than 75 percent of all net eligible
4048 contributions, as defined in subsection (2), remaining after
4049 administrative expenses during the state fiscal year in which
4050 such eligible contributions are collected. No more than 25
4051 percent of such net eligible contributions may be carried
4052 forward to the following state fiscal year. All amounts carried
4053 forward, for audit purposes, must be specifically identified for
4054 particular students, by student name and the name of the school
4055 to which the student is admitted, subject to the requirements of
4056 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the
4057 applicable rules and regulations issued pursuant thereto. Any
4058 amounts carried forward shall be expended for annual or partial-
4059 year scholarships in the following state fiscal year. Eligible
4060 contributions remaining on June 30 of each year that are in
4061 excess of the 25 percent that may be carried forward shall be
4062 used to provide scholarships to eligible students or transferred
4063 to other eligible nonprofit scholarship-funding organizations to
4064 provide scholarships for eligible students. All transferred
4065 funds must be deposited by each eligible nonprofit scholarship-
4066 funding organization receiving such funds into its scholarship
4067 account. All transferred amounts received by any eligible
4068 nonprofit scholarship-funding organization must be separately
4069 disclosed in the annual financial audit required under paragraph
4070 (o).

HB 7017

2025

4071 4. Must, before granting a scholarship for an academic
4072 year, document each scholarship student's eligibility for that
4073 academic year. A scholarship-funding organization may not grant
4074 multiyear scholarships in one approval process.

4075
4076 Information and documentation provided to the Department of
4077 Education and the Auditor General relating to the identity of a
4078 taxpayer that provides an eligible contribution under this
4079 section shall remain confidential at all times in accordance
4080 with s. 213.053.

4081 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
4082 PARTICIPATION.—

4083 (b) A parent whose student will not be enrolled full time
4084 in a public or private school must:

4085 1. Apply to an eligible nonprofit scholarship-funding
4086 organization to participate in the program as a personalized
4087 education student by a date set by the organization. The request
4088 must be communicated directly to the organization in a manner
4089 that creates a written or electronic record of the request and
4090 the date of receipt of the request. Beginning with new and
4091 renewal applications for the 2025-2026 school year and
4092 thereafter, a parent must notify the organization by May 31 that
4093 the scholarship is being accepted, renewed, or declined.

4094 2. Sign an agreement with the organization and annually
4095 submit a sworn compliance statement to the organization to

4096 satisfy or maintain program eligibility, including eligibility
4097 to receive and spend program payments, by:

4098 a. Affirming that the program funds are used only for
4099 authorized purposes serving the student's educational needs, as
4100 described in paragraph (6)(d), and that they will not receive a
4101 payment, refund, or rebate of any funds provided under this
4102 section.

4103 b. Affirming that the parent is responsible for all
4104 eligible expenses in excess of the amount of the scholarship and
4105 for the education of his or her student.

4106 c. Submitting a student learning plan to the organization
4107 and revising the plan at least annually before program renewal.

4108 d. Requiring his or her student to take a nationally norm-
4109 referenced test identified by the Department of Education, or a
4110 statewide assessment under s. 1008.22, and provide assessment
4111 results to the organization before the student's program
4112 renewal.

4113 e. Complying with the scholarship application and renewal
4114 processes and requirements established by the organization. A
4115 student whose participation in the program is not renewed may
4116 continue to spend scholarship funds that are in his or her
4117 account from prior years unless the account must be closed
4118 pursuant to s. 1002.394(5)(a)2.

4119 f. Procuring the services necessary to educate the
4120 student. When the student receives a scholarship, the district

4121 school board is not obligated to provide the student with a free
4122 appropriate public education.

4123

4124 For purposes of this paragraph, full-time enrollment does not
4125 include enrollment at a private school that addresses regular
4126 and direct contact with teachers through the student learning
4127 plan in accordance with s. 1002.421(1)(i).

4128

4129 An eligible nonprofit scholarship-funding organization may not
4130 further regulate, exercise control over, or require
4131 documentation beyond the requirements of this subsection unless
4132 the regulation, control, or documentation is necessary for
4133 participation in the program.

4134 Reviser's note.—Paragraph (2)(b) is amended to confirm an
4135 editorial substitution to conform to the redesignation of
4136 subparagraph (6)(d)2. as subparagraph (6)(d)4. by s. 4, ch.
4137 2024-163, Laws of Florida, and the redesignation of sub-
4138 subparagraph h. of that subparagraph as sub-subparagraph g.
4139 by s. 7, ch. 2024-230, Laws of Florida. Paragraphs (4)(c)
4140 and (6)(1) are amended to facilitate correct interpretation
4141 and to correct cross-references. Section 6, ch. 2024-230,
4142 deleted s. 1002.394(4)(a)2., and s. 7, ch. 2024-230,
4143 deleted s. 1002.395(6)(d)2.b., both relating to program
4144 funds used for transportation to a Florida public school in
4145 which a student is enrolled and that is different from the

4146 school to which the student was assigned or to a lab school
4147 as defined in s. 1002.32; similar material relating to
4148 stipends for transportation can be found at s. 1002.31(7),
4149 created by s. 2, ch. 2024-230. Paragraph (7)(b) is amended
4150 to confirm an editorial insertion to improve clarity.

4151 **Section 100. Section 1003.485, Florida Statutes, is**
4152 **reenacted to read:**

4153 1003.485 The New Worlds Reading Initiative.—

4154 (1) DEFINITIONS.—As used in this section, the term:

4155 (a) "Administrator" means the University of Florida
4156 Lastinger Center for Learning.

4157 (b) "Annual tax credit amount" means, for any state fiscal
4158 year, the sum of the amount of tax credits approved under
4159 paragraph (5)(b), including tax credits to be taken under s.
4160 211.0252, s. 212.1833, s. 220.1876, s. 561.1212, or s.
4161 624.51056, which are approved for taxpayers whose taxable years
4162 begin on or after January 1 of the calendar year preceding the
4163 start of the applicable state fiscal year.

4164 (c) "Department" means the Department of Education.

4165 (d) "Division" means the Division of Alcoholic Beverages
4166 and Tobacco of the Department of Business and Professional
4167 Regulation.

4168 (e) "Eligible contribution" means a monetary contribution
4169 from a taxpayer, subject to the restrictions provided in this
4170 section, to the administrator.

4171 (f) "Initiative" means the New Worlds Reading Initiative.

4172 (g) "Micro-credential" means evidence-based professional
4173 learning activities grounded in the science of reading which are
4174 competency-based, personalized, and on-demand. Educators must
4175 demonstrate their competence via evidence submitted and reviewed
4176 by trained evaluators.

4177 (2) NEW WORLDS READING INITIATIVE; PURPOSE.—The purpose of
4178 the New Worlds Reading Initiative established under the
4179 department is to instill a love of reading by providing high-
4180 quality, free books to students in prekindergarten through grade
4181 5 who are reading below grade level and to improve the literacy
4182 skills of students in prekindergarten through grade 12. The New
4183 Worlds Reading Initiative shall consist of:

4184 (a) The program established under this section to provide
4185 high-quality, free books to students.

4186 (b) The New Worlds Scholarship Program under s. 1002.411.

4187 (c) The New Worlds Scholar program under s. 1008.365,
4188 which rewards high school students who instill a love of reading
4189 and improve the literacy skills of students in kindergarten
4190 through grade 3.

4191 (d) The New Worlds micro-credential program established
4192 under this section which emphasizes strong core instruction and
4193 a tiered model of reading interventions for struggling readers.

4194 (3) DEPARTMENT RESPONSIBILITIES.—The department shall:

4195 (a) Publish information about the initiative and tax

4196 credits under subsection (5) on its website, including the
4197 process for a taxpayer to select the administrator as the
4198 recipient of funding through a tax credit.

4199 (b) Annually report on its website the number of students
4200 participating in the initiative in each school district,
4201 information from the annual financial report under paragraph
4202 (4)(j), and the academic achievement and learning gains, as
4203 applicable, of participating students based on data provided by
4204 school districts as permitted under s. 1002.22. The department
4205 shall establish a date by which the administrator and each
4206 school district must annually provide the data necessary to
4207 complete the report.

4208 (c) Provide the administrator with progress monitoring
4209 data for eligible prekindergarten through grade 12 students
4210 within 30 days after the close of each progress monitoring
4211 period.

4212 (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator
4213 shall:

4214 (a) Develop, in consultation with the Just Read, Florida!
4215 Office under s. 1001.215, a selection of high-quality books
4216 encompassing diverse subjects and genres for each grade level to
4217 be mailed to students in the initiative.

4218 (b) Distribute books at no cost to students as provided in
4219 paragraph (6)(c) either directly or through an agreement with a
4220 book distribution company.

4221 (c) Assist local implementation of the initiative by
4222 providing marketing materials to school districts and any
4223 partnering nonprofit organizations to assist with public
4224 awareness campaigns and other activities designed to increase
4225 family engagement and instill a love of reading in students.

4226 (d) Maintain a clearinghouse for information on national,
4227 state, and local nonprofit organizations that support efforts to
4228 improve literacy and provide books to children.

4229 (e) Develop, for parents of students in the initiative,
4230 resources and training materials that engage families in reading
4231 and support the reading achievement of their students. The
4232 administrator shall periodically send to parents hyperlinks to
4233 these resources and materials, including video modules, via text
4234 message and e-mail.

4235 (f) Provide professional learning and resources to
4236 teachers that correlate with the books provided through the
4237 initiative.

4238 (g) Develop, in consultation with the Just Read, Florida!
4239 Office under s. 1001.215, an online repository of digital
4240 science of reading materials and science of reading
4241 instructional resources that is accessible to public school
4242 teachers, school leaders, parents, and educator preparation
4243 programs and associated faculty.

4244 (h) Develop a micro-credential that requires teachers to
4245 demonstrate competency to:

4246 1. Diagnose literacy difficulties and determine the
4247 appropriate range of literacy interventions based upon the age
4248 and literacy deficiency of the student;

4249 2. Use evidence-based instructional and intervention
4250 practices grounded in the science of reading, including
4251 strategies identified by the Just Read, Florida! Office pursuant
4252 to s. 1001.215(7); and

4253 3. Effectively use progress monitoring and intervention
4254 materials.

4255 (i) Administer the early literacy micro-credential program
4256 established under this section, which must include components on
4257 content, student learning, pedagogy, and professional learning
4258 and must build on a strong foundation of scientifically
4259 researched and evidence-based reading instructional and
4260 intervention programs that incorporate explicit, systematic, and
4261 sequential approaches to teaching phonemic awareness, phonics,
4262 vocabulary, fluency, and text comprehension and incorporate
4263 decodable or phonetic text instructional strategies, as
4264 identified by the Just Read, Florida! Office, pursuant to s.
4265 1001.215(7).

4266 1. At a minimum, the micro-credential curriculum must be
4267 designed specifically for instructional personnel in
4268 prekindergarten through grade 3 based upon the strategies and
4269 techniques identified in s. 1002.59 and address foundational
4270 literacy skills of students in grades 4 through 12.

4271 2. The micro-credential must be competency based and
4272 designed for eligible instructional personnel to complete the
4273 credentialing process in no more than 60 hours, in an online
4274 format. The micro-credential may be delivered in an in-person
4275 format. Eligible instructional personnel may receive the micro-
4276 credential once competency is demonstrated even if it is before
4277 the completion of 60 hours.

4278 3. The micro-credential must be available by December 31,
4279 2022, at no cost, to instructional personnel as defined in s.
4280 1012.01(2); prekindergarten instructors as specified in ss.
4281 1002.55, 1002.61, and 1002.63; and child care personnel as
4282 defined in ss. 402.302(3) and 1002.88(1)(e).

4283 (j) Annually submit to the department an annual financial
4284 report that includes, at a minimum, the amount of eligible
4285 contributions received by the administrator; the amount spent on
4286 each activity required by this subsection, including
4287 administrative expenses; the number of micro-credentials and
4288 reading endorsements earned; and the number of students and
4289 households served under each component of the initiative, by
4290 school district, including the means by which additional
4291 literacy support was provided to students.

4292 (k) Maintain separate accounts for operating funds and
4293 funds for the purchase and delivery of books.

4294 (l) Expend eligible contributions received only for the
4295 purchase and delivery of books and to implement the requirements

4296 of this section, as well as for administrative expenses not to
4297 exceed 2 percent of total eligible contributions.
4298 Notwithstanding s. 1002.395(6)(1)3., the administrator may carry
4299 forward up to 25 percent of eligible contributions made before
4300 January 1 of each state fiscal year and 100 percent of eligible
4301 contributions made on or after January 1 of each state fiscal
4302 year to the following state fiscal year for purposes authorized
4303 by this subsection. Any eligible contributions in excess of the
4304 allowable carry forward not used to provide additional books
4305 throughout the year to eligible students shall revert to the
4306 state treasury.

4307 (m) Upon receipt of a contribution, provide the taxpayer
4308 that made the contribution with a certificate of contribution. A
4309 certificate of contribution must include the taxpayer's name
4310 and, if available, its federal employer identification number;
4311 the amount contributed; the date of contribution; and the name
4312 of the administrator.

4313 (5) NEW WORLDS READING INITIATIVE TAX CREDITS;
4314 APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

4315 (a) The tax credit cap amount is \$10 million for the 2021-
4316 2022 state fiscal year, \$30 million for the 2022-2023 state
4317 fiscal year, and \$60 million in each state fiscal year
4318 thereafter.

4319 (b) Beginning October 1, 2021, a taxpayer may submit an
4320 application to the Department of Revenue for a tax credit or

4321 credits to be taken under one or more of s. 211.0252, s.
 4322 212.1833, s. 220.1876, s. 561.1212, or s. 624.51056.

4323 1. The taxpayer shall specify in the application each tax
 4324 for which the taxpayer requests a credit and the applicable
 4325 taxable year for a credit under s. 220.1876 or s. 624.51056 or
 4326 the applicable state fiscal year for a credit under s. 211.0252,
 4327 s. 212.1833, or s. 561.1212. For purposes of s. 220.1876, a
 4328 taxpayer may apply for a credit to be used for a prior taxable
 4329 year before the date the taxpayer is required to file a return
 4330 for that year pursuant to s. 220.222. For purposes of s.
 4331 624.51056, a taxpayer may apply for a credit to be used for a
 4332 prior taxable year before the date the taxpayer is required to
 4333 file a return for that prior taxable year pursuant to ss.
 4334 624.509 and 624.5092. The Department of Revenue shall approve
 4335 tax credits on a first-come, first-served basis and must obtain
 4336 the division's approval before approving a tax credit under s.
 4337 561.1212.

4338 2. Within 10 days after approving or denying an
 4339 application, the Department of Revenue shall provide a copy of
 4340 its approval or denial letter to the administrator.

4341 (c) If a tax credit approved under paragraph (b) is not
 4342 fully used within the specified state fiscal year for credits
 4343 under s. 211.0252, s. 212.1833, or s. 561.1212 or against taxes
 4344 due for the specified taxable year for credits under s. 220.1876
 4345 or s. 624.51056 because of insufficient tax liability on the

4346 part of the taxpayer, the unused amount must be carried forward
4347 for a period not to exceed 10 years. For purposes of s.
4348 220.1876, a credit carried forward may be used in a subsequent
4349 year after applying the other credits and unused carryovers in
4350 the order provided in s. 220.02(8).

4351 (d) A taxpayer may not convey, transfer, or assign an
4352 approved tax credit or a carryforward tax credit to another
4353 entity unless all of the assets of the taxpayer are conveyed,
4354 assigned, or transferred in the same transaction. However, a tax
4355 credit under s. 211.0252, s. 212.1833, s. 220.1876, s. 561.1212,
4356 or s. 624.51056 may be conveyed, transferred, or assigned
4357 between members of an affiliated group of corporations if the
4358 type of tax credit under s. 211.0252, s. 212.1833, s. 220.1876,
4359 s. 561.1212, or s. 624.51056 remains the same. A taxpayer shall
4360 notify the Department of Revenue of its intent to convey,
4361 transfer, or assign a tax credit to another member within an
4362 affiliated group of corporations. The amount conveyed,
4363 transferred, or assigned is available to another member of the
4364 affiliated group of corporations upon approval by the Department
4365 of Revenue. The Department of Revenue shall obtain the
4366 division's approval before approving a conveyance, transfer, or
4367 assignment of a tax credit under s. 561.1212.

4368 (e) Within any state fiscal year, a taxpayer may rescind
4369 all or part of a tax credit approved under paragraph (b). The
4370 amount rescinded shall become available for that state fiscal

4371 year to another eligible taxpayer approved by the Department of
4372 Revenue if the taxpayer receives notice from the Department of
4373 Revenue that the rescindment has been accepted by the Department
4374 of Revenue. The Department of Revenue must obtain the division's
4375 approval before accepting the rescindment of a tax credit under
4376 s. 561.1212. Any amount rescinded under this paragraph must
4377 become available to an eligible taxpayer on a first-come, first-
4378 served basis based on tax credit applications received after the
4379 date the rescindment is accepted by the Department of Revenue.

4380 (f) Within 10 days after approving or denying the
4381 conveyance, transfer, or assignment of a tax credit under
4382 paragraph (d), or the rescindment of a tax credit under
4383 paragraph (e), the Department of Revenue shall provide a copy of
4384 its approval or denial letter to the administrator. The
4385 Department of Revenue shall also include the administrator on
4386 all letters or correspondence of acknowledgment for tax credits
4387 under s. 212.1833.

4388 (g) For purposes of calculating the underpayment of
4389 estimated corporate income taxes under s. 220.34 and tax
4390 installment payments for taxes on insurance premiums or
4391 assessments under s. 624.5092, the final amount due is the
4392 amount after credits earned under s. 220.1876 or s. 624.51056
4393 for contributions to the administrator are deducted.

4394 1. For purposes of determining if a penalty or interest
4395 under s. 220.34(2)(d)1. will be imposed for underpayment of

4396 | estimated corporate income tax, a taxpayer may, after earning a
 4397 | credit under s. 220.1876, reduce any estimated payment in that
 4398 | taxable year by the amount of the credit.

4399 | 2. For purposes of determining if a penalty under s.
 4400 | 624.5092 will be imposed, an insurer, after earning a credit
 4401 | under s. 624.51056 for a taxable year, may reduce any
 4402 | installment payment for such taxable year of 27 percent of the
 4403 | amount of the net tax due as reported on the return for the
 4404 | preceding year under s. 624.5092(2)(b) by the amount of the
 4405 | credit.

4406 | (6) ELIGIBILITY; NOTIFICATION; SCHOOL DISTRICT
 4407 | OBLIGATIONS.—

4408 | (a) A student in prekindergarten through grade 5 must be
 4409 | provided books through the initiative if the student is not yet
 4410 | reading on grade level, has a substantial reading deficiency
 4411 | identified under s. 1008.25(5)(a), has a substantial deficiency
 4412 | in early literacy skills based upon the results of the
 4413 | coordinated screening and progress monitoring under s.
 4414 | 1008.25(9), or scored below a Level 3 on the most recent
 4415 | statewide, standardized English Language Arts assessment under
 4416 | s. 1008.22.

4417 | (b) Each school district shall notify the parent of a
 4418 | student who meets the criteria under paragraph (a) that the
 4419 | student is eligible to receive books at no cost through the New
 4420 | Worlds Reading Initiative and provide the parent with the

4421 application form developed by the administrator, which must
4422 allow for the selection of specific book topics or genres for
4423 the student.

4424 (c) Once an eligible student is identified, the school
4425 district shall coordinate with the administrator to initiate
4426 book delivery on a monthly basis during the school year, which
4427 must begin no later than October and continue through at least
4428 June.

4429 (d) Upon enrollment and at the beginning of each school
4430 year, students must be provided options for specific book topics
4431 or genres in order to maximize student interest in reading.

4432 (e) A student's eligibility for the initiative continues
4433 until promotion to grade 6 or until the student's parent opts
4434 out of the initiative.

4435 (f) Each school district shall participate in the
4436 initiative by partnering with local nonprofit organizations,
4437 raising awareness of the initiative using marketing materials
4438 developed by the administrator, coordinating book delivery, and
4439 identifying students and notifying parents pursuant to this
4440 subsection.

4441 (g) Each school district shall coordinate with each
4442 charter school it sponsors for purposes of identifying eligible
4443 students, notifying parents, coordinating book delivery,
4444 providing the opportunity to annually select book topics and
4445 genres, and raising awareness of the initiative as provided by

4446 | this section.

4447 | (h) School districts and partnering nonprofit
4448 | organizations shall raise awareness of the initiative, including
4449 | information on eligibility and video training modules under
4450 | paragraph (4) (e), through, at least, the following:

4451 | 1. The student handbook and the read-at-home plan under s.
4452 | 1008.25(5) (d).

4453 | 2. A parent or curriculum night or separate initiative
4454 | awareness event at each elementary school.

4455 | 3. Partnering with the county library to host awareness
4456 | events, which should coincide with other initiatives such as
4457 | library card drives, family library nights, summer access
4458 | events, and other family engagement programming.

4459 | (i) Each school district shall establish a data sharing
4460 | agreement with the initiative's administrator which allows for a
4461 | streamlined student verification and enrollment process.

4462 | (7) ADMINISTRATION; RULES.—

4463 | (a) The Department of Revenue, the division, and the
4464 | Department of Education may develop a cooperative agreement to
4465 | assist in the administration of this section, as needed.

4466 | (b) The Department of Revenue may adopt rules necessary to
4467 | administer this section and ss. 211.0252, 212.1833, 220.1876,
4468 | 561.1212, and 624.51056, including rules establishing
4469 | application forms, procedures governing the approval of tax
4470 | credits and carryforward tax credits under subsection (5), and

4471 | procedures to be followed by taxpayers when claiming approved
 4472 | tax credits on their returns.

4473 | (c) The division may adopt rules necessary to administer
 4474 | its responsibilities under this section and s. 561.1212.

4475 | (d) The Department of Education may adopt rules necessary
 4476 | to administer this section.

4477 | (e) Notwithstanding any provision of s. 213.053 to the
 4478 | contrary, sharing information with the division related to this
 4479 | tax credit is considered the conduct of the Department of
 4480 | Revenue's official duties as contemplated in s. 213.053(8)(c),
 4481 | and the Department of Revenue and the division are specifically
 4482 | authorized to share information as needed to administer this
 4483 | section.

4484 | Reviser's note.—Section 4, ch. 2024-162, Laws of Florida,
 4485 | purported to amend s. 1003.485, but did not publish
 4486 | subsection (5). Absent affirmative evidence of legislative
 4487 | intent to repeal it, s. 1003.485 is reenacted to confirm
 4488 | that the omission was not intended.

4489 | **Section 101. Paragraph (b) of subsection (6) of section**
 4490 | **1004.44, Florida Statutes, is amended to read:**

4491 | 1004.44 Louis de la Parte Florida Mental Health
 4492 | Institute.—There is established the Louis de la Parte Florida
 4493 | Mental Health Institute within the University of South Florida.

4494 | (6)

4495 | (b) The center may:

4496 1. Convene groups, including, but not limited to,
 4497 behavioral health clinicians, professionals, and workers, and
 4498 employers of such individuals; other health care providers;
 4499 individuals with behavioral health conditions and their
 4500 families; and business and industry leaders, policymakers, and
 4501 educators, to assist the center in its work; and

4502 2. Request from any board as defined in s. 456.001 any
 4503 information held by the board regarding a behavioral health
 4504 professional licensed in this state or holding a multistate
 4505 license pursuant to a professional multistate licensure compact
 4506 or information reported to the board by employers of such
 4507 behavioral health professionals, other than personal identifying
 4508 information. The boards must provide such information to the
 4509 center upon request.

4510 Reviser's note.—Amended to confirm an editorial insertion to
 4511 improve clarity.

4512 **Section 102. Subsection (5) of section 1004.647, Florida**
 4513 **Statutes, is amended to read:**

4514 1004.647 Florida Catastrophic Storm Risk Management
 4515 Center.—The Florida Catastrophic Storm Risk Management Center is
 4516 created at the Florida State University, College of Business,
 4517 Department of Risk Management. The purpose of the center is to
 4518 promote and disseminate research on issues related to
 4519 catastrophic storm loss and to assist in identifying and
 4520 developing education and research grant funding opportunities

4521 among higher education institutions in this state and the
 4522 private sector. The purpose of the activities of the center is
 4523 to support the state's ability to prepare for, respond to, and
 4524 recover from catastrophic storms. The center shall:

4525 (5) Organize and sponsor conferences, symposiums ~~symposia~~,
 4526 and workshops to educate consumers and policymakers.

4527 Reviser's note.—Amended to conform usage in the Florida Statutes
 4528 to the preferred plural form of "symposium."

4529 **Section 103. Paragraph (g) of subsection (2) of section**
 4530 **1004.6499, Florida Statutes, is amended to read:**

4531 1004.6499 Florida Institute for Governance and Civics.—

4532 (2) The goals of the institute are to:

4533 (g) Create through scholarship, original research,
 4534 publications, symposiums ~~symposia~~, testimonials, and other means
 4535 a body of resources that can be accessed by students, scholars,
 4536 and government officials to understand the innovations in public
 4537 policy in this state over a rolling 30-year time period.

4538 Reviser's note.—Amended to conform usage in the Florida Statutes
 4539 to the preferred plural form of "symposium."

4540 **Section 104. Paragraphs (c) and (e) of subsection (2) of**
 4541 **section 1004.64991, Florida Statutes, are amended to read:**

4542 1004.64991 The Adam Smith Center for Economic Freedom.—

4543 (2) The goals of the center are to:

4544 (c) Plan and host workshops, symposiums, and conferences
 4545 to allow students, scholars, and guests to engage ~~exchange~~ in

4546 civil discussion of democracy and capitalism.

4547 (e) Partner with the Institute for Freedom in the Americas
 4548 to support its mission, which includes promoting economic and
 4549 individual freedoms as a means for advancing human progress with
 4550 an emphasis on Latin America ~~American~~ and the Caribbean.

4551 Reviser's note.—Paragraph (2)(c) is amended to improve clarity.

4552 Paragraph (2)(e) is amended to confirm an editorial
 4553 substitution to conform to context.

4554 **Section 105. Paragraph (a) of subsection (4) of section**
 4555 **1004.76, Florida Statutes, is amended to read:**

4556 1004.76 Florida Martin Luther King, Jr., Institute for
 4557 Nonviolence.—

4558 (4) The institute shall have the following powers and
 4559 duties:

4560 (a) To conduct training, provide symposiums ~~symposia~~, and
 4561 develop continuing education and programs to promote skills in
 4562 nonviolent conflict resolution for persons in government,
 4563 private enterprise, community groups, and voluntary
 4564 associations.

4565 Reviser's note.—Amended to conform usage in the Florida Statutes
 4566 to the preferred plural form of "symposium."

4567 **Section 106. Paragraphs (a) and (f) of subsection (6) of**
 4568 **section 1006.07, Florida Statutes, are amended to read:**

4569 1006.07 District school board duties relating to student
 4570 discipline and school safety.—The district school board shall

4571 provide for the proper accounting for all students, for the
4572 attendance and control of students at school, and for proper
4573 attention to health, safety, and other matters relating to the
4574 welfare of students, including:

4575 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
4576 school superintendent shall establish policies and procedures
4577 for the prevention of violence on school grounds, including the
4578 assessment of and intervention with individuals whose behavior
4579 poses a threat to the safety of the school community.

4580 (a) *School safety specialist*.—Each district school
4581 superintendent shall designate a school safety specialist for
4582 the district. The school safety specialist must be a school
4583 administrator employed by the school district or a law
4584 enforcement officer employed by the sheriff's office located in
4585 the school district. Any school safety specialist designated
4586 from the sheriff's office must first be authorized and approved
4587 by the sheriff employing the law enforcement officer. Any school
4588 safety specialist designated from the sheriff's office remains
4589 the employee of the office for purposes of compensation,
4590 insurance, workers' compensation, and other benefits authorized
4591 by law for a law enforcement officer employed by the sheriff's
4592 office. The sheriff and the school superintendent may determine
4593 by agreement the reimbursement for such costs, or may share the
4594 costs, associated with employment of the law enforcement officer
4595 as a school safety specialist. The school safety specialist must

4596 | earn a certificate of completion of the school safety specialist
4597 | training provided by the Office of Safe Schools within 1 year
4598 | after appointment and is responsible for the supervision and
4599 | oversight for all school safety and security personnel,
4600 | policies, and procedures in the school district. The school
4601 | safety specialist, or his or her designee, shall:

4602 | 1. In conjunction with the district school superintendent,
4603 | annually review school district policies and procedures for
4604 | compliance with state law and rules, including the district's
4605 | timely and accurate submission of school environmental safety
4606 | incident reports to the department pursuant to s. 1001.212(8).
4607 | At least quarterly, the school safety specialist must report to
4608 | the district school superintendent and the district school board
4609 | any noncompliance by the school district with laws or rules
4610 | regarding school safety.

4611 | 2. Provide the necessary training and resources to
4612 | students and school district staff in matters relating to youth
4613 | mental health awareness and assistance; emergency procedures,
4614 | including active shooter training; and school safety and
4615 | security.

4616 | 3. Serve as the school district liaison with local public
4617 | safety agencies and national, state, and community agencies and
4618 | organizations in matters of school safety and security.

4619 | 4. In collaboration with the appropriate public safety
4620 | agencies, as that term is defined in s. 365.171, by October 1 of

4621 each year, conduct a school security risk assessment at each
4622 public school using the Florida Safe Schools Assessment Tool
4623 developed by the Office of Safe Schools pursuant to s.
4624 1006.1493. Based on the assessment findings, the district's
4625 school safety specialist shall provide recommendations to the
4626 district school superintendent and the district school board
4627 which identify strategies and activities that the district
4628 school board should implement in order to address the findings
4629 and improve school safety and security. Each district school
4630 board must receive such findings and the school safety
4631 specialist's recommendations at a publicly noticed district
4632 school board meeting to provide the public an opportunity to
4633 hear the district school board members discuss and take action
4634 on the findings and recommendations. Each school safety
4635 specialist, through the district school superintendent, shall
4636 report such findings and school board action to the Office of
4637 Safe Schools within 30 days after the district school board
4638 meeting.

4639 5. Conduct annual unannounced inspections, using the form
4640 adopted by the Office of Safe Schools pursuant to s.
4641 1001.212(13) ~~1001.212(14)~~, of all public schools, including
4642 charter schools, while school is in session and investigate
4643 reports of noncompliance with school safety requirements.

4644 6. Report violations of paragraph (f) by administrative
4645 personnel and instructional personnel to the district school

4646 superintendent or charter school administrator, as applicable.

4647 (f) *School safety requirements.*—By August 1, 2024, each
4648 school district and charter school governing board shall comply
4649 with the following school safety requirements:

4650 1. All gates or other access points that restrict ingress
4651 to or egress from a school campus shall remain closed and locked
4652 when students are on campus. A gate or other campus access point
4653 may not be open or unlocked, regardless of whether it is during
4654 normal school hours, unless:

4655 a. Attended or actively staffed by a person when students
4656 are on campus;

4657 b. The use is in accordance with a shared use agreement
4658 pursuant to s. 1013.101; or

4659 c. The school safety specialist, or his or her designee,
4660 has documented in the Florida Safe Schools Assessment Tool
4661 portal maintained by the Office of Safe Schools that the gate or
4662 other access point is not subject to this requirement based upon
4663 other safety measures at the school. The office may conduct a
4664 compliance visit pursuant to s. 1001.212(13) ~~1001.212(14)~~ to
4665 review if such determination is appropriate.

4666 2. All school classrooms and other instructional spaces
4667 must be locked to prevent ingress when occupied by students,
4668 except between class periods when students are moving between
4669 classrooms or other instructional spaces. If a classroom or
4670 other instructional space door must be left unlocked or open for

HB 7017

2025

4671 any reason other than between class periods when students are
4672 moving between classrooms or other instructional spaces, the
4673 door must be actively staffed by a person standing or seated at
4674 the door.

4675 3. All campus access doors, gates, and other access points
4676 that allow ingress to or egress from a school building shall
4677 remain closed and locked at all times to prevent ingress, unless
4678 a person is actively entering or exiting the door, gate, or
4679 other access point or the school safety specialist, or his or
4680 her designee, has documented in the Florida Safe Schools
4681 Assessment Tool portal maintained by the Office of Safe Schools
4682 that the open and unlocked door, gate, or other access point is
4683 not subject to this requirement based upon other safety measures
4684 at the school. The office may conduct a compliance visit
4685 pursuant to s. 1001.212(13) ~~1001.212(14)~~ to review if such
4686 determination is appropriate. All campus access doors, gates,
4687 and other access points may be electronically or manually
4688 controlled by school personnel to allow access by authorized
4689 visitors, students, and school personnel.

4690 4. All school classrooms and other instructional spaces
4691 must clearly and conspicuously mark the safest areas in each
4692 classroom or other instructional space where students must
4693 shelter in place during an emergency. Students must be notified
4694 of these safe areas within the first 10 days of the school year.
4695 If it is not feasible to clearly and conspicuously mark the

HB 7017

2025

4696 safest areas in a classroom or other instructional space, the
4697 school safety specialist, or his or her designee, must document
4698 such determination in the Florida Safe Schools Assessment Tool
4699 portal maintained by the Office of Safe Schools, identifying
4700 where affected students must shelter in place. The office shall
4701 assist the school safety specialist with compliance during the
4702 inspection required under s. 1001.212(13) ~~1001.212(14)~~.

4703

4704 Persons who are aware of a violation of this paragraph must
4705 report the violation to the school principal. The school
4706 principal must report the violation to the school safety
4707 specialist no later than the next business day after receiving
4708 such report. If the person who violated this paragraph is the
4709 school principal or charter school administrator, the report
4710 must be made directly to the district school superintendent or
4711 charter school governing board, as applicable.

4712 Reviser's note.—Amended to correct a cross-reference. Section 5,
4713 ch. 2024-155, Laws of Florida, added subsection (14) to s.
4714 1001.212, which was redesignated as subsection (13) to
4715 conform to the deletion of former subsection (11) by s. 20,
4716 ch. 2024-3, Laws of Florida.

4717 **Section 107. Paragraphs (d) and (e) of subsection (2) and**
4718 **paragraph (b) of subsection (4) of section 1006.28, Florida**
4719 **Statutes, are amended to read:**

4720 1006.28 Duties of district school board, district school

HB 7017

2025

4721 superintendent; and school principal regarding K-12
4722 instructional materials.—

4723 (2) DISTRICT SCHOOL BOARD.—The district school board has
4724 the constitutional duty and responsibility to select and provide
4725 adequate instructional materials for all students in accordance
4726 with the requirements of this part. The district school board
4727 also has the following specific duties and responsibilities:

4728 (d) *School library media services; establishment and*
4729 *maintenance.*—Establish and maintain a program of school library
4730 media services for all public schools in the district, including
4731 school library media centers, or school library media centers
4732 open to the public, and, in addition such traveling or
4733 circulating libraries as may be needed for the proper operation
4734 of the district school system. ~~Beginning January 1, 2023,~~ School
4735 librarians, media specialists, and other personnel involved in
4736 the selection of school district library materials must complete
4737 the training program developed pursuant to s. 1006.29(6) before
4738 reviewing and selecting age-appropriate materials and library
4739 resources. Upon written request, a school district shall provide
4740 access to any material or book specified in the request that is
4741 maintained in a district school system library and is available
4742 for review.

4743 1. Each book made available to students through a school
4744 district library media center or included in a recommended or
4745 assigned school or grade-level reading list must be selected by

4746 a school district employee who holds a valid educational media
4747 specialist certificate, regardless of whether the book is
4748 purchased, donated, or otherwise made available to students.

4749 2. Each district school board shall adopt procedures for
4750 developing library media center collections and post the
4751 procedures on the website for each school within the district.
4752 The procedures must:

4753 a. Require that book selections meet the criteria in s.
4754 1006.40(3)(c).

4755 b. Require consultation of reputable, professionally
4756 recognized reviewing periodicals and school community
4757 stakeholders.

4758 c. Provide for library media center collections, including
4759 classroom libraries, based on reader interest, support of state
4760 academic standards and aligned curriculum, and the academic
4761 needs of students and faculty.

4762 d. Provide for the regular removal or discontinuance of
4763 books based on, at a minimum, physical condition, rate of recent
4764 circulation, alignment to state academic standards and relevancy
4765 to curriculum, out-of-date content, and required removal
4766 pursuant to subparagraph (a)2.

4767 3. Each elementary school must publish on its website, in
4768 a searchable format prescribed by the department, a list of all
4769 materials maintained and accessible in the school library media
4770 center or a classroom library or required as part of a school or

4771 grade-level reading list.

4772 4. Each district school board shall adopt and publish on
4773 its website the process for a parent to limit his or her
4774 student's access to materials in the school or classroom
4775 library.

4776 (e) *Public participation.*—Publish on its website, in a
4777 searchable format prescribed by the department, a list of all
4778 instructional materials, including those used to provide
4779 instruction required by s. 1003.42. Each district school board
4780 must:

4781 1. Provide access to all materials, excluding teacher
4782 editions, in accordance with s. 1006.283(2)(b)8.a. before the
4783 district school board takes any official action on such
4784 materials. This process must include reasonable safeguards
4785 against the unauthorized use, reproduction, and distribution of
4786 instructional materials considered for adoption.

4787 2. Select, approve, adopt, or purchase all materials as a
4788 separate line item on the agenda and provide a reasonable
4789 opportunity for public comment. The use of materials described
4790 in this paragraph may not be selected, approved, or adopted as
4791 part of a consent agenda.

4792 3. Annually, on ~~beginning~~ June 30, ~~2023~~, submit to the
4793 Commissioner of Education a report that identifies:

4794 a. Each material for which the school district received an
4795 objection pursuant to subparagraph (a)2., including the grade

4796 level and course the material was used in, for the school year
4797 and the specific objections thereto.

4798 b. Each material that was removed or discontinued.

4799 c. Each material that was not removed or discontinued and
4800 the rationale for not removing or discontinuing the material.

4801
4802 The department shall publish and regularly update a list of
4803 materials that were removed or discontinued, sorted by grade
4804 level, as a result of an objection and disseminate the list to
4805 school districts for consideration in their selection
4806 procedures.

4807 (4) SCHOOL PRINCIPAL.—The school principal has the
4808 following duties for the management and care of materials at the
4809 school:

4810 (b) *Money collected for lost or damaged instructional*
4811 *materials; enforcement.*—The school principal may collect from
4812 each student or the student's parent the purchase price of any
4813 instructional material the student has lost, destroyed, or
4814 unnecessarily damaged and ~~to~~ report and transmit the money
4815 collected to the district school superintendent. A student who
4816 fails to pay such sum may be suspended from participation in
4817 extracurricular activities. A student may satisfy the debt
4818 through community service activities at the school site as
4819 determined by the school principal, pursuant to policies adopted
4820 by district school board rule.

4821 Reviser's note.—Paragraphs (2) (d) and (e) are amended to delete
 4822 obsolete language. Paragraph (4) (b) is amended to confirm
 4823 an editorial deletion to conform to context.

4824 **Section 108. Paragraph (b) of subsection (3) and**
 4825 **subsection (5) of section 1008.34, Florida Statutes, are amended**
 4826 **to read:**

4827 1008.34 School grading system; school report cards;
 4828 district grade.—

4829 (3) DESIGNATION OF SCHOOL GRADES.—

4830 (b)1. A school's grade shall be based on the following
 4831 components, each worth 100 points:

4832 a. The percentage of eligible students passing statewide,
 4833 standardized assessments in English Language Arts under s.
 4834 1008.22 (3).

4835 b. The percentage of eligible students passing statewide,
 4836 standardized assessments in mathematics under s. 1008.22 (3).

4837 c. The percentage of eligible students passing statewide,
 4838 standardized assessments in science under s. 1008.22 (3).

4839 d. The percentage of eligible students passing statewide,
 4840 standardized assessments in social studies under s. 1008.22 (3).

4841 e. The percentage of eligible students who make Learning
 4842 Gains in English Language Arts as measured by statewide,
 4843 standardized assessments administered under s. 1008.22 (3).

4844 f. The percentage of eligible students who make Learning
 4845 Gains in mathematics as measured by statewide, standardized

4846 assessments administered under s. 1008.22(3).

4847 g. The percentage of eligible students in the lowest 25
4848 percent in English Language Arts, as identified by prior year
4849 performance on statewide, standardized assessments, who make
4850 Learning Gains as measured by statewide, standardized English
4851 Language Arts assessments administered under s. 1008.22(3).

4852 h. The percentage of eligible students in the lowest 25
4853 percent in mathematics, as identified by prior year performance
4854 on statewide, standardized assessments, who make Learning Gains
4855 as measured by statewide, standardized Mathematics assessments
4856 administered under s. 1008.22(3).

4857 i. For schools comprised of middle grades 6 through 8 or
4858 grades 7 and 8, the percentage of eligible students passing high
4859 school level statewide, standardized end-of-course assessments
4860 or attaining national industry certifications identified in the
4861 CAPE Industry Certification Funding List pursuant to state board
4862 rule.

4863 j. ~~Beginning in the 2023-2024 school year,~~ For schools
4864 comprised of grade levels that include grade 3, the percentage
4865 of eligible students who score an achievement level 3 or higher
4866 on the grade 3 statewide, standardized English Language Arts
4867 assessment administered under s. 1008.22(3).

4868
4869 In calculating Learning Gains for the components listed in sub-
4870 subparagraphs e.-h., the State Board of Education shall require

4871 that learning growth toward achievement levels 3, 4, and 5 is
4872 demonstrated by students who scored below each of those levels
4873 in the prior year. In calculating the components in sub-
4874 subparagraphs a.-d., the state board shall include the
4875 performance of English language learners only if they have been
4876 enrolled in a school in the United States for more than 2 years.

4877 2. For a school comprised of grades 9, 10, 11, and 12, or
4878 grades 10, 11, and 12, the school's grade shall also be based on
4879 the following components, each worth 100 points:

4880 a. The 4-year high school graduation rate of the school as
4881 defined by state board rule.

4882 b. The percentage of students who were eligible to earn
4883 college and career credit through an assessment identified
4884 pursuant to s. 1007.27(2), College Board Advanced Placement
4885 examinations, International Baccalaureate examinations, dual
4886 enrollment courses, including career dual enrollment courses
4887 resulting in the completion of 300 or more clock hours during
4888 high school which are approved by the state board as meeting the
4889 requirements of s. 1007.271, or Advanced International
4890 Certificate of Education examinations; who, at any time during
4891 high school, earned national industry certification identified
4892 in the CAPE Industry Certification Funding List, pursuant to
4893 rules adopted by the state board; or who earned an Armed
4894 Services Qualification Test score that falls within Category II
4895 or higher on the Armed Services Vocational Aptitude Battery and

4896 earned a minimum of two credits in Junior Reserve Officers'
4897 Training Corps courses from the same branch of the United States
4898 Armed Forces.

4899 (5) DISTRICT GRADE. ~~Beginning with the 2014-2015 school~~
4900 ~~year,~~ A school district's grade shall include a district-level
4901 calculation of the components under paragraph (3)(b). This
4902 calculation methodology captures each eligible student in the
4903 district who may have transferred among schools within the
4904 district or is enrolled in a school that does not receive a
4905 grade. The department shall develop a district report card that
4906 includes the district grade; the information required under s.
4907 1008.345(3); measures of the district's progress in closing the
4908 achievement gap between higher-performing student subgroups and
4909 lower-performing student subgroups; measures of the district's
4910 progress in demonstrating Learning Gains of its highest-
4911 performing students; measures of the district's success in
4912 improving student attendance; the district's grade-level
4913 promotion of students scoring achievement levels 1 and 2 on
4914 statewide, standardized English Language Arts and Mathematics
4915 assessments; and measures of the district's performance in
4916 preparing students for the transition from elementary to middle
4917 school, middle to high school, and high school to postsecondary
4918 institutions and careers.

4919 Reviser's note.—Amended to delete obsolete language.

4920 **Section 109. Subsections (3) and (22) of section 1009.23,**

4921 **Florida Statutes, are amended to read:**

4922 1009.23 Florida College System institution student fees.—

4923 (3) (a) ~~Effective July 1, 2014,~~ For advanced and
4924 professional, postsecondary vocational, developmental education,
4925 and educator preparation institute programs, the standard
4926 tuition shall be \$71.98 per credit hour for residents and
4927 nonresidents, and the out-of-state fee shall be \$215.94 per
4928 credit hour.

4929 (b) ~~Effective July 1, 2014,~~ For baccalaureate degree
4930 programs, the following tuition and fee rates shall apply:

4931 1. The tuition shall be \$91.79 per credit hour for
4932 students who are residents for tuition purposes.

4933 2. The sum of the tuition and the out-of-state fee per
4934 credit hour for students who are nonresidents for tuition
4935 purposes shall be no more than 85 percent of the sum of the
4936 tuition and the out-of-state fee at the state university nearest
4937 the Florida College System institution.

4938 (22) Beginning with the 2024-2025 academic year, Miami
4939 Dade College, Polk State College, and Tallahassee State College
4940 ~~Tallahassee Community College~~ are authorized to charge an amount
4941 not to exceed \$290 per credit hour for nonresident tuition and
4942 fees for distance learning. Such institutions may phase in this
4943 nonresident tuition rate by degree program.

4944 Reviser's note.—Subsection (3) is amended to delete obsolete
4945 language. Subsection (22) is amended to confirm an

4946 | editorial substitution to conform to the redesignation of
 4947 | name of the college by s. 1, ch. 2024-43, Laws of Florida.

4948 | **Section 110. Paragraph (a) of subsection (4) of section**
 4949 | **1009.895, Florida Statutes, is amended to read:**

4950 | 1009.895 Open Door Grant Program.—

4951 | (4) DISTRIBUTION OF FUNDS.—

4952 | (a) ~~For the 2023-2024 fiscal year, funding for eligible~~
 4953 | ~~institutions must consist of a base amount provided for in the~~
 4954 | ~~General Appropriations Act plus each institution's proportionate~~
 4955 | ~~share of full-time equivalent students enrolled in career and~~
 4956 | ~~technical education programs.~~ Beginning in fiscal year 2024-
 4957 | 2025, the funds appropriated for the Open Door Grant Program
 4958 | must be distributed to eligible institutions in accordance with
 4959 | a formula approved by the State Board of Education. The formula
 4960 | must consider at least the prior year's distribution of funds
 4961 | and the number of eligible applicants who did not receive
 4962 | awards.

4963 | Reviser's note.—Amended to delete obsolete language.

4964 | **Section 111. Subsections (3) and (6) of section 1011.804,**
 4965 | **Florida Statutes, are amended to read:**

4966 | 1011.804 GATE Startup Grant Program.—

4967 | (3) The department may solicit proposals from institutions
 4968 | without programs that meet the requirements of s. 1004.933
 4969 | ~~1004.933(2)~~. Such institutions must be located in or serve a
 4970 | rural area of opportunity as designated by the Governor.

HB 7017

2025

4971 (6) Grant funds may be used for planning activities and
4972 other expenses associated with the creation of the GATE Program,
4973 such as expenses related to program instruction, instructional
4974 equipment, supplies, instructional personnel, and student
4975 services. Grant funds may not be used for indirect costs. Grant
4976 recipients must submit an annual report in a format prescribed
4977 by the department. The department shall consolidate such annual
4978 reports and include the reports in the report required by s.
4979 1004.933(6) ~~1004.933(5)~~.

4980 Reviser's note.—Subsection (3) is amended to revise a cross-
4981 reference; s. 1004.933(2) creates the Graduation
4982 Alternative to Traditional Education (GATE) Program but
4983 does not provide specific requirements. Subsection (6) is
4984 amended to correct a cross-reference to conform to the
4985 location of reporting requirements in s. 1004.933(6);
4986 subsection (5) of that section relates to department
4987 responsibilities.

4988 **Section 112. Paragraph (h) of subsection (1) of section**
4989 **1012.22, Florida Statutes, is amended to read:**

4990 1012.22 Public school personnel; powers and duties of the
4991 district school board.—The district school board shall:

4992 (1) Designate positions to be filled, prescribe
4993 qualifications for those positions, and provide for the
4994 appointment, compensation, promotion, suspension, and dismissal
4995 of employees as follows, subject to the requirements of this

4996 chapter:

4997 (h) *Planning and training time for teachers.*—The district
 4998 school board shall adopt rules to make provisions for teachers
 4999 to have time for lunch, professional planning, and professional
 5000 learning ~~time~~ when they will not be directly responsible for the
 5001 children if some adult supervision is furnished for the students
 5002 during such periods.

5003 Reviser's note.—Amended to confirm an editorial deletion to
 5004 eliminate redundancy.

5005 **Section 113. Section 1012.315, Florida Statutes, is**
 5006 **reenacted to read:**

5007 1012.315 Screening standards.—A person is ineligible for
 5008 educator certification or employment in any position that
 5009 requires direct contact with students in a district school
 5010 system, a charter school, or a private school that participates
 5011 in a state scholarship program under chapter 1002 if the person:

5012 (1) Is on the disqualification list maintained by the
 5013 department under s. 1001.10(4)(b);

5014 (2) Is registered as a sex offender as described in 42
 5015 U.S.C. s. 9858f(c)(1)(C);

5016 (3) Is ineligible based on a security background
 5017 investigation under s. 435.04(2). Beginning January 1, 2025, or
 5018 a later date as determined by the Agency for Health Care
 5019 Administration, the Agency for Health Care Administration shall
 5020 determine the eligibility of employees in any position that

5021 requires direct contact with students in a district school
 5022 system, a charter school, or a private school that participates
 5023 in a state scholarship program under chapter 1002;

5024 (4) Would be ineligible for an exemption under s.
 5025 435.07(4)(c); or

5026 (5) Has been convicted or found guilty of, has had
 5027 adjudication withheld for, or has pled guilty or nolo contendere
 5028 to:

5029 (a) Any criminal act committed in another state or under
 5030 federal law which, if committed in this state, constitutes a
 5031 disqualifying offense under s. 435.04(2).

5032 (b) Any delinquent act committed in this state or any
 5033 delinquent or criminal act committed in another state or under
 5034 federal law which, if committed in this state, qualifies an
 5035 individual for inclusion on the Registered Juvenile Sex Offender
 5036 List under s. 943.0435(1)(h)1.d.

5037 Reviser's note.—Section 8, ch. 2024-132, Laws of Florida,
 5038 amended paragraph (1)(y), but failed to incorporate the
 5039 amendment to s. 1012.315 by s. 8, ch. 2023-220, Laws of
 5040 Florida, effective July 1, 2024, which deleted former
 5041 subsection (1), including paragraph (y). Section 1012.315
 5042 is reenacted to conform to the fact that the amendment by
 5043 s. 8, ch. 2024-132, cannot be incorporated into the text of
 5044 the section as amended by s. 8, ch. 2023-220.

5045 **Section 114. Paragraph (a) of subsection (2) of section**

5046 | **1012.55, Florida Statutes, is amended to read:**

5047 | 1012.55 Positions for which certificates required.—

5048 | (2) (a) 1. Each person who is employed and renders service
5049 | as an athletic coach in any public school in any district of
5050 | this state shall:

5051 | a. Hold a valid temporary or professional certificate or
5052 | an athletic coaching certificate. The athletic coaching
5053 | certificate may be used for either part-time or full-time
5054 | positions.

5055 | b. Hold and maintain a certification in cardiopulmonary
5056 | resuscitation, first aid, and the use of an automated ~~automatic~~
5057 | external defibrillator. The certification must be consistent
5058 | with national evidence-based emergency cardiovascular care
5059 | guidelines.

5060 | 2. The provisions of this subsection do not apply to any
5061 | athletic coach who voluntarily renders service and who is not
5062 | employed by any public school district of this state.

5063 | Reviser's note.—Amended to confirm an editorial substitution to
5064 | conform to the correct name of the device.

5065 | **Section 115.** This act shall take effect on the 60th day
5066 | after adjournment sine die of the session of the Legislature in
5067 | which enacted.